

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER # 35

PROCUREMENT POLICY

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**Halifax Regional Municipality
Administrative Order Number #35
Procurement Policy**

Be it resolved, as an Administrative Order of the Council of the Halifax Regional Municipality as follows:

Short Title

This Administrative Order shall be cited as Administrative Order Number # 35, the Halifax Regional Municipality Procurement Administrative Order.

Policy Statement

1. The Halifax Regional Municipality Council directs the operation of the Regional Municipality through its approved programs and policy. The purpose of this policy is to establish purchasing guidelines to ensure the most cost effective and cost efficient methods are used to purchase goods, services and construction for the Regional Municipality in the manner approved by Council.

Guiding Principles

2. The following principles shall guide the procurement practices of Halifax Regional Municipality:
 - (1) Procurement policy provides a direction for the expenditure of funds to complete the programs approved by Regional Council in the annual Operating and Capital Budget.
 - (2) Procurement policy and procedures shall provide the most cost efficient and cost effective methods to purchase and dispose of all goods, service and construction for operations of Halifax Regional Municipality.
 - (3) The procurement process shall be open, fair, and consistent.
 - (4) The total cost of purchasing, installation, maintenance, warranty, continuing support, repair, staff training, operation, energy use, disposal value, and other relevant costs shall be considered, rather than only the lowest invoice price. Appropriately comparable life cycles shall be incorporated into total cost calculations.
 - (5) Procurement methods shall encourage competitive bidding for the supply of goods, services and/or construction.

(6) Halifax Regional Municipality shall use vendors, who provide satisfactory performance, based on:

- (i) performance
- (ii) previous contracts
- (iii) available financial and other resources to complete the contract bid upon
- (iv) references.

(7) Halifax Regional Municipality shall encourage opportunities to partner with the business community to provide services to and for Halifax Regional Municipality in a cost effective and cost efficient manner.

(8) Halifax Regional Municipality shall include consideration of environmental, economic and social factors in procurement processes and decisions.

(9) Halifax Regional Municipality shall promote procurement processes and decisions that are consistent with the strategic goals and objectives of the Municipality.

Definitions

3. (1) Bid - refers to a competitive bid received from either a Request for Quotation, Request for Tender, Two Phase Bid or Request for Proposal.
- (2) Procurement Section - refers to the Procurement Section of the Finance Business Unit.
- (3) Business Unit - refers to the user department requisitioning goods, service or construction
- (4) Formal Request for Submission - refers to Request for Proposals, Two Phase Bids, etc. over the value of \$50,000 and Request for Tenders over the value of \$100,000.

General

4. (1) This policy applies to all Business Units, Agencies, Boards and Commissions of Halifax Regional Municipality over which the Regional Municipality has jurisdiction, identified in Appendix A, unless otherwise governed by a Management Agreement or in cases where a separate approved Procurement Policy is in place.
- (2) The procurement of goods and services listed in Appendix B are exempt from the requirements of this policy.
- (3) This policy shall not apply to the purchase or disposal of Real Property which is covered by separate Council direction. Purchase of parcels of land, including appurtenance fixtures, are not governed by this policy, however, the purchase of

construction materials and/or services used to build, renovate, repair or improve Real Property shall be governed by this policy.

(4) The procurement of goods, services and construction shall be facilitated by the Procurement Section according to this policy.

(5) Halifax Regional Municipality shall be under no obligation to accept the lowest bid or any bid received in response to a verbal or written request.

(6) Halifax Regional Municipality may remove a vendor name from consideration for a contract for up to three years based on poor performance or non-performance on a contract.

(7) The Procurement Section shall work with Business Units to combine requirements where possible and encourage overall standardization of items to reduce the overall cost to the Municipality.

(8) The Procurement Section shall work with other orders of government, other agencies, boards and commissions, and associations such as the F.C.M. (Federation of Canadian Municipalities) and the U.N.S.M. (Union of Nova Scotia Municipalities) to encourage standardization of items and/or to reduce overall cost to the Municipality.

