

**THE REGIONAL MUNICIPALITY OF YORK**

**POLICE SERVICES BOARD**

**PURCHASING BYLAW**

**BYLAW NO. 10-17**

## Table of Contents

1. PURPOSES, GOALS AND OBJECTIVES .....	1
2. DEFINITIONS .....	1
3. APPLICATION, RESTRICTIONS AND EXCEPTIONS.....	5
4. EXEMPTIONS .....	6
5. RESPONSIBILITIES AND AUTHORITIES .....	6
6. PRE-QUALIFICATION .....	7
7. AUTHORIZATION OF PURCHASES .....	8
8. PRICE AGREEMENTS .....	10
9. EMERGENCY PURCHASES .....	10
10. DIRECT PURCHASES.....	11
11. CONTINGENCIES .....	11
12. SCOPE CHANGE/ADDITIONAL DELIVERABLES .....	11
13. RENEWAL OF CONTRACTS.....	12
14. CO-OPERATIVE PURCHASING.....	13
15. UNSOLICITED PROPOSALS .....	13
16. CONTRACTOR PERFORMANCE AND LITIGATION.....	14
17. BID REVIEW COMMITTEE .....	15
18. REQUIREMENT FOR BOARD APPROVAL.....	16
19. SURPLUS ASSETS .....	16
20. CONTRACT DOCUMENTS.....	17
21. BYLAW REVIEW .....	17
22. REPEAL .....	17

THE REGIONAL MUNICIPALITY OF YORK

POLICE SERVICES BOARD

BYLAW NO.

Purchasing Bylaw

WHEREAS the *Police Services Act* provides that a police services board shall establish policies for the effective management of the police force;

NOW THEREFORE, The Regional Municipality of York Police Services Board enacts as follows:

**1. PURPOSES, GOALS AND OBJECTIVES**

1.1 The purposes, goals, and objectives of this bylaw are:

- (a) to encourage competition among contractors;
- (b) to obtain best value in the procurement of deliverables;
- (c) to ensure fairness, objectivity, accountability and transparency in the procurement process;
- (d) to encourage environmentally responsible and sustainable procurement while maintaining fiscal prudence; and
- (e) to promote and implement procurement practices that support the principles of the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*.

**2. DEFINITIONS**

2.1 In this bylaw:

**“Assistant Manager, Procurement and Support”** means the Assistant Manager, Procurement and Fleet Management for the York Regional Police;

**“award”** means the authorization to proceed with the purchase of deliverables;

“**best value**” means, in relation to a purchase, that the purchase represents the optimal balance of high quality and financial terms;

“**bid**” means a submission received in response to a call for bids, and includes a quotation, a tender and a proposal;

“**Bid Review Committee**” means the committee established under Section 17 of this bylaw;

“**bidder**” means any legal entity that submits a bid in response to a call for bids and includes a proponent;

“**Board**” means The Regional Municipality of York Police Services Board;

“**budget**” means the estimates adopted by the Board and approved by Council for expenditure during each calendar year for the purposes of the Board and the York Regional Police;

“**call for bids**” means a formal request for bids and includes a request for quotations, a request for tenders and a request for proposals;

“**Chair**” means the Chair of the Police Services Board;

“**Chief of Police**” means the Chief of Police of the York Regional Police;

“**construction**” means construction, reconstruction, demolition, repair or renovation of a building or structure and includes site preparation, excavation, drilling, seismic investigation, soil investigation, the supply of products and materials and the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures to a building or structure;

“**consulting and professional services**” means those services requiring the skills of a professional for a specialized service and includes the services of architects, engineers, designers, surveyors, planners, accountants, auditors, management professionals, marketing professionals, software and information technology experts, financial consultants, lawyers, law firms, real estate agents and brokers, environmental planners and engineers, hydrogeologists, transportation planners and engineers, communications consultants and any other consulting services which may be required by the Board;

“**contingency**” means an event or circumstance that gives rise to an increase in a contract price and which could not have been reasonably anticipated at the time of contract award;

“**contract**” means any form of binding agreement between the Board and a contractor for the purchase of deliverables and includes a purchase order;

