



# **TOWN OF VIEW ROYAL**

## **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING TUESDAY, MAY 25, 2021 @ 7:00 PM VIEW ROYAL MUNICIPAL OFFICE- TEAMS MEETING**

### **AGENDA**

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Please note, due to the COVID-19 pandemic, the Town Hall has limited access at this time and for the protection of the community, Advisory members and staff, this meeting will be held without the public present under the Province's Ministerial Order No. M192. If you would like to listen to the meeting by phone please use the following phone number and conference ID:

**Phone: 778-402-9227**

**Conference ID: 542 104 803#**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**  
*(motion to approve)*
- 3. MINUTES, RECEIPT & ADOPTION OF**
  - a) Minutes of the Community Development Advisory Committee meeting held  
March 23, 2021 .....Pg. 3-5  
*(motion to adopt)*
- 4. CHAIR'S REPORT**
- 5. PETITIONS & DELEGATIONS**
- 6. BUSINESS ARISING FROM PREVIOUS MINUTES**
- 7. REPORTS**
  - 7.1 STAFF REPORTS**  
*(To be received for Information)*
    - a) Draft Public Art Policy No. 0100-053**  
Report dated May 4, 2021 from the Director of Corporate Administration .....Pg. 6-25

**8.2 COUNCIL REPORTS**  
*(motion to receive)*

- a) Minutes of the Council meetings held April 6, 2021 – May 18 2021. To view on the Town's website click [here](#).

**8. CORRESPONDENCE**

**9. NEW BUSINESS**

**11. CLOSED MEETING RESOLUTION**

**10. TERMINATION**

**Next Community Development Advisory Committee Meeting – September 28, 2021**



# TOWN OF VIEW ROYAL

## MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ELECTRONICALLY ON TUESDAY, MARCH 23, 2021

UNDER THE AUSPICES OF THE *EMERGENCY PROGRAM ACT* MINISTERIAL ORDER NO. M192

**PRESENT:** M. Ayala  
J. Baker  
R. Baker  
K. Fabris  
D. Faulks  
A. Flint  
K. Porter  
H. Sharma  
H. Wacker  
D. Kowalewich, Council Liaison  
J. Rogers, Council Liaison

**REGRETS:** L. Jeaurond

**ALSO PRESENT:** Mayor Screech  
J. Rosenberg, Director of Engineering  
S. Jones, Director of Corporate Administration  
J. Smith, Recording Secretary  
A. Heimburger, Engineering Clerk

0 members of the public  
0 members of the press

1. **CALL TO ORDER** – The Director of Engineering called the meeting to order at 7:05 p.m.

2. **WELCOME TO NEW MEMBERS**

a) Selection of Chair and Vice Chair

MOVED BY: D. Faulks  
SECONDED: A. Flint

THAT K. Fabris be appointed as Chair of the Community Development Advisory Committee.  
**CARRIED**

MOVED BY: D. Faulks  
SECONDED: R. Baker

THAT A. Flint be appointed as Vice Chair of the Community Development Advisory Committee.

**CARRIED**

3. **APPROVAL OF AGENDA**

MOVED BY: D. Faulks  
SECONDED: K. Porter

THAT the agenda be approved as presented.

**CARRIED**

**4. MINUTES, RECEIPT & ADOPTION OF**

a) Minutes of the Community Development Committee meeting held November 24, 2020

MOVED BY: R. Baker

SECONDED: K. Porter

THAT the minutes of the Community Development Committee meeting held November 24, 2020 be adopted.

**CARRIED**

**5. CHAIR'S REPORT**

**6. PETITIONS & DELEGATIONS**

**7. BUSINESS ARISING FROM PREVIOUS MINUTES**

**8. REPORTS**

**8.1 STAFF REPORTS**

**a) Council Size**

MOVED BY: K. Fabris

SECONDED: R. Baker

CDAC-01-21 THAT, with a view to increasing council diversity, the Community Development Advisory Committee recommend to Council an increase in council size from five to seven members.