Authority of the Chief Administrative Officer

5. (1) The Chief Administrative Officer (CAO) has the authority to award or purchase all goods, services and construction that are within the budgets approved by Regional Council and as guided by this Procurement Policy.
- (2) The CAO may authorize procedures consistent with this policy and may delegate the authority under this policy.
- (3) The CAO, or his designate, may authorize financing arrangements such as loans, leases, rentals, etc. for the purchase or rental of goods, services, equipment or property on behalf of the Halifax Regional Municipality where the purchase is compliant with the other conditions and award limits within this policy and the period of financing does not exceed 5 years. The total lease cost will be used to determine the contract award amount.

Responsibilities

6. (1) The Business Unit shall be responsible for:
 - (a) Procurement activities within their unit and are accountable for achieving the specific objectives of the procurement project.

(b) Ensuring that bidding opportunities are equitably distributed among all potential bidders in an area where procurement authority has been delegated, and all interested and qualified bidders are evaluated on a consistent and equitable basis.

(2) The Procurement Section shall be responsible for:

(a) The administration of the Procurement Policy.

(b) Providing professional procurement advice.

(c) The Administration of call for bids and ensuring compliance with the terms and conditions of the call for bids.

(d) The standardization of all procurement procedures.

(e) The disposal of surplus stock.

(f) The monitoring of compliance with this policy.

(g) Notifying Directors, of non compliance.

Purchasing Process

7. (1) The following guidelines will be followed for the purchase of goods, services and construction for Halifax Regional Municipality:

(a) Up to \$1,000

The acquisition of goods, services and construction having a value up to \$1,000 and not covered by Standing Offer or supplied by the Municipal Stores System, may be purchased by the Business Unit in accordance with the principles set out in this policy.

(b) More than \$1,000 but less than \$10,000

For the acquisition of goods, services and construction with a value of at least \$1,000 but less than \$10,000, at least three quotations will be solicited by the Procurement Section in consultation with the Business Unit.

These quotations shall be written except in cases of insufficient time, minor purchases or standardized supplies in which case they shall be verbal. The requisition is to be authorized by the Director of the Business Unit (or designate) and the funds are to be clearly identified in the approved operating or capital

budget. These opportunities shall be posted on the Halifax Regional Municipality website whenever possible.

(c) More than \$10,000 but less than \$50,000*

For the acquisition of goods, services and construction with a value of at least \$10,000 but less than \$50,000* at least three written quotations shall be solicited by the Procurement Section in consultation with the Business Unit.

Procurement shall post these opportunities on the Halifax Regional Municipality website. The requisition shall be authorized by the Director (or designate) of the Business Unit and the funds are to be clearly identified in the approved operating or capital budget.

* \$100,000 for Request for Tender

(d) \$50,000* or greater

For the acquisition of goods, services and construction with a value of \$50,000* or greater the Procurement Section in consultation with the Business Unit shall issue a Formal Request for Submissions. These opportunities shall be posted, at a minimum, on the Halifax Regional Municipality website.

There shall be a public opening at a designated date and time for Request for Tenders and Request for Proposals in this range. Request for Tender shall be posted and acknowledged. A list of submissions (excluding pricing) shall be posted and acknowledged for Request for Proposal. The requisition shall be authorized by the Director of the Business Unit and the funds are to be clearly identified in the approved operating or capital budget.

* \$100,000 for Request for Tender

Methods of Procurement

8. The following are the Methods of Procurement to be used under this policy:

(1) **Low Value:** Purchases that are random in nature, and not included in a Standing Offer or available in Inventory, under the value of \$1,000 may be purchased by the Business Unit, using either a Purchase Order, Petty Cash, Cheque or Halifax Regional Municipality Purchasing Card.

(2) **Standing Offers:** In order to guarantee a continuous supply of various goods, service and construction which are required on a day to day basis, while at the same time assuring that the competitive bidding system is followed, the Procurement Section shall establish

Standing Offers. These arrangements between the Halifax Regional Municipality and the supplier commits the seller to provide goods, services or construction at a specific price for a specific period of time.