“**contractor**” means any legal entity to whom a contract is awarded and includes a vendor, supplier, service provider and consultant;

“**Council**” means the Council of The Regional Municipality of York;

“**deliverables**” means goods, services and construction;

“**Deputy Chief**” means a Deputy Chief of Police of the York Regional Police;

“**designate**” means the person provided with the written authority to act on another person’s behalf, notice of which shall be filed with the Manager of Financial Services;

“**emergency**” means an event or circumstance where the immediate purchase of deliverables is necessary to prevent or alleviate: (a) a serious delay in service delivery; (b) a threat to the health, safety or welfare of any person; (c) the disruption of essential services; or (d) damage to public property and includes, but is not limited to, an emergency declared under the *Emergency Management and Civil Protection Act*;

“**goods**” means personal property, including raw materials, products, supplies, equipment and other physical objects of every kind and description;

“**litigation**” means any unresolved dispute between the Board and any other party or related party adverse in interest, including third party and cross-claims, where either a legal proceeding has been commenced for an injunction, a mandatory order, a declaration or the recovery of money, or a threat of legal action has been made in writing;

“**Manager of Financial Services**” means the Manager of Financial Services for the York Regional Police;

“**member**” means an officer or employee of the York Regional Police;

“**Officer in Charge**” means a senior officer of the York Regional Police who is in charge of a specific District within the York Regional Police, and who is responsible for the operational and administrative management of members and of fixed property which fall under his or her authority; and the Executive Director of The Regional Municipality of York Police Services Board, in the case of purchases made on behalf of the Board;

“**price agreement**” means a contract between the Board and a contractor resulting from a call for bids, under which the contractor agrees to provide deliverables as and when needed

by the Board, at a pre-determined price, for a pre-determined period of time, upon pre-determined terms and conditions;

“**proposal**” means a submission received in response to a request for proposals;

“**purchase order**” means a written order to a contractor setting out the terms and conditions for the purchase of deliverables;

“**quotation**” means an offer received in response to a request for quotations;

“**real property**” means land, or land and buildings, and includes fixtures attached to such land or buildings;

“**Region**” means The Regional Municipality of York;

“**Regional Solicitor**” means the Regional Solicitor of The Regional Municipality of York;

“**request for expressions of interest**” or “**request for information**” means a request made by the Board for the purpose of compiling a list of potential bidders who may be interested in providing deliverables to the Board;

“**request for pre-qualification**” means a request for the submission of information from potential bidders, including the qualifications, experience, financial capability, background and staffing of any entity who may qualify to supply deliverables to the Board;

“**request for proposals**” means a request for proposals issued under this bylaw;

“**request for quotations**” means a request for quotations issued under this bylaw;

“**request for tenders**” means a request for tenders issued under this bylaw;

“**responsive**” means that a bid has complied in all material respects with the requirements set out in the call for bids;

“**scope change**” means any change to a contract to accommodate a need identified by the Board which was not originally provided for in the contract and which may include the purchase of additional deliverables or the extension of the term of the contract and which may require an adjustment to the contract price;

“**services**” means the services to be provided under a contract and includes consulting and professional services;

“**total cost**” means the contract cost for the full term of the contract, and, in the case of a contract containing renewal provisions, means the total cost to the Board for the initial term

and all potential renewal terms, excluding the Harmonized Sales Tax, but including all other applicable, fees, charges and disbursements;

“**total revenue**” means, where revenue is payable to the Board under a contract, the total revenue payable during the full term of the contract and, in the case of a contract containing renewal provisions, the total revenue payable during the initial term and all potential renewal terms; and

“**York Regional Police**” means the police service of The Regional Municipality of York.

