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BRAMPTON LIBRARY

Purchasing Policy

1. POLICY

The purpose of this policy is to set out guidelines for the Brampton Public Library Board to ensure all purchases of materials, supplies and services provide the lowest costs consistent with the required quality and service.

An open and honest process shall be maintained that is fair and impartial.

The purchasing policy will promote and maintain the integrity of the purchasing process and protect the Brampton Public Library Board, vendors and staff involved in the process by providing clear direction and accountabilities.

2. PURPOSE

The purpose of this policy is to provide a clear understanding of the Brampton Public Library Board's purchasing processes. Responsibility for all purchasing on behalf of the Brampton Public Library Board rests with Corporate Services and as such this policy governs the purchasing function throughout the Library.

3. SCOPE

This policy applies to the acquisition of all external sources of goods and services. This policy applies to all staff of the Brampton Public Library Board who has a responsibility for the acquisition of goods and services.

4. DEFINITIONS

- 4.1. **"Authority"** means the legal right to conduct the tasks outlined in this policy as directed by the CEO to the Director, Corporate Services.
- 4.2. **"Bid"** means an offer in writing to supply certain specified goods, services or construction, at a certain price or prices, in a competitive Procurement Process and shall include both proposals in response to a Request for Proposals and Tenders in response to a call for Tenders;
- 4.3. **"Bidder"** means any proponent, respondent or other person or entity who has obtained official procurement documents for the purpose of submitting or who has submitted a Bid in response to a Procurement Process;

- 4.4. **“Buying Group”** means a group of two or more members which combines the Purchasing requirements and activities of the members of the group into one joint Procurement Process. Buying Groups include cooperative arrangements in which individual members administer the procurement function for specific Contracts for the group, and more formal corporate arrangements in which the Buying Group administers procurement for group members. Buying Groups may involve a variety of entities, including public sector, private sector and not-for-profit organizations;
- 4.5. **“Blanket Purchase Order”** means any contract for the purchase of goods and/or services which will be required frequently or repetitively but where the exact quantity of the goods and/or services required may not be precisely known or the time period during which the goods and/or services are to be provided may not be precisely determined, but having a maximum on both the total price or value of all goods and/or services and the time period during which all goods and/or services are to be supplied under such contract.
- 4.6. **“Board”** means the Brampton Public Library Board.
- 4.7. **“CEO”** means Chief Executive Officer of the Brampton Library or designate.
- 4.8. **“Chair”** means the elected Chair of the Brampton Public Library Board or the person duly appointed to act in the place of the Chair.
- 4.9. **“City”** means Corporation of the City of Brampton.
- 4.10. **“Confidential Information”** means all information of the City that is confidential in nature, including all Confidential Information in the custody or control of the City, regardless of whether it is identified as confidential or not, and whether recorded or not, and however fixed, stored, expressed or embodied. For greater certainty, Confidential Information shall include;
- 4.10.1. All new information derived at any time from any such information whether created by the City or a Vendor or any third party;
 - 4.10.2. All information considered by Council in camera; and
 - 4.10.3. All information (including personal information) that the City is obliged, or has the discretion, not to disclose under provincial or federal legislation or otherwise;
- 4.11. **“Consulting Services”** means the provision of expertise or strategic advice that is presented for consideration and decision-making.
- 4.11.1. Consulting Services does not include services in which the physical component of an activity would exceed the advisory services component (e.g. services for the operation and maintenance of a facility; temporary help services; training/education instructors and photography).

- 4.12. **“Contract”** means a formal legal agreement between two or more parties, usually written, or a Purchase Order with binding legal and moral implications whereby goods and/or services are exchanged for money or other consideration;
- 4.13. **“Contract Extension”** means an amendment to a Contract which has the effect of increasing the value of the Contract in funds, increasing the scope of work and/or extending the term of the Contract;
- 4.14. **“Direct Negotiation”** means a procurement method where there is no competitive process and negotiations are entered into with one or more than one Vendor, but do not include negotiations conducted as part of a negotiated Procurement Process;
- 4.15. **“Director”** means the individual accountable for a service unit and a member of the Senior Management Team or designate.
- 4.16. **“Director, Corporate Services”** means the person responsible for the purchasing and materials management function of the Library or designate.
- 4.17. **“Emergency Purchase”** means a procurement process where the usual competitive process is suspended due to the prevailing emergency circumstances, see definition of emergency.
- 4.18. **“Disposal”** means the sale, exchange, transfer, destruction or gift of goods owned by the Library which are deemed surplus to its needs, and “dispose” and “disposed” shall have similar meanings;
- 4.19. **“Emergency”** means a situation where the immediate purchase of goods and/or service or repair or replacement of equipment, or facilities is essential in order to maintain a required service or to prevent danger to life, limb or property within the Brampton Library. This may also include procurement necessary for fulfilling a statutory order issued by a federal or provincial authority, such as an environmental, public health, or workplace safety compliance order.
- 4.20. **“Expression of Interest”** means a situation where vendor/s approach the Library or are solicited by the Library to advise the Library of their ability or desire to undertake Library requirements.
- 4.21. **“Goods”** means all materials, equipment, fixtures, and structures to be delivered, installed or constructed.
- 4.22. **“Non-Standard Result”** means a result in a procurement in which Bids are submitted and any of the following has occurred or is likely to occur:
- 4.22.1. No Eligible Bids are received;
 - 4.22.2. Less than 3 Eligible Bids are received;