These Standing Offers reduce the number of individual bids and reduce overall cost due to the higher volume gained by combining the requirements of a number of Business Units. Business Units can then draw supplies directly from these offers. Standing Offers are governed by the purchase guidelines listed in this policy. Administrative guidelines for the award of Standing Offers are as developed by the CAO

(3) Request for Tender: A Request for Tender solicits competitive bids. It is used when detailed specifications are available that permit the evaluation of tenders against clearly stated criteria and specifications. A Request for Tender is a formal, competitive, sealed-bidding process.

Request for Tenders are normally used for the procurement of goods, services, equipment, and construction. Bid deposits and performance security are usually required. The bids and prices are provided without condition or reservation and where an award can be made without negotiation. Submissions are compared to the specification and requirements contained in the tender documents.

Request for Tenders are normally awarded to the lowest total cost bid received from a responsible bidder meeting the requirements of the tender. Where the lowest total cost is not the sole determining factor on which the award will be made, the tender documents shall contain a description of the method to be used to evaluate the bids as well as the weighted scale of each factor.

(4) Two Phase Bids: Where detailed specifications are not available or it is impractical to prepare a specification based on price, a two phase bid may be issued, inviting the submission of bids as follows:

- ▶ Phase one: one or more steps in which bidders submit proposals, for evaluation either with or without prices in a separate submission and
- ▶ Phase two: only those bidders whose bids were determined to be acceptable will be entitled to submit priced bids for consideration or, where prices have been separately submitted in phase one, such bids are opened and awarded to the lowest overall cost.

This type of procurement has the advantage of a Request for Proposal in phase one and the advantage of a Request for Tender in phase two.

(5) Request for Proposal: A Request for Proposal is an invitation to proponents to describe how their services, methods, equipment or products) can address and/or meet specific needs of the Municipality. It is used when a proponent is invited to propose a

solution to a problem, requirement, or objective. Unlike Request for Tenders, Request for Proposal are compared to each other to assess the best proposal. A Request for Proposal must include an evaluation criteria that will be used to score the respondents' proposals.

Discussions may be conducted by Procurement with proponents after the date for the receipt of proposals provided such discussions are conducted to:

- ▶ Award equitable treatment to each acceptable proponent with respect to an opportunity for discussion and the revision of the proposal.
- ▶ Prevent the disclosure of the content of the discussion with one proponent to another proponent.

No one other than Procurement will have those discussions with proponents. Pricing information shall only be released to the public following award of the proposal.

An award of a contract based on a Request for Proposal shall be made to the proponent, whose proposal is determined to be the most advantageous to the Municipality based upon criteria for evaluation set out in the Request for Proposal and equitably applied to all proposals. As price is only one of the factors taken into consideration, the contract may not necessarily be awarded to the lowest price proposal.

(6) Request for Quotation: A Request for Quotation is an informal request for prices for goods, services and construction and is normally used where bid deposit and performance bonds are not required and where the cost of work does not warrant the time and level of effort required for a formal tender process. Quotations shall be written but can be verbal depending upon the cost of the goods, services or construction and time constraints.

(7) Request for Information: A Request for Information is an invitation to suppliers of goods, services and construction and shall be used to provide information from the marketplace on the scope of work or services contemplated to be procured by the Municipality.

(8) Request for Expression of Interest: A Request for Expression of Interest shall be used to determine the interest in the marketplace in providing goods, services or construction contemplated to be procured by the Municipality.

(9) Request for Qualification: A Request for Qualification is an invitation to suppliers of goods, services and construction and shall be used for the purpose of selecting qualified bidders if the nature of the work or services to be performed requires ascertainable minimum standards.

(10) Negotiation: Negotiations with one or more suppliers for the supply of goods, services and/or construction shall take place when any of the following conditions exist:

- (a) Due to market conditions, goods, services and/or construction are in short supply.
- (b) There is only one source of the goods, service or construction.
- (c) Efforts at breaking identical bids have previously been unsuccessful and the same goods, services or construction are required again.
- (d) All bids received are not acceptable or exceed the amount budgeted for the purchase.
- (e) The extension, or reinstatement of existing contracts would be more cost effective or beneficial to the Municipality. The extension or reinstatement of existing contracts are subject to the approvals listed in Section 9.0 Award of Contracts.
- (f) When authorized by Council.