### **3. APPLICATION, RESTRICTIONS AND EXCEPTIONS**

- 3.1 The purchasing procedures set out in this bylaw shall apply to the procurement of all deliverables made by or on behalf of the Board or the York Regional Police except as may be expressly exempted or restricted under this bylaw.
- 3.2 No procurement shall be made under this bylaw unless the Board has provided funds for such procurement in the annual budget or otherwise agreed to the provision of such funds and no expenditure shall be authorized or incurred in excess of such funds.
- 3.3 Despite any other provision of this bylaw, the Board may authorize any purchase or method of procurement where to do so would be in the best interests of the Board or the York Regional Police.
- 3.4 No procurement or purchase shall be arranged or made to avoid the application of this bylaw. Without limiting the generality of the foregoing, no procurement of deliverables shall be divided into two or more parts for the purpose or intent of, or with the effect of, avoiding or frustrating the application of this bylaw.
- 3.5 No purchases shall be made by the Board directly or indirectly for the personal use of any member of the Board or for any member or employee of the Board or the York Regional Police.
- 3.6 Where a proposed contract provides for the Board to receive revenue from a contractor, the procedures and authority limits set out in this bylaw which are applicable to the total cost of a contract shall be construed as applicable, with necessary changes, to the total revenue payable under the contract.
- 3.7 The provisions of any domestic or international treaty governing procurement shall prevail to the extent of any conflict with this bylaw.

**4. EXEMPTIONS**

- 4.1 This bylaw shall not apply to the acquisition or disposal of any real property or to any lease, right or permission relating to the use or occupation of real property.
- 4.2 Where the procurement of deliverables is required under any lease of real property and is provided for under the terms of such lease, including tenant improvements, equipment and fixtures, the terms of the lease shall govern to the extent of any conflict with this bylaw.
- 4.3 This bylaw shall not apply where the procurement relates to:
- (a) the purchase of deliverables that are procured based on compliance with eligibility criteria rather than a competitive process, under programs approved by the Board, and where multiple contractors may provide the same or similar services;
  - (b) the purchase of services for investigative purposes;
  - (c) the purchase of services for educational or training purposes where the service provider is prescribed by an external agency;
  - (d) advertising for York Regional Police or Board services or activities; or
  - (e) catering or venues for York Regional Police or Board events and activities.

**5. RESPONSIBILITIES AND AUTHORITIES**

- 5.1 Each Deputy Chief shall have responsibility for the procurement of deliverables for the matters under his or her control in accordance with the terms of this bylaw.
- 5.2 The Assistant Manager, Procurement and Support shall be responsible for:
- (a) providing procurement advice, in consultation with the Regional Solicitor, if required, including, but not limited to, preparing calls for bids;
  - (b) administering calls for bids and ensuring compliance with the terms and conditions of the calls for bids;
  - (c) reviewing statements of work and specifications for compliance with the terms of this bylaw;
  - (d) the development of co-operative purchasing arrangements with other levels of government, municipalities, agencies, or public authorities where such arrangements are determined to be in the best interests of the Board;
  - (e) the standardization of all procurement procedures;



- (f) the disposal of surplus assets; and
- (g) the preparation of reports to the Board when required under this bylaw.

5.3 Where any authority has been granted to any person under this bylaw, such authority may be exercised by that person's authorized designate. The appointment of a designate shall be subject to the approval of the Chief of Police.

5.4 Where any authority has been granted to any person under this bylaw, such authority may be exercised by the Chief of Police.

## **6. PRE-QUALIFICATION**

### *Request for Expressions of Interest/Request for Information*

6.1 The Assistant Manager, Procurement and Support may issue a request for expressions of interest or a request for information for the purpose of determining the availability of any deliverable.

6.2 A request for expressions of interest or a request for information may be conducted as a pre-condition to any procurement procedure set out in this bylaw.

6.3 The receipt of a submission in response to a request for expressions of interest or a request for information shall not create any contractual obligation on the part of the Board. The Assistant Manager, Procurement and Support is not required to proceed with any further procurement process following a request for expressions of interest or a request for information.

### *Request for Pre-qualification*

6.4 The Assistant Manager, Procurement and Support may issue a request for pre-qualification for the purpose of selecting qualified bidders to respond to a call for bids.

6.5 When a request for pre-qualification is issued, a pre-qualification document shall be provided to potential bidders setting out the criteria for pre-qualification, which may include:

- (a) experience of similar work;
- (b) references provided from other customers for similar work;
- (c) verification of qualifications, licences and permits, if applicable; and
- (d) financial capability.