4.22.3. for any reason the award of the contract to or the purchase from the lowest responsible and responsive vendor is considered inappropriate;

- 4.23. **“Library”** means The Brampton Public Library Board.
- 4.24. **“Procedures”** means internal instructions or guidelines to service units as approved by the Director, Corporate Services.
- 4.25. **“Procurement Process”** means the process by which the required goods and/or services are obtained. A charge/membership card may be used by authorized employees.
- 4.26. **“Purchase”** means the act of acquiring goods and/or services of any legal or equitable interest, right or title in goods and/or services or the making of any contract or offer for goods and services and includes the lease of goods and/or services; and “purchased”, “purchasing”, “acquisition”, “procurement”, “procure”, “buy” shall have similar meaning.
- 4.27. **“Purchase Order”** means the legal document which is the Library’s commitment to the Vendor for the purchase of goods and/or services at an agreed upon price, terms, conditions and delivery date. It is also the vendor’s authority to ship and charge for the goods and/or services specified on the order.
- 4.28. **“Relative”** means a spouse (including common law spouse), parent, child, brother, sister, brother-in-law, sister-in-law, grandparent, grandchild, nephew, niece, uncle or aunt of an employee.
- 4.29. **“Request for Information”** or “RFI” means a process where information is requested from vendors regarding the feasibility and availability of goods and/or services in the marketplace. A Request for Information is used for future budgeting and/or planning.
- 4.30. **“Request for Proposal”** or “RFP” means a Procurement Process where a need is identified, but how it will be achieved is not prescribed by the Library at the outset. This process allows Vendors to propose solutions or methods to arrive at the end product and it allows for evaluation on criteria in addition to price;
- 4.31. **“Request for Quotations”** or “RFQ” means a Procurement Process where prices on specific goods, services or construction are requested from selected Vendors, which are submitted in writing, transmitted by facsimile or by email as specified in the Request for Quotation;
- 4.32. **“Responsible”** means a vendor whose reputation, past performance, business and financial capabilities are such that the vendor would be judged as capable of satisfying the Brampton Library’s needs for a specific contract.
- 4.33. **“Responsive”** means a vendor whose bid does not vary from the specifications and terms and conditions set out in the invitation for bids.

- 4.34. **“Requisition”** means a request for goods and/or services initiated by the user, approved and sent to Corporate Services.
- 4.35. **“Services”** means all professional, consulting, construction, or maintenance services, including the delivery, installation, repair, restoration, demolition or removal of personal property and real property.
- 4.36. **“Single Source”** means engaging in Direct Negotiations with a Vendor to provide goods, services or construction where there is more than one Vendor capable of supplying the goods, services or construction in the market, but the circumstances fit into one of the Exceptions set out in Schedule D – Exceptions from Competitive Procurement Circumstances for Exclusions;
- 4.37. **“Sole Source”** means engaging in Direct Negotiations with a Vendor to provide goods, services or construction where there is only one Vendor is able to meet the requirements of the procurement under one of the circumstances set out in Schedule E – Exceptions From Competitive Procurement Circumstances for Sole Source Procurement;
- 4.38. **“Tender”** means an offer in writing to execute some specified services or to supply certain specific goods at a certain price in response to a publicly advertised request for bids.
- 4.39. **“Tender Opening Committee”** means a committee comprised of a representative/s from Corporate Services or delegate, the requesting unit of service and under the chairmanship of Corporate Services to facilitate the public opening of bids.
- 4.40. **“Total Acquisition Cost”** means the most cost efficient and effective manner, being the sum of all costs including but not limited to purchase price, warranty, life cycle cost, administrative, taxes, operating and disposal costs.
- 4.41. **“Total Aggregate Value”** means the sum of all costs that are paid for goods and services required to satisfy a need over a period of time.
- 4.42. **“Vendor”** means an individual or organization that may offer goods, services or construction to the Library including but not limited to contractors, consultants, suppliers and service organizations.