**CARRIED**

**H. Sharma opposed**

**b) Development Permit Application 2021-04 – 7 Erskine Lane**

MOVED BY: K. Porter

SECONDED: A. Flint

THAT the report dated March 3, 2021 from the Senior Planner titled "Development Permit Application 2021-04 – 7 Erskine Lane" be received.

**CARRIED**

**c) BC Transit Island Highway Priority Project Update**

MOVED BY: K. Fabris

SECONDED: A. Flint

THAT the report dated February 4, 2021 from the Director of Engineering titled "BC Transit Island Highway Priority Project Update" be received.

**CARRIED**

**8.2 COUNCIL REPORTS**

- a) Minutes of the Council meetings November 3, 2020 to February 16, 2021

MOVED BY: R. Baker  
SECONDED: A. Flint

THAT the minutes of the Council meetings held November 3, 2020 to February 16, 2021 be received.

**CARRIED**

**9. CORRESPONDENCE**

**10. NEW BUSINESS**

**a) BC Transit Rapid Bus & Route #53 – Councillor Rogers**

MOVED BY: A. Flint  
SECONDED: K. Porter

THAT the information provided by Councillor Rogers regarding BC Transit's Route 53 service change to realign and extend service to terminate at Victoria General Hospital rather than the Colwood Exchange, via Atkins Road, Six Mile Road including an extension to Thetis Lake, Island Highway and Watkiss Way, that begins on June 28, 2021 be received.

**CARRIED**

**b) Request for Input on Municipal Arts Policy – Councillor Rogers**

The Committee discussed their previous involvement in the development of a draft public art policy through a subcommittee, which is currently with staff at Council's request. Should Council decide to seek additional Committee input when the document is provided for their consideration, it can be reviewed at that time.

**c) Capital Projects – Councillor Rogers**

Councillor Rogers updated the Committee on some anticipated 2021 capital projects.

**11. CLOSED MEETING RESOLUTION**

**12. TERMINATION**

MOVED BY: D. Faulks  
SECONDED: A. Flint

THAT this meeting now terminate at 8:10 p.m.

**CARRIED**

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**CHAIR**

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**RECORDING SECRETARY**



## TOWN OF VIEW ROYAL FINANCE & ADMINISTRATION REPORT

**TO:** Committee of the Whole

**DATE:** May 4, 2021

**FROM:** Sarah Jones, Corporate Officer

**MEETING DATE:** May 11, 2021

### DRAFT PUBLIC ART POLICY NO. 0100-053

#### RECOMMENDATION:

*THAT the Committee recommend to Council that draft Public Art Policy No. 0100-053 be approved in principle.*

#### CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I concur with the recommendation.

#### PURPOSE OF REPORT:

To bring forward a comprehensive draft public art policy for consideration of approval.

#### BACKGROUND:

In 2006 View Royal took some of its first steps into public art with the completion of the Helmcken Road project. That project brought with it lamp standards with “arms” that could hold banners. A well-received banner contest was held, seeking submissions that focused on the four seasons. Since then, banners on lamp standards in the Town has been a regularly occurring feature and a second contest was held for Canada's sesquicentennial in 2017.







2006 also saw the beginnings of indoor public art with the Roaming Art Gallery program entered into between the Town and the Juan de Fuca Arts and Crafts Guild. This mutually beneficial program brought a rotating art exhibit into the Town Hall foyer, profiling area artists to visitors attending the building to transact business. While the program provider has now shifted to the Coast Collective, the program continues.

In 2007 an artist-led community initiative resulted in a mural being painted in the tunnel in the Chilco neighbourhood (see image below).



Through the years, other donated paintings or two-dimensional art has been provided to the Town such as:

- a painting from the City of Colwood commemorating the Town's incorporation;
- framed photos of wildflowers from the View Royal Natural Habitat Action Group in April 1999;
- a traditional Vietnamese landscape from a visiting delegation from Hanoi in April 2002;
- a duplicate quilt block made for the Capital Regional District's 50<sup>th</sup> anniversary in 2016, and
- two paintings of Cole Island - one from D. Malcolm and the other from S. Linggard in 2017.