- 6.6 The selection of bidders following a request for pre-qualification shall not create any contractual obligation between the Board and a pre-qualified bidder. The Assistant Manager, Procurement and Fleet Management is not required to proceed with any further procurement process following a request for pre-qualification.

## **7. AUTHORIZATION OF PURCHASES**

### *Purchases Not Exceeding \$100,000.00*

- 7.1 Where the total cost of any deliverable does not exceed one hundred thousand dollars (\$100,000.00), the Officer in Charge may authorize the purchase without issuing a call for bids, provided that the Officer in Charge is satisfied that the purchase of the deliverable represents best value.
- 7.2 A minimum of three (3) written quotations shall be solicited, if available.
- 7.3 Section 7.1 does not preclude the issuance of a call for bids if, in the opinion of the Officer in Charge, it is necessary to issue a call for bids to determine best value.

### *Purchases Exceeding \$100,000.00*

- 7.4 Where the total cost of any deliverable exceeds one hundred thousand dollars (\$100,000.00), either a request for tenders or a request for proposals shall be issued.
- 7.5 A request for tenders or a request for proposals shall be undertaken in compliance with the following process:
- (a) the scope of the deliverables shall be set out in the call for bids;
  - (b) the form of the call for bids shall, to the extent possible, use standardized documentation;
  - (c) the call for bids shall be circulated and advertised in as wide and extensive a manner as will ensure the most comprehensive and most competitive response to the call for bids;
  - (d) in the case of a request for proposals, the evaluation criteria and weightings shall be established prior to the call for bids and the call for bids shall clearly specify how each of the applicable criteria will be applied in evaluating the bids;
  - (e) bids shall be publicly opened on the specified date, at the specified time;
  - (f) all bid amounts shall be recorded;

- (g) all bids shall be fairly and completely evaluated using an open, fair and transparent process;
- (h) the evaluation of each bid shall be recorded using a standardized form of evaluation record;
- (i) the evaluation record shall be stored and shall only be destroyed in accordance with the Board's records retention bylaw; and
- (j) any informality or irregularity shall be referred to the Bid Review Committee in accordance with Section 17 of this bylaw.

*Request for Tenders*

7.6 A request for tenders shall be issued where the following criteria apply:

- (a) two or more sources are available to supply the deliverables;
- (b) the deliverables can be clearly specified;
- (c) the market conditions are such that bids can be submitted on a competitive pricing basis; and
- (d) it is intended that the lowest cost responsive bid shall be accepted without negotiation.

7.7 The Deputy Chief may award the contract provided that: (i) the total cost of the contract does not exceed five hundred thousand dollars (\$500,000.00); and (ii) the award is made to the bidder submitting the lowest cost responsive bid.

7.8 The Chief of Police may award the contract, irrespective of the total cost, provided that the award is made to the bidder submitting the lowest cost responsive bid.

7.9 A report shall be submitted quarterly to the Board to advise of the award of any contract under Section 7.7 or 7.8 of this bylaw.

*Request for Proposals*

7.10 A request for proposals shall be issued where the deliverables are not clearly specified and it is anticipated that bidders may propose a variety of alternatives to fulfill the Board's requirements.

7.11 The request for proposals shall be conducted using a two (2) envelope system: one (1) envelope for the technical proposal and one (1) envelope for the financial proposal.

- 7.12 The Deputy Chief may award the contract provided that the total cost of the contract does not exceed five hundred thousand dollars (\$500,000.00).
- 7.13 The Chief of Police may award the contract provided that the total cost of the contract does not exceed two million dollars (\$2,000,000.00).
- 7.14 If the total cost of the contract exceeds two million dollars (\$2,000,000.00) the award of the contract shall be subject to the approval of the Board.
- 7.15 A report shall be submitted quarterly to the Board to advise of the award of any contract under Section 7.12 or 7.13 of this bylaw.