(11) **Sole Source/Single Source Purchases:** The terms and conditions of a sole source/single source purchase shall be negotiated. A sole source/single source purchase occurs:

- (a) To ensure compatibility with existing products, facilities or service, to recognize exclusive rights, such as exclusive licences, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative.
- (b) Where, for technical reasons, there is an absence of competition and the goods or services can be supplied by a particular supplier and no alternative or substitute exists.
- (c) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly.
- (d) For the purchase of goods on a commodity market.
- (e) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor.
- (f) For work to be performed on a property by a contractor according to the provisions of a warranty or guarantee held in respect of the property or the original work.
- (g) For the procurement of a prototype of a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases.
- (h) For the procurement of a good or service for testing or trial use.
- (i) For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases.
- (j) For the procurement of original works of art.
- (k) For the procurement of goods intended for resale to the public.
- (l) Where the Municipality has a rental contract with a purchase option and such purchase option could be beneficial to the Municipality.
- (m) Notwithstanding anything in this policy, where a purchase is determined by Council to be fair and reasonable and is made from a nonprofit corporation

supported by the Municipality, such a purchase may be made as a single source purchase.

(n) Where items are offered by sale by tender, auction or negotiation such purchase will be deemed to be a single source purchase and the CAO may authorize the submission of a bid or the conduct of negotiations where the CAO determines the purchase to be clearly in the best interest of Halifax Regional Municipality.

(o) Where goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of such matters through an open tendering process could reasonably be expected to compromise government confidentiality, cause economic disruption or otherwise be contrary to the public interest. Purchases of this nature must be approved by the CAO

(p) Where compliance with an open tendering process may interfere with the Municipality's ability to maintain security or order or to protect human, animal or plant life or health.

(12) Emergency Purchases: An emergency purchase occurs when a situation creates immediate and serious need which may not be reasonably met by any other procedure and includes without limitation:

(a) A condition where a lack of supplies or services may adversely affect the functioning of civic government, threaten public or private property or the environment, or jeopardize the health or safety of the public.

(b) Interim contractual arrangements following the expiration; or breach of a contract; or receipt of unacceptable or uncompetitive bids; or in the absence of a receipt of any bids in response to a call for bids.

Emergency purchases are completed using the most expedient method, but shall take economy into consideration.

Limits for emergency purchases shall be as indicated in Section 7. However, in each case the authorizing person is required to report the emergency, in writing, to the next level of authority with a copy to the Manager of Procurement.

(13) Unsolicited Proposals: An Unsolicited Proposal is an offer made by a vendor outside of a competitive process. Such proposals shall be considered in accordance with the guidelines outlined in Appendix C.

Award of Contracts

9. (1) All Formal Request for Submissions shall be presented to the CAO for approval except as noted below. A report of the purchasing process and details of the purchase will be prepared jointly by the Procurement Section and the Business Unit and approved by the Director (or designate) and forwarded to the CAO for approval.

(2) Awards less than \$25,000 may be committed by the Manager of Procurement in conjunction with the Business Unit.

(3) Awards over the value of \$25,000, but below the value of \$50,000 may be committed by the Manager of Procurement with concurrence of the appropriate Director. A Director may delegate all or a portion of this approval to a Manager depending upon operational requirements.

(4) The CAO, or his designate, may approve the award of contracts under the following conditions:

- (a) Where the funds and program have been approved by Halifax Regional Council as part of the annual business planning and budget process and the expenditure will not result in an over-expenditure of the entire budget.
- (b) Where the purchase was the result of a public procurement process conforming to the Halifax Regional Municipality Procurement Policy.
- (c) Where the Request for Tender is awarded to a supplier with the lowest cost, or highest revenue, meeting specifications.
- (d) Where the award of a Request for Proposal is made to the highest scoring proponent based upon evaluation criteria within the Request for Proposal.
- (e) Where the award does not exceed \$500,000 for the purchase of goods, equipment, services, or construction by Request for Tender.
- (f) Where the award does not exceed \$500,000 for the purchase for goods, equipment, services, or construction by Request for Proposal.
- (g) Where the purchase is a sole source/single source purchase not to exceed \$50,000
- (h) Where there is no legislative requirement to obtain Halifax Regional Council approval.
- (i) Where the CAO does not decide that the award is a matter best dealt with by Halifax Regional Council.