In September 2018 the Town co-hosted Art Fest and purchased the People's Choice Award painting that now hangs in Council Chambers.



*Art Fest 2018*



*Cole Island 2017*

As part of the construction of the Town's Public Safety Building, funds were earmarked for public art. Work is currently underway by T. Lafortune for an art installation at the property that reflects the Town's partnerships for fire protection with the Songhees and Esquimalt Nations (see image below).





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## DISCUSSION:

Some time ago, the Community Development Advisory Committee (CDAC) was asked to draft a public art policy for Council's consideration (C-58-16). CDAC members circulated and reviewed several examples of existing public art and public art policies in the fall of 2016 and a sub-group continued to meet. This sub-group explored specific components and compiled a policy framework that included topics such as the roles and responsibilities of various parties; the process to procure public art; typology of project scope; selection criteria; installation; maintenance, and de-accessioning. Some reference to funding was included in the proposed policy.

The draft policy was then referred to staff. Staff have now added a financial component to the draft policy and details in keeping with available staff resources (see Attachment "A" for the draft policy). As part of the financial component, staff also reviewed Purchasing Policy #1600-021 with a view to public art procurement (see Attachment "B" for the Purchasing Policy). Staff confirm that the Purchasing Policy is appropriate for use in conjunction with the Public Art Policy as it includes clauses for matters such as sustainable procurement, provisions for the use of the policy by non-staff (the Community Development Advisory Committee in this case), and procurement thresholds to facilitate various types of competitions as and if needed.

Attached please find the draft policy.

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## NEXT STEPS:

If this draft policy is approved, staff will be required to propose an amendment to the Reserves and Surplus Policy as well as prepare a bylaw for Council's consideration to establish the proposed reserve fund – the Public Art Acquisition Reserve Fund.

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## RECOMMENDATION:

*THAT the Committee recommend to Council that draft Public Art Policy No. 0100-053 be approved in principle.*

SUBMITTED BY:

  
S. Jones, Corporate Officer

REVIEWED BY:

  
K. Anema, Chief Administrative Officer



# **TOWN OF VIEW ROYAL**

## **PUBLIC ART POLICY #0100-053**



## **PUBLIC ART POLICY #0100-053**

### **1. PURPOSE**

To establish:

- 1.1 a standardized and transparent process for selection, acquisition, maintenance, and de-accessioning of Public Art; and
- 1.2 a funding model for the activities described in 1.1.

### **2. OBJECTIVES**

Public Art acquisitions that:

- 2.1 enhance quality of life;
- 2.2 strengthen community pride;
- 2.3 reflect neighbourhood vibrancy;
- 2.4 improve public environment aesthetic;
- 2.5 potentially contribute to economic vitality;
- 2.6 celebrate the Town's culture and heritage;
- 2.7 reflect the Town's diversity;
- 2.8 express shared values; and
- 2.9 define the Town's unique identity.

### **3. DEFINITIONS**

**Acquisition** refers to the process of accepting permanent or temporary Public Art for the Town's collection.

**Artist** is a global term referring to creators of artistic works and may include, but is not limited to, artists, designers, architects or collaborative teams.

**Borrowed Public Art** refers to an artistic work that is borrowed or rented by the Town through a loan agreement or for a defined period from an Artist or lender who owns and retains ownership of the artistic work.

**De-accession** refers to the process of removing Public Art from the Town's collection.

**Donated Public Art** refers to an artistic work that is provided as a gift, donation, or bequest to the Town; once transferred, the donated item becomes Owned Public Art.

**Owned Public Art** refers to an artistic work that is owned by the Town.

**Project Terms of Reference** is what needs to be achieved and the work that must be done to deliver a project.

**Public Art** refers to artistic works that are created by Artists and acquired by the Town with the specific intention of being sited or staged on Public Land.

**Public Land** means all streets, parks, or any other real property owned, held, or vested in the

Town.

#### **4. EXEMPTIONS**

The following are not subject to this Policy:

- 4.1 temporary or ephemeral artistic works that do not leave a lasting record of their creation;
- 4.2 site furnishing amenities (such as benches, picnic tables, bicycle racks), and other street fixtures such as light standards and signage, even if they contain an integrated artistic component; and
- 4.3 commemorative plaques and memorials.