*Authority of Chief of Police During Summer Recess or Suspension of Board Meetings*

- 7.16 Despite any other provision of this bylaw, during any period that regular Board meetings are suspended either during the summer recess or for any other reason, the Chief of Police shall be authorized to award any contract.
- 7.17 A report shall be submitted to the Board as soon as reasonably possible setting out the details of any contract awarded under this authority.

**8. PRICE AGREEMENTS**

- 8.1 A call for bids may be issued in accordance with this bylaw in order to establish price agreements for the purchase of deliverables for a specified time.
- 8.2 The Board shall have no obligation to any contractor to order any deliverable under a price agreement, unless otherwise agreed upon, in writing, pursuant to a contract between the Board and the contractor.

**9. EMERGENCY PURCHASES**

- 9.1 In the case of an emergency, as determined by the Chief of Police, the purchase of deliverables may be authorized without issuing a call for bids.
- 9.2 The Assistant Manager, Procurement and Support shall endeavor to obtain the best value for any deliverables purchased during an emergency, using as fair and transparent a process as is feasible having regard to the particular emergency.
- 9.3 The Deputy Chief may authorize the purchase where the total cost does not exceed one hundred and fifty thousand dollars (\$150,000.00).
- 9.4 The Chief of Police may authorize any purchase where the total cost exceeds one hundred and fifty thousand dollars (\$150,000.00).

9.5 As soon as practicable upon the conclusion of the emergency, the Chief of Police shall submit a report to the Board describing any expenditures made under Section 9.3 or 9.4 of this bylaw.

## **10. DIRECT PURCHASES**

10.1 Deliverables may be procured without issuing a call for bids where:

- (a) the compatibility of a purchase with existing equipment, facilities or service is the paramount consideration; or
- (b) in the opinion of the Deputy Chief, there is only one entity reasonably capable of providing the deliverables.

10.2 The Deputy Chief may award any contract under Section 10.1 of this bylaw provided that the award of any contract having a total cost exceeding one hundred and fifty thousand dollars (\$150,000.00) shall be subject to approval of the Board.

## **11. CONTINGENCIES**

11.1 Where any purchase of deliverables has been authorized under this bylaw, the Deputy Chief may, upon being satisfied that a contingency has arisen, authorize expenditures that exceed the originally approved contract amount, provided that any additional expenditure shall not exceed fifteen percent (15%) of the total cost of the contract at the time of award and further provided that the additional expenditures are required to complete the deliverables set out in the original contract.

11.2 The Deputy Chief may authorize any expenditure under Section 11.1 of this bylaw irrespective of the amount of the expenditure.

## **12. SCOPE CHANGE/ADDITIONAL DELIVERABLES**

12.1 Where deliverables have been purchased under this bylaw, no similar or additional deliverables shall be purchased from the same contractor, whether by way of contract extension, renewal, or separate purchase, unless specifically permitted under this bylaw.

12.2 The Deputy Chief may authorize the purchase of additional deliverables under a contract, provided that the Deputy Chief is satisfied that a scope change necessitates the purchase of additional deliverables and:

- (a) the total cost of the additional deliverables does not exceed twenty percent (20%) of the total cost of the contract; or

- (b) the total cost of the additional deliverables is to be paid in full by a third party and security to ensure payment has been provided to the Board, to the satisfaction of the Manager of Financial Services,

failing which the purchase of the additional deliverables shall be subject to approval of the Board.

- 12.3 If a scope change requires the extension or renewal of a contract, any extension or renewal of a contract that would result in a total contract term in excess of five (5) years shall be subject to approval of the Board.
- 12.4 Any expenditure authorized under Section 12.2 of this bylaw may be made in addition to any expenditure for any contingency authorized under Section 11 of this bylaw and may be authorized by the Deputy Chief irrespective of the total amount of the expenditure.
- 12.5 Despite Section 12.2 (a) of this bylaw, the Chair and Chief of Police may jointly authorize the purchase of additional deliverables provided that:
  - (a) the authorization to purchase the additional deliverables is required to prevent interruption in service delay or to avoid incurring extra costs; and
  - (b) a request is submitted to the Chair and Chief of Police on a form prescribed by the Manager of Financial Services.
- 12.6 A report shall be submitted quarterly to the Board to advise of any expenditures made under Section 12.5 of this bylaw.