5. PURCHASING OBJECTIVES

It is the objective of this Policy to promote purchasing processes and decisions which are consistent with the strategic objectives of the Library, including preservation of the natural environment; waste reduction and recycling; co-operative purchasing, where beneficial; The principles which the Library advocates include:

- 5.1. To be responsible for the acquisition and disposal of goods and/or services required by the Library.
- 5.2. To promote the most cost effective and efficient use of Library funds by attaining optimum quality, quantity, price, delivery and performance.
- 5.3. To exercise professional purchasing practices which obtain the most competitive offers from the most responsible and responsive vendors.
- 5.4. To promote the acceptance of bids based on the Total Acquisition Costs rather than the lowest bid received, wherever possible.
- 5.5. To delegate the appropriate level of authority to enable the Library to meet service requirements.
- 5.6. To assess the total project cost and/or the Total Aggregate Value of the goods and/or services prior to determining the appropriate purchasing process.
- 5.7. To ensure staff who are responsible for the requisitioning and purchasing of goods and/or services are accountable for their actions and decisions.
- 5.8. In deciding to purchase goods or services through the procurement process, the Library Board shall have regard to accessibility for persons with disabilities.

6. AUTHORITY OF THE DIRECTOR, CORPORATE SERVICES

The Director, Corporate Services, acting on behalf of or in consultation with other Directors, shall authorize the issuance of Requests for Information, Quotes, Proposals and Tenders and any contractual commitments in accordance with this Policy.

7. RESPONSIBILITY OF THE DIRECTOR, CORPORATE SERVICES

- 7.1. Will provide leadership, quality customer service and best value to the taxpayers of the City through the provision of open, fair, equitable, accessible and competitive procurement processes.
- 7.2. Is committed to timely, efficient service delivery while developing and maintaining good client relations through consultation and cooperation, and the promotion of both internal and external partnerships.
- 7.3. Will promote standardization, education and share knowledge of products and market conditions while seeking innovative solutions.
- 7.4. Will provide the appropriate level of delegated authority.
- 7.5. May remove a vendor from consideration for contracts under this Policy on the basis of poor performance or non-performance on a Library contract. Success will be measured by Corporate Services ability to respond to the needs and issues in a

courteous, expedient and professional manner while at the same time ensuring that the Library's interests are being served. It is also incumbent upon Corporate Services to ensure the best value to the taxpayers.

8. RESPONSIBILITY OF THE DIRECTORS

The Director (of a service unit) is responsible for the delegation of authority to designated staff under this Policy. When the process is non compliant with this Policy, the Director is required to obtain the written approval of the CEO and forward such approval to Corporate Services authorizing Corporate Services, in consultation with the Director, to complete the acquisition process.

9. APPLICATION OF POLICY

- 9.1. All goods and/or services required by the Library, save and except only those goods and/or services, listed in Appendix "B" attached, shall be purchased and disposed of in accordance with the provisions of this Policy unless:
 - 9.1.1. the Brampton Public Library Board by resolution directs that any particular purchase or disposal of goods and/or services shall be carried out in some other manner or;
 - 9.1.2. any applicable law of the Province of Ontario or the Dominion of Canada requires that the purchase or disposal of goods and/or equipment be carried out in some other manner.

- 9.2. Where the circumstances mentioned in subsection a) or b) occur, the purchase or disposal of those goods and/or services shall be carried out in accordance with the resolution or the applicable law, as the case may be and the provisions of this Policy shall in all other regards continue to apply to such purchase or disposal with all necessary modifications.

- 9.3. The Director, Corporate Services in consultation with other Directors, is authorized to prescribe procedures consistent with this Policy and the objectives set out in Item 5.0 regarding:
 - 9.3.1. the form, content and use of forms, whether electronic or printed, purchase orders, bonds, letters of credit and other forms of guarantees or surety, tendering, proposals and other contract documents;
 - 9.3.2. method of acquisition or disposal which will more effectively achieve the objectives of the Policy, where alternative methods are permitted and the process to be followed in the issuing, receipt and evaluation of quotes, tenders, proposals and other submissions;
 - 9.3.3. any other aspects of the process or procedure not specifically provided for under this Policy.

10. GENERAL AUTHORITY

- 10.1.** The purchase of goods, services or construction having a Total Procurement Value in excess of the amounts as set out in Section 11.4 of this Policy, exclusive of taxes shall not be authorized unless:
 - 10.1.1. The required goods, services and construction have been requisitioned in accordance with this Policy and any applicable prescribed policies and procedures;
 - 10.1.2. The form and content of all documents forming any part of the Contract including, but not limited to, Purchase Order, Quotation, Tender or Proposal documents, form of agreement, special provisions, terms and conditions, insurance, performance security, and any other relevant documents have been reviewed and approved by the Director, Corporate Services; and
 - 10.1.3. The Procurement has been approved by the appropriate level of authority as detailed in this Policy.

- 10.2.** Where any goods and/or services are to be delivered confidentially, the Chief Executive Officer may act as the agent and provide the necessary advice and services, which would otherwise be provided by Corporate Services.