#### **5. ACQUISITION OF PUBLIC ART**

##### **5.1 General:**

5.1.1 Public Art may be characterized as aesthetic, functional, interactive, or any combination thereof, and created using any material or any combination of media, including but not limited to sculptures, water features, paintings, drawings, murals, textiles, furnishings, installations, and kinetic works.

5.1.2 The Town may acquire Public Art through procurement, borrowing, or donation.

##### **5.2 Procured Public Art:**

5.2.1 Public Art to be procured will follow the Town's Purchasing Policy.

5.2.2 Where required by the Purchasing Policy, Staff will develop a Project Terms of Reference for the Public Art project.

5.2.3 Public Art to be procured will be selected through an evaluation process whereby the Community Development Advisory Committee and Staff make recommendations to Council.

5.2.4 Each artistic work that is being considered for selection as procured Owned Public Art may be evaluated according to the following criteria:

- compliance with the Project Terms of Reference;
- quality of work/artistic merit;
- suitability of the artistic work for display in a Public Space;
- durability of materials used;
- maintenance requirements and costs;
- use of sustainable materials in fabrication;
- relevance to the Town's natural and built environment, and the "Objectives" outlined in section 2 of this Policy; and
- legal considerations regarding ownership and copyright.

5.2.5 Each acquisition will be accompanied by a maintenance plan supplied by the Artist (see "Maintenance" outlined in section 11 of this Policy).

5.2.6 Final decisions will be made by Council.

### 5.3 Borrowed Public Art:

5.3.1 The Town may secure Borrowed Public Art for display on a temporary basis.

5.3.2 Public Art to be borrowed will be considered through an evaluation process whereby the Community Development Advisory Committee and Staff make recommendations to Council.

5.3.3 Each artistic work that is being considered as Borrowed Public Art may be evaluated against the following criteria:

- quality of the work/artistic merit;
- suitability of the artistic work for display in a Public Space;
- condition of the artistic work;
- duration of installation;
- maintenance requirements and costs;
- use of sustainable materials in fabrication;
- relevance to the Town's natural and built environment, and the "Objectives" outlined in section 2 of this Policy; and
- the Town's ability to safely display the artistic work.

5.3.4 Final decisions will be made by Council.

### 5.4 Donated Public Art:

5.4.1 Public Art to be received as a donation will be considered through an evaluation process whereby the Community Development Advisory Committee and Staff make recommendations to Council.

5.4.2 Each artistic work that is being considered for receipt as donated Owned Public Art may be evaluated according to the following criteria:

- quality of work/artistic merit;
- condition of work and remaining lifespan;
- monetary and/or appraised value for donated works;
- suitability of the artistic work for display in a Public Space;
- durability of materials used;
- maintenance requirements and costs;
- use of sustainable materials in fabrication;
- relevance to the Town's natural and built environment, and the "Objectives" outlined in section 2 of this Policy; and
- legal considerations regarding ownership and copyright.

5.4.3 Each acquisition will be accompanied by a maintenance plan supplied by the Donor (see "Maintenance" outlined in section 11 of this Policy).

5.4.4 The Donor of the artistic work must have legal ownership of the artistic work prior to transference to the Town.

5.4.5 All donations must be unencumbered.



5.4.6 If the Donor wishes to receive an Official Receipt for Income Tax Purposes for the donation, the Donor will be responsible for meeting Canada Revenue Agency criteria, including an independent appraisal of the artistic work at the Donor's expense to determine its fair market value. The Donor will require the pre-approval of the Town's Finance Department.

5.4.7 The Town, at its sole discretion, may decline to consider or accept any Donated Public Art.

5.4.8 Final decisions will be made by Council.

## **6. ROLES AND RESPONSIBILITIES**

### **6.1 Council**

Council will:

- advocate for art on Public Land in the Town;
- establish and approve contributions to the Public Art Acquisition Reserve Fund through the annual financial plan;
- authorize expenditures from the Public Art Acquisition Reserve Fund; and
- provide final approval on specific pieces of Public Art and their locations.