### **13. RENEWAL OF CONTRACTS**

- 13.1 Where a contract provides for a renewal term, the Chief of Police or the Deputy Chief may exercise the option to renew, provided that:
  - (a) the total cost of the contract , including the renewal term, is within the purchasing authority of the Chief of Police or the Deputy Chief, as the case may be, as set out in this bylaw;
  - (b) the contract was awarded in accordance with the procedure applicable to the total cost, including any renewal term; and
  - (c) the contractor has performed the contract to the satisfaction of the Chief of Police or the Deputy Chief, as the case may be.

**14. CO-OPERATIVE PURCHASING**

- 14.1 The Board may participate with other levels of government, municipalities, agencies or public authorities in co-operative purchasing where the Assistant Manager, Procurement and Support determines it is in the best interests of the Board or the York Regional Police to do so, either by including other entities in a call for bids issued by the Board or requesting that the Board be included in a call for bids issued by another entity.
- 14.2 Where another level of government, municipality, agency or public authority has completed a competitive procurement and offers to extend to the Board the same terms and pricing offered by the successful bidder, the Board may enter into a contract with the successful bidder without issuing a further call for bids, whether or not the Board was named in the call for bids.
- 14.3 Where the Board participates with another government agency or public authority in co-operative purchasing, the Board shall adhere to the policies of the agency calling the co-operative bid.
- 14.4 Any contract proposed to be entered into as a result of co-operative purchasing shall be authorized in accordance with the authority limits set out in Section 7 of this bylaw.

**15. UNSOLICITED PROPOSALS**

- 15.1 Where an unsolicited proposal is received by the Board, the Deputy Chief may determine if the proposal shall be evaluated in accordance with Section 10 of this bylaw.
- 15.2 If the Deputy Chief determines that the unsolicited proposal should be considered a direct purchase, the award may be made in accordance with Section 10 of this bylaw.

**16. CONTRACTOR PERFORMANCE AND LITIGATION**

- 16.1 Unless otherwise permitted by this bylaw, no bid shall be accepted from, nor shall any contract be awarded to or an extension of contract be granted to any contractor or related party, as determined in the discretion of the Regional Solicitor, with whom the Board is engaged in unresolved litigation.
- 16.2 A bid may be accepted from and a contract may be awarded to or the extension of a contract granted to a contractor or related party with whom the Board is engaged in unresolved litigation in the following circumstances:
- (a) where there is only one qualified contractor and the Chief of Police has approved the award;
  - (b) in the case of an emergency;
  - (c) where there is a legal obligation on the part of the Board to enter into the contract;
  - (d) where the proposed contract is pursuant to the co-operative purchasing provisions of this bylaw or where another public agency will be party to the contract and has approved the award;
  - (e) where the Board has been named as plaintiff or as a defendant pursuant to a subrogated interest and where, in the discretion of the Regional Solicitor, an appropriate arrangement has been made to indemnify the Board; or
  - (f) where the matter has been referred to alternative dispute resolution in a form or format approved by the Regional Solicitor and where an agreement has been entered into which adequately protects the Board's interests, as may be determined in the sole discretion of the Regional Solicitor.
- 16.3 Where the amount in dispute in any unresolved litigation does not exceed one hundred thousand dollars (\$100,000.00), the Deputy Chief may accept the bid or award the contract, or approve the extension of the contract, provided that he or she is satisfied that it would be in the best interests of the Board, based on the consideration of factors including but not limited to the following:
- (a) the bidder's performance under previous contracts with the Board;
  - (b) the Board's claims history with the bidder; or
  - (c) an assessment of the overall risk and total cost in entering into a contract with the bidder.