(5) During the summer months (July and August) and for occasions when a regular Regional Council meeting has been cancelled or the regular schedule creates more than eight (8) business days between Council meetings, the CAO or his designate, may approve the award of contracts under the following conditions:

- (a) Where the funds and program have been approved by Halifax Regional Council as part of the annual business planning and budget process and the expenditure will not result in an over-expenditure of the entire budget.
- (b) Where the purchase was the result of a public procurement process conforming to the Halifax Regional Municipality Procurement Policy.
- (c) Where the Request for Tender is awarded to a supplier with the lowest cost, or highest revenue, meeting specifications.

- (d) Where the award of a Request for Proposal is made to the highest scoring proponent based upon evaluation criteria within the Request for Proposal.
- (e) Where the purchase is a sole source /single source not to exceed \$50,000
- (f) Where there is no legislative requirement to obtain Halifax Regional Council approval.
- (g) Where the CAO does not decide that the award is a matter best dealt with by Halifax Regional Council.

(6) A quarterly report of awards of contracts over the value of \$50,000 approved by the CAO, or his designate, shall be made available to Regional Council and shall show the name of the contract, the name of the bidders and the bids,(or proponents and scores), any person or company to whom a single or sole source has been awarded, the amount of award , and the budgetary provision.

Vendor Performance

10. (1) Vendors may be subject to disqualification if there is sufficient evidence of consistent failure to meet standards specified by Halifax Regional Municipality. The Procurement Section shall maintain vendor performance files. Information in this file is supplied by the requisitioner, receivers, and the procurement staff. Vendors may be evaluated based on competitive price, quality of a product, contract adherence and performance, after sales service and replies to call for bids. Upon reasonable notice in writing to the vendor involved, and after a reasonable opportunity for response, a vendor can be disqualified for a period not exceeding three years from participation in a solicitation for goods, services or construction.

(2) Vendors shall be disqualified when:

(a) Conviction for a criminal offense of a person or a director or official or such person relating to obtaining or attempting to obtain a contract or subcontract or an indication of lack of business integrity or honesty which directly and seriously effects the responsibility of the contractor.

(b) Serious breach of contract indicating an unwillingness to perform a contract in accordance with the terms and conditions or specifications or a record of unsatisfactory performance of one or more contracts in accordance with the terms and conditions thereof or in accordance with its specifications or both.

(c) The offer of any gratuity to an official or employee of the Municipality by a vendor or contractor for consideration.

(3) A written decision shall be issued to the person disqualified or suspended setting out its reasons for disqualification or suspension, to the usual business address of that person as shown in the records of the purchasing section.

(4) Disqualification shall be approved by the CAO.

Vendor Complaints

11. All vendor complaints, whether directed to an elected official, the CAO, or a member of staff shall be referred to the Manager of Procurement and dealt with in accordance with the procedure as outlined in Appendix D.

Disposal of Surplus Equipment

12. (1) The Procurement Section shall accumulate surplus assets from the Business Units. Items that are likely to be of use to other Business Units of Halifax Regional Municipality can be transferred, after notice is given to all Business Units of the availability of these items.

(2) Surplus assets over the value of \$100,000 shall be disposed of by Request for Tender and contract for disposal of such assets shall be awarded by the CAO.

(3) In other cases surplus assets shall be disposed of by either Request for Tender, Request for Quotation or auction as reasonably practical in the circumstances.

(4) The CAO may award the disposal of surplus material without competition to any non-profit corporation, association, or entity, or any Municipality, Crown Corporation, School Board or level of government.

Contract Documents, Bid and Performance Securities and Specifications

13. (1) The CAO may from time to time approve such standard forms including bid and performance securities, if any, for purchases by Request for Tender, Request for Proposal, Request for Quotation, sole/single source, or emergency purchases as well as forms of contract for types of purchases including but not limited to construction, supplies and installation or service as they may deem advisable.