- 10.3.** Where the purchase of goods and/or services has been authorized in accordance with this Policy, the purchase order forming all or part of the contract to purchase may be executed on behalf of the Library by:
 - 10.3.1. the Director, Corporate Services; or
 - 10.3.2. an employee in Corporate Services authorized by the Director, Corporate Services; or
 - 10.3.3. any employee authorized to do so under an approved delegation of authority by the Chief Executive Officer.

- 10.4.** Where a contract has been awarded to a Bidder and the Bidder fails or refuses to enter into the Contract, the Director, Corporate Services is authorized to proceed with the acceptance of the next ranked Eligible Bid provided that the requirements remain substantially unchanged and the next lowest Eligible Bid is within the specific procurement budget.

- 10.5.** If the Procurement Process fails to result in a Contract, the Director, Corporate Services may cancel the procurement and commence a new procurement utilizing the most appropriate Procurement Process as determined by the Director, Corporate Services in consultation with the requisitioning Director(s).

11. PROCUREMENT PROCESSES

- 11.1. There are different procurement methods available for procuring goods, services and construction, the selection of which will depend on the value of the goods, services and construction, the type of goods, services and construction and the complexity/risk of the procurement.
- 11.2. Unless otherwise provided in this Policy, all goods, services and construction having a price or value within each of the dollar ranges set out in this Policy, shall be purchased using one of the procurement methods listed and shall be conducted in accordance with the requirements of the specific procurement method used.
- 11.3. Notwithstanding the requirements of a particular category described in Section 11, the Director, Corporate Services may prescribe that a more rigorous procurement method described in the Policy, be utilized.

11.4. Low Value Purchases (0 - \$999.99)

- 11.4.1. The acquisition of goods and/or services having a value of up to \$999.99 including taxes do not require a purchase order but must adhere to this policy.
- 11.4.2. Purchasing cards may be issued to those employees identified by the Director, Corporate Services whose duties and responsibilities include purchase of low dollar goods and/or services.
- 11.4.3. Each Purchasing Card shall have a “monthly credit limit” and a “per transaction limit”. These limits shall be established by the Director, Corporate Services.
- 11.4.4. The Brampton Library is not liable for unauthorized use of the Purchasing Card due to loss or theft. Unauthorized use is defined as “a use that did not benefit the Brampton Library and was made by someone other than the Cardholder”. The Brampton Library is not liable for any unauthorized use of the Card which occurs after notification of loss, theft or cancellation has been received by the Bank.

11.5. Informal Quotation Process (\$1,000- \$2,499.99)

- 11.5.1. The acquisition of goods and/or services having a value between \$1,000 and \$2,499.99 per transaction including taxes or a lesser amount as determined by the Director, which are not covered by a blanket purchase order are to be forwarded to the Director, Corporate Services and Planning for review and purchase order issuance or other appropriate action.

11.6. Informal Quotation Process (\$2,500.00 - \$49,999.99)

- 11.6.1. Requirements \$2,500 to \$4,999.99
 - 11.6.1.1. For any requirement having an estimated value under \$4,999.99 including taxes, competition need not be solicited and will be handled by Corporate Services. Prices may be obtained verbally from a vendor, which has proven, in a competitive situation, to offer the most favourable price consistent with reliability, delivery and service requirement. The market is to be surveyed

periodically in order to confirm that suppliers are in fact providing competitive prices and a competitive service. Where this is not confirmed, the Director, Corporate Services may obtain competitive pricing, at their sole discretion.

11.6.2. Requirements \$5,000.00 to \$49,999.99

11.6.2.1. The acquisition of goods and/or services with an estimated value greater than \$5,000.00 including taxes and less than \$49,999.99 including taxes shall be obtained using a competitive process.

11.6.2.2. The service unit, in consultation with Corporate Services, shall prepare a report, accompanied by the supporting documentation indicating the selected vendor. Corporate Services will review the supporting documentation for completeness and compliance with this Purchasing Policy and take appropriate action.

11.7. Formal Quotation Process (\$50,000.00 - \$99,999.99)

11.7.1. The acquisition of goods and/or services with an estimated value greater than \$50,000.00 and less than \$99,999.99 including taxes shall be obtained using a competitive process.

11.7.2. At least three (3) written sealed quotes must be received on or before the specified closing date and time and will be opened by Corporate Services and a service unit representative(s).

11.7.3. All bids will be evaluated and approved in consultation with Corporate Services and the requisitioning Director. Corporate Services shall prepare a report indicating the selected vendor for purchase order issuance or other appropriate action.

11.8. Tender Process (\$100,000.00 AND OVER)

11.8.1. The acquisition of goods and/or services with an estimated value greater than \$100,000.00 including taxes shall be obtained using a competitive process and may require vendor pre-qualification.