- 16.4 The Officer in Charge shall be responsible for monitoring the performance of contractors and documenting evidence of such performance and shall advise the Assistant Manager, Procurement and Support in writing where the performance of a contractor has failed to comply with the terms of the contract or other Board requirements.
- 16.5 The Assistant Manager, Procurement and Support may recommend, and upon such recommendation, the Chief of Police may prohibit, a contractor from submitting a bid in response to a call for bids where the Chief of Police is satisfied that the contractor has demonstrated unsatisfactory performance under a contract with the Board.
- 16.6 For the purpose of this Section 16, unsatisfactory performance means past performance by a contractor under a contract with the Board that is inconsistent with the expected standard of service delivery applicable in a commercial context, including, but not limited to:
- (a) consistent or significant failure to adhere to specified schedules or delivery requirements;
  - (b) consistent or significant failure to follow specified contract requirements or authorized directions;
  - (c) consistent or significant failure to perform the contract in accordance with generally accepted standards of good workmanship;
  - (d) consistent or significant failure to adhere to legislative requirements, including but not limited to applicable statutes, regulations and bylaws; or
  - (e) dishonesty or criminal actions in relation to or within the scope of a Board contract.
- 16.7 A report shall be submitted to the Board by the Regional Solicitor annually to advise of the disposition of any matter under this Section 16.

## **17. BID REVIEW COMMITTEE**

- 17.1 The Manager of Financial Services shall establish a Bid Review Committee composed of, at a minimum, the following members of York Regional Police and Regional staff:
- (a) the Assistant Manager, Procurement and Support;
  - (b) an Officer in Charge from the department requesting the procurement of the deliverables; and
  - (c) a solicitor from the Region's Legal Services Branch.

- 17.2 If a bid contains an informality or irregularity, or if there is a challenge to the call for bids process, the issue shall be referred to the Bid Review Committee to determine whether the bid complies with the submission requirements set out in the call for bids or to determine the validity of the challenge.
- 17.3 If the Bid Review Committee does not agree unanimously that the bid shall be accepted or rejected, the Manager of Financial Services shall submit a report to the Board setting out the nature of the informality, irregularity or challenge and the proposed action to be taken.

**18. REQUIREMENT FOR BOARD APPROVAL**

- 18.1 A report shall be submitted to the Board prior to authorizing an award in each of the following circumstances:
- (a) where the term of a proposed contract is for a period greater than five (5) years, or where the renewal or extension of a contract would result in an aggregate term of greater than five (5) years;
  - (b) where a request for tenders has been issued under this bylaw and the award is not proposed to be made to the bidder submitting the lowest cost responsive bid or where there is an informality or irregularity that cannot be resolved by the Bid Review Committee;
  - (c) where a request for proposals has been issued under this bylaw and the total cost of the contract exceeds two million dollars (\$2,000,000.00);
  - (d) where the purchase of any deliverables is not authorized by this bylaw; and
  - (e) where otherwise specifically provided in this bylaw.

**19. SURPLUS ASSETS**

- 19.1 Each Officer in Charge shall submit to the Assistant Manager, Procurement and Support reports of surplus assets, which have exceeded their useful or expected life or which are no longer required by the Board or the York Regional Police.
- 19.2 The Assistant Manager, Procurement and Support shall have the authority to dispose of surplus assets by any of the following means:
- (a) by transfer to the Region, a local municipality or another Ontario police service for nominal consideration;
  - (b) offered for sale by public auction or tender and sold to the highest bidder; or

(c) donated to a not-for-profit or community agency for a charitable or benevolent purpose.

19.3 No member of the Board or of the York Regional Police shall personally obtain any items that have been declared surplus unless through a public process.

19.4 A report shall be submitted annually to the Board to advise of the sale or disposition of surplus assets under this Section 19.

**20. CONTRACT DOCUMENTS**

20.1 Where the purchase of deliverables has been authorized under this bylaw, the contract may be executed by the person who authorized the award, and shall be in a form approved by the Regional Solicitor.

**21. BYLAW REVIEW**

21.1 This bylaw shall be reviewed and evaluated for effectiveness at least every three (3) years from the date of its enactment.

**22. REPEAL**

22.1 Bylaw No. 06-14 is hereby repealed.

ENACTED AND PASSED this 20th day of September, 2017.

 Mafalda Avellino Executive Director	 Frank Scarpitti Chair
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