(2) Bid bonds, Performance bonds and other securities including Labour and Material bonds shall be required for such purchases in such form and in such amounts, as the CAO deems advisable.

Special Services

14. 1) Legal Services - Legal Services shall be acquired by staff based upon work requirements from a roster of lawyers selected through a Request for Qualification based upon qualifications, experience, services offered, past performance, proposed fees and other relevant considerations.

The selection of the lawyer from the roster in an individual case shall be based upon the particular expertise required for that case. Legal services having a value of less than \$50,000 may be acquired by the (Director of Legal Services and Risk Management) in consultation with the Director(s) of the Business Unit. (These services include expert witnesses, and subject experts required for a legal proceeding, hearing or similar matter.)

Legal services having a value of \$50,000 or more shall be approved by the CAO (or designate). A Request for Qualification for legal services shall be issued, at a minimum, every three (3) years.

(2) Professional Services (i.e. Architectural, Engineering, Surveying Service, Real Estate Service) -When these services are less than \$50,000, they shall be acquired by staff from a roster of consultants selected through a Request for Qualification.

Consultants shall be selected, by project, based upon qualifications, experience, services offered, past performance, proposed fees, and other relevant considerations as outlined in the Request for Qualification. A Request for Qualification for these services shall be issued, at a minimum, every (3) years. A Request for Proposal shall be issued for required services over the value of \$50,000.

(3) Banking Services - General Banking services shall be acquired by Request for Proposal at intervals not greater than every five years. These services shall be contracted on a one year term to be renewed on an annual basis up to a five year maximum on terms satisfactory to Halifax Regional Municipality.

(4) Auditing Services - Services of External Auditors shall be acquired by Request for Proposal at intervals not greater than every five years. These services may be contracted on a one year term to be renewed on an annual basis up to a five year maximum on terms satisfactory to Halifax Regional Municipality. Selection of an auditor shall be completed by the Audit Committee of Council who shall recommend the selection of an Auditor to Council. Annual renewal of the contract for Audit services shall be made by the Audit Committee.

Tie Bids

15. In the case of a tie bid, the Procurement Manager shall request the tie bidders to submit a final offer. If this is not successful and a tie bid still occurs, the contract shall be awarded to the local bidder.

Done and passed in Council this 8th day of June, 2004.

Mayor

Acting Municipal Clerk

I, Jan Gibson, Acting Municipal Clerk of Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on June 8, 2004.

Jan Gibson, Acting Municipal Clerk

Notice of Motion: Councillor Hetherington
Approved:

May 25, 2004
June 8, 2004

Amendment # 1
Notice of Motion: Councillor Walker
Approved:

September 6, 2005
September 13, 2005

Amendment # 2
Notice of Motion: Councillor Outhit
Approved:

June 16, 2009
September 22, 2009

**Agencies, Boards & Commissions
Halifax Regional Municipality**

Cole Harbour Place
Dartmouth Sportsplex
Halifax Forum Community Association
Halifax Metro Centre
Sackville Sports Stadium
Alderney Landing
Bicentennial Theatre
Centennial Pool Association
Carol's Corner School
Crichton Community Centre
Cole Harbour Outdoor Pool
Dartmouth Non-Profit Housing
Dartmouth North Community Centre
East Preston Recreation Centre
Halifax Non-Profit Housing
Lake Echo Community Centre
Metropolitan Region Housing Authority
Needham Preschool
North Woodside Community Centre
St. Margarets Arena Association
Halifax Public Libraries

**Procurement Policy
List of Exemptions**

1. Petty Cash Items:

2. Training and Education:

Conferences, Conventions and Tradeshows
Newspapers, Magazines & Periodicals (subscriptions)
Memberships
Seminars, Workshops not specifically designed for HRM

3. Refundable Employee/Other Expenses:

Advances
University Courses
Entertainment
Miscellaneous Non-Travel
Meal Allowances
Travel Expenses
Hotel Accommodation
Refunds: tax, recreation, permits