11.8.2. The requirement will be advertised for a reasonable period of time based on the complexity of the specific procurement and at a minimum no less than fifteen (15) calendar days prior to the specified closing date and time, in/on:

11.8.2.1. At least one local newspaper; and

11.8.2.2. At least one internet bidding service,

11.8.3. All bids will be sealed and received on or before the specified closing date and time, and may be opened in public by the Tender Opening Committee. All bids will be evaluated and approved in consultation with Corporate Services and the requisitioning Director. The Director, Corporate Services and the requisitioning Director, will prepare a report to the Library Board recommending an award or other appropriate action.

11.9. Approvals

11.9.1. A purchase approval report shall be prepared by the Director, Corporate Services and presented to the Library Board for approval.

- 11.9.2. For tenders that do not require Library Board approval the Director, Corporate Services shall issue a monthly report to the Library Board regarding these awards, for information only.
- 11.9.3. Unsolicited proposals received by the Library shall be reviewed by the Director, Corporate Services to determine if it is in the best interests of the Library to follow a competitive process or sole source requirement as outlined in this policy.

11.10. Request for Proposal

- 11.10.1. In addition to the processes described in this Policy, a Request For Proposals:
 - 11.10.1.1. May or may not have a preceding pre-qualification or an expression of interest;
 - 11.10.1.2. Has the most flexibility and will generally be governed by the terms of reference of the Request for Proposal as developed by the Library;
 - 11.10.1.3. Depending on its terms, may involve negotiations subsequent to the submission of proposals on any or all of the specifications, Contract terms and prices.
 - 11.10.1.4. Approvals under this Section 11.8 shall be in accordance with the applicable Total Procurement Values as set out in Section 11.

11.11. Consultants and/or Architects

- 11.11.1. The acquisition of professional consultants and/or architectural services shall be carried out in accordance with the "Hiring of Consultants and/or Architects." (Appendix C)
 - 11.11.1.1. The acquisition of Consulting Services and professional services shall be carried out in accordance with the processes described in this By-law.
 - 11.11.1.2. The procurement of the services of architects and engineers may be conducted by invitation only and without the requirement to publicly advertise.

11.12. Direct (Emergency) Purchase Order Process

The direct (emergency) purchase order process may be used for any dollar value, when the acquisition of any goods and/or services is deemed an emergency, or when the requesting Director requests of the CEO the procurement process outlined in this Policy be suspended (see section 8). This process is undertaken at the sole discretion of the requesting Director, who will provide written justification to the Director, Corporate Services, indicating why the prescribed procurement process was not followed. The Director, Corporate Services shall report monthly to each Director the

previous month's Direct (Emergency) purchases. For all transactions, the Finance Coordinator and the Chief Executive Officer will receive the report including justification of each emergency.

11.12.1. The Director, Corporate Services or Director are authorized to use the direct (Emergency) Procurement method for any dollar value where an unforeseeable, serious Emergency situation exists and the goods, services or construction cannot be obtained in time by means of an open competitive procurement method.

11.12.2. This procurement method is undertaken at the sole discretion of the Director, Corporate Services or Directors;

11.12.3. Within sixty (60) days of the conclusion of the Emergency situation, the staff person who initiated the procurement will provide a written report to the CEO to explain the requirement for using this method of procurement (where the amount of the procurement exceeds \$5,000 exclusive of taxes).

11.13. Direct Negotiated Process

Unless otherwise provided in this Policy, the Director, Corporate Services, in consultation with the Director, may enter into negotiations with one or more vendors for the supply of goods and/or services when any of the following conditions apply:

11.13.1. the goods and/or services are deemed necessary by the Director as a result of an emergency which would not reasonably permit the use of any other prescribed procurement process;

11.13.2. no bids are received on a formal quotation, tender or request for proposal call;

11.13.3. the extension or reinstatement of an existing contract would prove more cost effective or beneficial;

11.13.4. bids have been solicited using one of the procurement processes with all bids received being non responsive or responsible;

11.13.5. the lowest bid received exceeds the approved budget and it is impractical to recall;

11.13.6. goods and /or services are available from a single or sole source as defined in 4.36 and 4.37.

11.13.7. goods are required for resale and the determining criteria is marketability and profitability as determined by the service unit when costs are recovered through sales.