### **6.2 Community Development Advisory Committee**

The Community Development Advisory Committee will:

- review Project Terms of Reference for each new Public Art acquisition as applicable;
- provide Council with recommendation(s) on Procured Public Art competition submissions;
- provide Council with recommendation(s) on Borrowed Public Art initiatives;
- advise and recommend on proposed Public Art donations to the Town as referred by Council; and
- work with Staff to identify suitable recipient Public Art sites, taking into consideration the context for the specific artistic work (if known) and public safety.

### **6.3 Staff**

Implementation of this Policy will be coordinated by the Development Services Department with input and assistance from all other Departments as required.

Specifically, Staff will:

- establish and maintain an inventory of completed Town-owned Public Art;
- establish the Project Terms of Reference for individual acquisition projects;
- facilitate and support the Community Development Advisory Committee on Public Art matters as required;
- coordinate the acquisition of Public Art in accordance with this Policy and other Town policies and practices;
- develop and promote communication and outreach of the Policy to the community;
- work with the Community Development Advisory Committee to identify suitable recipient Public Art sites, taking into consideration the context for the specific artistic work (if

known) and public safety.

- coordinate maintenance of the Town's existing and new Public Art as required; and
- investigate Federal, Provincial, or other sources of funding to promote and support the development of Public Art in the Town.

## **7. FUNDING**

7.1 Funding to support this Policy will be provided through the establishment of a Public Art Acquisition Reserve Fund.

7.2 Contributions to the Public Art Acquisition Reserve Fund will be made in the following ways:

### **7.2.1 Annual budget contribution**

An annual contribution equivalent to at least 1% of the current year contribution to the Capital Works and Land Reserve Fund will be transferred to a Public Art Acquisition Reserve Fund.

### **7.2.2 Significant Town-Led Projects**

For significant Town-led and owned infrastructure projects (that is, capital projects over \$500,000), an equivalent of a minimum of 1% of the total budget will be contributed to the Public Art Acquisition Reserve Fund.

### **7.2.3 Donations**

Funding may also be received from private donors designated for public art acquisition which will then be contributed to the Public Art Acquisition Reserve Fund.

7.3 The Town's contribution to the Public Art Acquisition Reserve Fund will also be used to leverage funding from other governmental and private sources.

7.4 Owned Public Art maintenance, carried out generally in accordance with the maintenance plan for each artistic work, will be funded through the annual operating budget.

## **8. AGREEMENTS**

8.1 Following the approval of the acquisition of an artistic work, the Artist will enter into a written agreement with the Town.

8.2 This agreement will address the Artist's obligations, which may include, but are not limited to:

- scope of work;
- materials;
- schedule;
- installation;
- maintenance and repair schedule/requirements;
- warranty;
- copyright to the Town, if applicable;
- payments to sub-contractors; and
- future de-accessioning at the Town's discretion.

- 8.3 This agreement would also set out the Town's obligations that may include, but are not limited to:
- payment; and
  - Artist recognition.

## **9. INSTALLATION**

- 9.1 The installation process will be identified, in advance, through the purchase, commission, donation, or exhibition agreement and may involve participation of the Artist and/or a contracted professional installer and will involve the coordination with the Town of View Royal.
- 9.2 The condition of all acquired artistic works will be evaluated upon receipt, and any problems found will be referred to the Artist for resolution, prior to installation or immediately upon installation.
- 9.3 All Owned Public Art must be installed on Public Land.

## **10. INSURANCE**

- 10.1 Owned Public Art is the property of the Town and is insured under the Town's insurance at the discretion of the Town.
- 10.2 For all Borrowed Public Art, the Artist will submit proof, satisfactory to the Town, of insurance coverage for the artistic work, and/or a waiver freeing the Town from liability in case of accidental loss, theft, damage, or vandalism. In addition, the Artist will submit a complete list of the displayed artistic work(s) which will include the title(s), dimensions, weight, medium/media, and if applicable, appraised value(s).