4. Employer's General Expenses:

Payroll Deduction Remittances
Grants to Agencies
Medical & Dental Expenses
Debenture Payments
Payment of Damages
Petty Cash Replenishment
Tax Remittances
Sinking Fund Payments
Employee Income
Councillors' Discretionary Funds
Real Property, including land, buildings, leasehold interest, easements, encroachments, licences
Licenses (vehicles, elevator, etc.)
Charges to and from other government bodies or Crown corporations
Bank Charges and Underwriting Services where covered by agreements

5. Professional and Special Services:

Committee Fees
Witness Fees
Court Reporter's Fees
Honoraria
Arbitrators
Discoveries (Legal)
Legal Settlements
Audits
Performing Artists

6. Utilities:

Water & Sewage Charges
Power
Telephones
Cable Television

7. Miscellaneous (under \$1,000 only)

Printing and copying under \$1,000
Custom invoices
Taxi
Courier
Stationary (Standing Offers should be used where appropriate)
Catering
Groceries
Small incidentals appropriate to purchase on the HRM Purchasing Card.
Postage

8. Miscellaneous

Print, Television and Radio media advertising accounts

Guidelines for Unsolicited Proposals

Purpose:

To define guidelines for the handling of unsolicited proposals.

Policy:

Unsolicited proposals shall not be allowed to circumvent Halifax Regional Municipality's procurement process. An unsolicited proposal shall not be considered if:

- a. It resembles a current or upcoming competitive procurement that has or will be requested.
- b. It requires substantial assistance from Halifax Regional Municipality to complete the proposal.
- c. The goods or services are readily available from other sources.
- d. It is not deemed to be of sufficient value to the Halifax Regional Municipality.

To facilitate review and/or evaluation, the unsolicited proposal shall be written and contain the following minimum information, as applicable:

- a. Vendor Profile
- b. Proposal Overview
- c. Objectives and Outcomes
- d. Basic Requirements and Project Approach
- e. Deliverables and Work Plan
- f. Respective Responsibilities
- g. Pricing and Benefit/Risk Sharing
- h. Proposed Contractual Terms.

Each party, Halifax Regional Municipality and the proponent shall bear their own costs associated with the preparation, evaluation and negotiation of unsolicited proposals.

Procedure:

Unsolicited proposals received by the Halifax Regional Municipality shall be reviewed jointly by the Manager of Procurement and the Director of the Business Unit to determine if the proposal meets the above criteria and there is sufficient uniqueness, interest and benefit to the proposal to proceed with a further review. A recommendation shall be formulated and the proponent advised accordingly.

If it is determined that the proposal warrants further review, the Manager of Procurement and the Director of the Business Unit shall further consider the proposal obtaining additional information from the proponent as required. The proponent shall be notified of Halifax Regional Municipality's terms and conditions for the type of goods or services under consideration and

obtain acknowledgment of the proponent's willingness to comply with same. Discussions may take place if clarification or expansion of the proposal is required. A recommendation shall be formulated and award made in accordance with the Procurement Policy for a sole/single source purchase.

Vendor Complaint Procedure

Purpose:

To define the guidelines for handling vendor complaints.

Policy:

All vendor complaints, whether directed to an elected official, the CAO, or a member of staff shall be referred to the Manager of Procurement or designate to be dealt with in accordance with these guidelines.

Procedure:

Vendors shall to be encouraged to resolve problems directly with Procurement staff wherever possible as many problems can be easily resolved before a complaint is formulated.

A complaint refers to a written objection submitted by a vendor regarding a bid solicitation, contract award, or proposed contract for goods, services or construction.

Complaints shall contain written details of the issue and the resolution being requested. Complaints submitted or referred to the Manager of Procurement shall be reviewed to determine if further action is warranted.

Complaints shall be submitted during the competitive process and up to thirty (30) business days after the contract award is posted.

Complaints may be resolved, dismissed or withdrawn*. If the complaint is dismissed, the Manager of Procurement shall notify the vendor of their right to appeal the decision to the CAO.

Disputes that are litigious in nature shall be referred to Legal Services.

The Manager of Procurement shall respond formally to vendor complaints within twenty-one (21) business days.

- * Resolved - the vendor is satisfied with the explanation/solution provided by HRM.
- Dismissed - the Manager of Procurement concludes that the complaint is the result of a properly applied procurement process.