11.14. Contract Extensions

Corporate Services shall notify the managers at least 120 days prior to the actual expiring date of a contract. Corporate Services, in consultation with the Director, shall commence to acquire the goods/services by the appropriate procurement method, otherwise arrange for a contract extension in accordance with the Policy. In order to constitute a valid contract extension, Corporate Services in consultation with the service unit shall consider the following points prior to initiating an extension:

- Would it be cost effective or beneficial
- What are the current market conditions
- Have any new companies expressed an interest in bidding the requirement
- Previous performance of the vendor
- Are there revisions to the specifications/ quantity/ terms and conditions beyond 10% of the original scope
- Number of previous extensions
- Are the best interest of the Library being served
- Terms of the contract includes the option for a contract extension

11.15. Request for Information Process

A process where information is requested from vendors regarding the feasibility and availability of specific goods and/or services in the market place. This process can be used for any dollar value, and can also be used as a means of pre-qualification wherein information is requested regarding specific products or services, company profile, qualifications, etc. Based on the information received, the Library may solicit quotations, tenders or proposals consistent with the procedures prescribed in this Policy, at which time prices would be requested.

11.16. Use of Formal Agreements

Formal agreements shall be used along with a purchase order, for complex requirements, which may contain terms and conditions other than those of the Library's standard terms and conditions.

The Director, Corporate Services in consultation with legal shall determine if a formal agreement is required.

Formal agreements shall be reviewed and approved for execution by the Chief Executive Officer.

When a formal agreements is required, the Director, Corporate Services shall issue a purchase order incorporating the formal agreement.

11.17. Tie Bids Received

In the case of tie bids the Library will determine the successful bidder by coin toss in the presence of the tied bidders and the Chief Executive Officer or their designate.

11.18. Design and Development Service

- 11.18.1. Hiring the services of a Vendor to design and develop specifications shall be in accordance with this Policy.
- 11.18.2. Where Vendors are retained to develop specifications, the Vendor shall not be permitted to Bid on the procurement that they have developed the specifications for, unless approved in advance by the CEO or Director, Corporate Services.

11.19. DISPOSAL OF SURPLUS GOODS AND/OR EQUIPMENT

The Director, Corporate Services is authorized to dispose of surplus, obsolete or non-repairable goods and equipment declared surplus to Corporate Services by using it in other Library service units or if no longer useful for Library purposes, arrange for their disposal at the highest return using the following methods:

- 11.19.1.1. scrap, dismantle or destroy, classify as waste and dispose
- 11.19.1.2. donate or sell for a nominal fee to a non-profit or charitable organization
- 11.19.1.3. trade-in
- 11.19.1.4. sell by formal quotation or public tender
- 11.19.1.5. public auction

11.20. COOPERATIVE PURCHASING

The Director, Corporate Services and Planning may participate with other governments, agencies or public authorities in co-operative ventures or contracts where the best interest of the Library would be served The Library shall ensure that the practices of such Buying Groups are consistent with the principles of this Policy.

11.21. "GREEN" PURCHASING

The Library encourages the procurement of goods, services and construction with due regard to protect natural ecosystems and resources, and the human and built communities. Vendors may be required to supply goods, services or construction made by methods resulting in the least damage to the environment, and/or supply goods, services or construction incorporating recycled materials where practical as specified in procurement documents.

12.CODE OF CONDUCT

The code of conduct established by the Library Board, shall apply to all staff involved in the purchasing process

13.ADMINISTRATIVE PROCEDURES

The Director, Corporate Services shall prepare and maintain the appropriate purchasing administrative procedures to implement this Policy.

14. PROHIBITIONS AND COMPLIANCE

- 14.1.** All employees of the Library shall comply with the Financial and Policy controls meeting the audit requirements of the Library to ensure that those responsible for requisitioning and purchasing goods and/or services are held accountable for their actions and decisions.
- 14.2.** All employees of the Library shall act in a manner consistent with the objectives of the Policy. Any employee who knowingly contravenes this Policy commits an act of misconduct is liable to disciplinary action.
- 14.3.** No acquisition of goods and/or services or disposal of surplus goods, or equipment shall be made where the quantity or delivery is divided or in any other manner arranged so that the price or value of the goods and services to be acquired or disposed of is artificially reduced to circumvent the prescribed procurement process.
- 14.4.** No goods and/or services shall be requisitioned by any employee unless:
 - 14.4.1. The goods and/or services are legitimately required for the purposes of the Library; or
 - 14.4.2. The funds for the purchase of the goods and/or services are available within an approved budget or the request to purchase is expressly made subject to funding approval of the Library.
- 14.5.** No goods and/or services shall be purchased from an employee, unless approved by the Chief Executive Officer.
- 14.6.** No officer or employee or any relative of that officer or employee shall be permitted to purchase any surplus goods to be disposed of except by successfully bidding on the same at a public auction or by sealed bid but in no case if the duties of that employee include making decisions regarding the disposal of such goods or activities relating to the conduct of the disposal process.
- 14.7.** Officers or employees shall not knowingly cause or permit anything to be done or communicated to anyone which is likely to cause any potential vendor to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the Library, or any other municipality, local board or public body involved in the purchase of goods and services either jointly or in cooperation with the Library.
- 14.8.** No employee shall knowingly cause or permit anything to be done which will jeopardize the legal validity or fairness of any purchase and/or goods and services

under this Policy which is likely to subject the Library to any claim, demand, action or proceeding as a result of such act or omission.