## **11. MAINTENANCE**

- 11.1 The Artist is required to provide a maintenance plan for their work. The maintenance plan must be submitted to the Town for review and consideration along with the proposal to select the artistic work for acquisition or donation. The complexity of the maintenance plan may vary based on the size, nature and material of the artistic work. Therefore, maintenance plans must also meet the satisfaction of the appropriate Town Department. Maintenance plans will include, but are not limited to, maintenance specifications, budget implications, manufacturer lists, and key contacts, including Artist.
- 11.2 The Town is responsible for the care and maintenance of the artistic work, in accordance with the approved maintenance plan, and the specific department responsible will be determined at the time of the installation.

## **12. STORAGE**

- 12.1 When storage of Public Art, whether short-term or long-term, is required, the Town will ensure that such storage is appropriate.
- 12.2 Whenever possible, existing Town and community resources will be used for the storage and management of Town's Owned Public Art.

### **13. PRIVATE ART**

- 13.1 Town staff may work with new and established businesses, agencies, and other levels of government, architects, builders, contractors, and developers to identify opportunities for incorporating private artistic works into architecture, building and/or landscape designs of private infrastructure, or the layout of private open spaces, including private connections to adjacent public features (e.g. streets, bridges, road infrastructure), and related requirements for urban environments and streetscapes (e.g. requirements for light standards).
- 13.2 Private sector developers should consider the integration of private artistic works into the design of private sites, including, but not limited to building facades, floors, ceilings, courtyards, or entrances and could include functional and decorative elements including, but not limited to benches and light standards.

### **14.DE-ACCESSION OF OWNED PUBLIC ART**

- 14.1 The Town may de-accession Public Art when necessary.
- 14.2 Reasons for de-accession include, but are not limited to:
- endangerment of public safety;
  - excessive repair, maintenance or faults in design or construction/manufacture and repair or remedy is either impractical or not feasible;
  - the ongoing good condition or security of the artwork cannot be reasonably guaranteed;
  - irreparable damage;
  - the quality or authenticity of the artwork is in doubt and that doubt is subsequently justified;
  - the public can no longer access the site or the physical setting is to be redeveloped;
  - political inappropriateness; and
  - expiration of lifespan of the piece.
- 14.3 In the event of theft, vandalism or accidental loss, the Town may determine whether replacement or de-accession of the artistic work is appropriate.

*See also Purchasing Policy #1600-021*

**POLICY MANUAL**

<b>POLICY TITLE:</b> Purchasing	<b>POLICY #:</b> 1600-021
<b>AUTHORITY:</b> Administrative	<b>EFFECTIVE DATE:</b> September 25, 2018
<b>ISSUED BY:</b> Director of Finance	<b>REVIEW SCHEDULE:</b> Every 5 years
	<b>APPROVED BY:</b> Council C-122-18
<b>DATE ISSUED:</b> September 25, 2018	<b>DATE APPROVED:</b> September 25, 2018

**1. PURPOSE**

To ensure that View Royal obtains goods and services in a fair and open manner based on principles of competition, value for money, transparency and accountability.

**2. OBJECTIVES**

- 2.1** Acquisitions are managed consistent with this policy and requirements of applicable trade agreements;
- 2.2** View Royal receives the best value for money spent;
- 2.3** Vendors have fair access to information on procurement opportunities, processes and results;
- 2.4** Acquisition opportunities are competitively offered, whenever practical, with the intent to award a contract at the end of that process;
- 2.5** Personnel are accountable for the results of their procurement decisions and the appropriateness of the processes followed;
- 2.6** The cost of the procurement process, to both vendors and View Royal, is appropriate in relation to the value and complexity of each procurement; and
- 2.7** Procurement processes consider social and environmental impacts, where practical and economical.

**3. APPLICATION**

This policy applies all employees, officers and other designated persons acquiring goods, services, rentals, leases and construction on behalf of the Town of View Royal.

<b>RECORD OF AMENDMENTS</b>	<b>REVIEW DATE</b>	<b>AMENDED</b>	<b>OUTCOME</b>	<b>MOTION #</b>



**4. EMERGENCIES**

In unforeseen circumstances that require immediate action, such that inaction or delay would result in harm to a person or harm or damage to real or personal property of any type, individuals with approval authority as identified in this policy may waive certain aspects of this policy. A report summarizing the emergency procurement will be provided to the Chief Administrative Officer as soon as practical following the emergency.

**5. APPROVAL AUTHORITY**

- 5.1** The following personnel are authorized to execute procurement commitments (excluding taxes) up to the value limits as identified in the following table:

<b>Position</b>	<b>Threshold</b>
Authorized staff	up to \$5,000
Director of Corporate Administration Director of Finance Director of Development Director of Protective Services Director of Engineering	up to \$25,000
Chief Administrative Officer	up to \$75,000
Council	over \$75,000

- 5.2** Notwithstanding the approval authority thresholds above, the Chief Administrative Officer may direct staff to submit any procurement commitment to Council for approval.

**6. RESPONSIBILITIES**

- 6.1** The Chief Administrative Officer is responsible for overall compliance with this policy.
- 6.2** The Director of Finance is responsible for establishing and monitoring compliance to internal controls related to purchasing, including documentation of delegated purchasing authorities.
- 6.3** The Director of Corporate Administration is responsible for maintaining a records management system (both electronic and physical) for all contracts and agreements. Directors are responsible for ensuring fully executed contracts, addenda, change orders and amendments are submitted to the Director of Corporate Administration or designate in a timely manner.
- 6.4** Division directors may delegate purchasing authority to personnel within their division, subject to the approval authority identified in this policy. Directors are responsible for advising the Director of Finance of all personnel delegated purchasing authority.
- 6.5** Personnel designated by position or delegated authority for procurement activities are responsible for:

- 6.5.1** ensuring procurements are within the approved financial plan or any subsequent amendments;
- 6.5.2** planning, managing and fully documenting the process to acquire goods, services and construction;
- 6.5.3** managing solicitation and contract award processes in a prudent and unbiased manner that fairly treats all potential vendors and bidders;
- 6.5.4** ensuring compliance with all applicable trade agreements and their successors, including the New West Partnership Trade Agreement (NWPTA) and the Canadian Free Trade Agreement (CFTA);
- 6.5.5** ensuring that contracts for goods, services and construction are designed to provide the best value to View Royal;
- 6.5.6** considering ancillary benefits, financial or otherwise that may arise as a result of a contract;
- 6.5.7** considering intellectual property rights or physical, bodily and personal injury indemnities and risk exposure that may arise as a result of a contract;
- 6.5.8** ensuring that contracts comply with all applicable legislation, including but not limited to business licence, WorkSafeBC, labour, tax and other legislative and regulatory requirements; and
- 6.5.9** ensuring compliance with this policy within the scope of responsibility.

## **7. ETHICAL CONSIDERATIONS**

- 7.1** Personnel or any agent of View Royal will conduct any evaluation of bids, tenders, quotes and proposals with the removal of bias, positive or negative, against both existing and potential vendors. All qualified vendors will be treated transparently, fairly, equally and without discrimination.
- 7.2** Personnel with a real or perceived conflict of interest in a vendor or potential vendor must report this interest immediately to the Director responsible for the related procurement. The Director will review the interest and may remove the staff member from involvement in the procurement and recommend a suitable staff member for replacement.
- 7.3** Personnel and any non-staff or consultants evaluating quotes, offers, bids, tenders and proposals will not disclose any information gained during the course of their evaluation except to other View Royal staff who may in the normal course of business have a need for such information.
- 7.4** No bidder, proponent, vendor or person associated with preparing bids or proposals may lobby any View Royal elected official or personnel in an effort to secure a contract. During a competitive procurement process, all communications are to be made through the staff responsible for the process as indicated in the procurement document. Vendors found to be lobbying for a contract award will be disqualified from consideration for the procurement and may be disqualified from future procurement opportunities.

- 7.5** View Royal personnel will avoid accepting gifts, discounts on personal purchases or other favours of moderate or material value from vendors.
- 7.6** Personnel with purchasing authority will not split transactions or purchase agreements in an effort to avoid exceeding applicable thresholds.