- 14.9.** No officer or employee or any relative of that officer or employee shall gain or attempt to gain any personal benefit from any purchase or use of certain vendors or use of any existing library vendors for personal gain.

15. ACCOUNTABILITY

All employees are accountable to act in accordance with this Policy.

16. ADMINISTRATION

Any proposed changes should be sent to the Director, Corporate Services who will either implement the change or inform the originator why the change is not suitable.

This policy shall be reviewed annually.

APPENDIX “A”

COLUMN 1 DOLLAR RANGES	COLUMN 2 PROCUREMENT PROCESS	COLUMN 3 AUTHORITY
Any Dollar Value	Direct (Emergency) Purchase	Director
0 – 999.99	Purchasing Card Petty Cash Cheque Requisition Purchase Order	CEO, Director, authorized employee
1,000 - \$2,499	Informal Quotation Cheque Requisition Purchase Order	Director, Corporate Services
2,500.00 – 49,999.99	Informal Quotation Direct Negotiation Contract Extension (Cumulative) Request for Proposal Hiring of Consultants and/or Architects Irregular Result	Director, Corporate Services and other Director Director Director, Corporate Services, other Director and CEO
50,000.00 – 99,999.99	Formal Quotation Direct Negotiation Request for Proposal Contract Extension (Cumulative) Hiring of Consultants and/or Architects Irregular Result	Director, Corporate Services and other Manager Director, Corporate Services, other Manager and CEO Director, Corporate Services and CEO Director, Corporate Services, other Director and CEO
100,000.00 +	Public Tender Hiring of Consultants and/or Architects Request for Proposal, Quote Irregular Result Direct Negotiation Contract Extension (Cumulative)	Library Board Director, Corporate Services, other Director and CEO

APPENDIX "B"

The following items do not require a purchase order.

- 1.0 Purchases less than \$999.99 including freight and taxes
- 2.0 Petty Cash Items – purchase less than \$50.00 including taxes
- 3.0 Cheque Requisition – purchases less than \$2,500.00 including taxes
- 4.0 Training and Education
 - (a) Conferences
 - (b) Courses
 - (c) Seminars
 - (d) Conventions
 - (e) Memberships
 - (f) Media
 - (g) Staff Training
 - (h) Staff Development
 - (i) Staff Workshops
- 5.0 Refundable Employee Expenses
 - (a) Cash Advances
 - (b) Meal Allowances
 - (c) Travel Expenses
 - (d) Entertainment
 - (e) Miscellaneous – Non-Travel
 - (f) Hotel Accommodation
 - (g) Mileage
- 6.0 General Expenses
 - (a) Licenses (vehicles, elevators, radios, etc.)
 - (b) Charges to or from other government bodies or Crown Corporations except for construction and/or maintenance projects
 - (c) Real Estate including land, buildings, leasehold interests, easements, encroachments and licenses
 - (d) Items of a confidential nature
 - (e) Professional and special services, including appraisals, medical, etc.
 - (f) Freight charges
 - (g) Items purchased by a purchasing card
- 7.0 Utilities
 - (a) Postage
 - (b) Water and Sewage Charges
 - (c) Telephone Service i.e. Bell Canada
 - (d) Cable Television Service
 - (e) Natural Gas
 - (f) Hydro Electricity
 - (g) Internet Services
- 8.0 Library Material

Items ordered for the library's collections including but not limited to books, CD's, DVD's, tapes, video tapes, electronic books, games, periodicals, newspapers, databases

APPENDIX “C”

HIRING OF CONSULTANTS AND/OR ARCHITECTS

DEFINITION:

A “Consultant” means a vendor, who by virtue of a particular expertise, is hired by the Library to undertake a specific task or assignment that may include designing specifications and preparing plans or programs, architectural services or consulting services.

PRINCIPLE:

- fair access to bid on Library work shall be provided to consultants and/or architects. The Library must not permit one vendor to gain a monopoly for a specific type of assignment
- consulting and/or architectural services shall be acquired through a competitive purchasing process, wherever possible, to ensure that best value is obtained for funds expended

PROCEDURE:

- service unit director must pre-qualify each consultant and/or architect
- pre-qualification criteria must include, but is not limited to, expertise and experience, financial stability, previous performance, ability to complete on budget and on time, personnel, etc.
- service unit director must advise Corporate Services when the consultants and/or architects are pre-qualified
- Corporate Services will then add the consultants and/or architects to the Library’s approved vendor file
- pre-qualified consultants and/or architects must be used on a rotational basis, to provide all consultants and/or architects with the opportunity to bid on Library work

\$0.00 TO \$49,999.99 including taxes

- the service unit shall develop the Terms of Reference
- the service unit shall assist in the selection of the consultants and/or architects to be invited to submit a bid or proposal
- a **minimum** of three (3) written bids or proposals will be requested, whenever feasible, exceptions must be approved by the Chief Executive Officer
- the service unit will issue and receive the bids or proposals. The service unit may, at its option, request Corporate Services to perform this function
- the service unit will evaluate the bids or proposals and will prepare an award recommendation which will be forwarded to Corporate services
- Corporate services, upon receipt of the recommendation, will issue a purchase order to the successful vendor

\$50,000.00 TO \$99,999.99 including taxes

- the service unit will assist in the selection of the consultants and/or architects to be invited to submit a bid or proposal and submit the vendor names to Corporate Services
- the service unit shall develop and provide the Terms of Reference to Corporate Services
- a **minimum** of three (3) written bids or proposals will be requested, wherever feasible, exceptions must be approved by the Chief Executive Officer
- Corporate Services will issue, receive and open the sealed bids or proposals
- Corporate Services will forward the received bids or proposals to the service unit for evaluation
- the award recommendation will be determined by the service unit in consultation with Corporate Services and approved by the Chief Executive Officer
- upon receipt of the recommendation, Corporate Services will take appropriate action

\$100,000.00 AND OVER including taxes

- the service unit will assist in the selection of the consultants and/or architects to be invited to submit a bid or proposal and submit the vendor names to Corporate Services
- the service unit shall develop and provide the Terms of Reference
- a **minimum** of three (3) written bids or proposals will be requested by Corporate Services; exceptions must be approved by the Chief Executive Officer
- Corporate Services will issue, and receive the sealed bids or proposals
- the sealed bids or proposals will be opened by the Tender Opening Committee
- Corporate Services will forward the received bids or proposals to the service unit for evaluation
- the award recommendation will be determined by Corporate Services in consultation with the service unit
- a report to the Library Board will be prepared by the Director, Corporate Services and the requisitioning Manager, recommending an award or other appropriate action, the Library Board will review the report
- upon receipt of the Library Board resolution, and their approval of the recommended vendor, Corporate Services will arrange for contract execution

SCHEDULE "D"

Exceptions From Competitive Procurement Circumstances for Exclusions (Single Source)

"Single Source" means engaging in Direct Negotiations with a Vendor to provide goods, services or construction where there is more than one Vendor capable of supplying the goods, services or construction in the market,

The following are the exceptions from a competitive Procurement Process under this Policy, but remain subject to the requirements of the Direct Negotiations Process Section 11.13 of the Policy:

1. Where an unforeseeable, serious Emergency situation exists **and** the goods, services or construction cannot be obtained in time by means of open procurement procedures;
2. Where goods and services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise the Library's confidentiality, cause economic disruption or otherwise be contrary to the public interest;
3. Where a Contract is to be awarded under a cooperation agreement, in whole or in part, only to the extent that the agreement between the Library and the Buying Group includes rules for awarding Contracts that differ from the obligations set out in this Policy;
4. Where compliance with the open tendering provisions set out in this Policy would interfere with the Library's ability to maintain security or order or to protect human life or health; and/or
5. In the absence of a receipt of any Bids in response to a call for Tenders made in accordance with this Policy.

The Director, Corporate Services is authorized to update this schedule as and when required as it relates to the *Agreement on Internal Trade*, Chapter Five Annex 502.4 and the *Trade and Cooperation Agreement Between Ontario and Quebec* and any other Federal or Provincial legislation or agreements that are or become applicable to the Brampton Public Library Board.

SCHEDULE “E”

Exceptions From Competitive Procurement Circumstances for Sole Supplier Procurement (Sole Source)

“Sole Source” means engaging in Direct Negotiations with a Vendor to provide goods, services or construction where there is only one Vendor is able to meet the requirements of the procurement

The following are the exceptions from a competitive Procurement Process under this Policy, but remain subject to the requirements of the Direct Negotiations Process Section 11.13 of the Policy:

1. To ensure compatibility with existing products, services and construction, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
2. Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular Vendor and no alternative or substitute exists;
3. For the procurement of goods or services the supply of which is controlled by a Vendor that is a statutory monopoly;
4. For work to be performed on or about a building or land or portions thereof, leased to the Library, that may be performed only by the Lessor;
5. For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
6. For a Contract to be awarded to the winner of a design contest;
7. 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;
8. For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases;
9. For the procurement of Real Property;
10. For the procurement of original works of art;

The Director, Corporate Services is authorized to update this schedule as and when required as it relates to the *Agreement on Internal Trade*, Chapter Five Annex 502.4 and the *Trade and Cooperation Agreement Between Ontario and Quebec* and any other Federal or Provincial legislation or agreements that are or become applicable to the Brampton Public Library Board