## **8. SUSTAINABLE PROCUREMENT**

- 8.1** In an effort to leverage procurement dollars to benefit the community and society, View Royal may include the consideration of sustainability in the evaluation of best value for money. Sustainability may include considerations of environmental, ethical and corporate social responsibility as well as social value.

## **9. PROCUREMENT THRESHOLDS**

The value of the procurement opportunity is the aggregate cost to View Royal for the term of the proposed contract, net of rebatable taxes and any financial benefit directly attributable to the contract. The following thresholds will guide the method of procurement used to purchase goods or services:

### **9.1 Goods and general services**

<b>Value</b>	<b>Procurement Method (minimum)</b> See Section 10
<\$10,000	Direct award or single informal quote
\$10,000 - \$24,999	At least 3 written quotes
\$25,000 - \$74,999	At least 3 written quotes or public competitive process
\$75,000 and over	Public competitive process

### **9.2 Professional services and construction**

<b>Value</b>	<b>Procurement Method (minimum)</b> See Section 10
<\$50,000	Single written quote
\$50,000 - \$99,999	At least 3 written quotes or proposals
\$100,000 and over	Public competitive process

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## 10. PROCUREMENT METHODS

- 10.1** *Market research* methods are public solicitations that do not result in the award of View Royal business. They are used to assess the marketplace for potential procurement opportunities and to offer the market transparent and fair input into a resulting competitive procurement process.
- 10.2** A *Request for Information* is used to request general information regarding goods or services provided by vendors, and to invite input regarding the development of procurement strategies. A request of this type may also request a response that includes high-level budgetary considerations.
- 10.3** A *Request for Expressions of Interest* is used to determine the market interest in a competitive solicitation process.
- 10.4** *Direct award* refers to the award of View Royal business directly to a vendor for a low value procurement or where it can be demonstrated that only one vendor can supply the good or service.
- 10.5** *Notice of Intent to Award* is used to provide public notice of View Royal's intent to direct award where a public competitive process would normally be required and where View Royal cannot strictly demonstrate that there is only one vendor that can supply the good or service.
- 10.6** Notices of Intent to Award will be posted for a minimum of five (5) business days in the same manner as a public competitive process.
- 10.7** If View Royal receives a successful challenge to a Notice of Intent to Award, an appropriate procurement process will be undertaken.
- 10.8** Notices of Intent to Award must be approved by the Chief Administrative Officer and originating Director. The Director will supply specific details in writing justifying the direct award according to one or more of the following exceptions:
- 10.8.1** To ensure compatibility with existing products or methods, 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;
  - 10.8.2** Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists;
  - 10.8.3** For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly;
  - 10.8.4** For the purchase of goods on a commodity market;
  - 10.8.5** For the acquisition of services from not-for-profit organizations;
  - 10.8.6** For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor or the lessor's pre-approved suppliers;

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- 10.8.7 For work to be performed by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work or equipment;
  - 10.8.8 For a contract to be awarded to the winner of a design contest;
  - 10.8.9 For the procurement of a prototype of a first good or pilot of a first service to be developed in the course of a particular contract for research, experiment, study or original development, but not for any subsequent purchases;
  - 10.8.10 For the purchase of goods under exceptionally advantageous circumstances such as used goods, bankruptcy, auction or receivership, but not for routine purchases;
  - 10.8.11 For the procurement of utilities;
  - 10.8.12 For the procurement of employee benefits;
  - 10.8.13 For the procurement of real property;
  - 10.8.14 Where a public competitive process is impractical because of the need to obtain unique third party skills, there is a requirement for contractor continuity, or there is a strong case for the cost effectiveness of maintaining or retaining an existing contractor for a specific task;
  - 10.8.15 Where the CAO in conjunction with another Director approves the direct award purchase as requested.
- 10.9 **Informal quote** is a quote that has been requested by phone or email and may be received verbally, via fax or email. Informal quotes received verbally should be documented by detailed and dated notes.
  - 10.10 **Written quote** is a formal quote offering goods and/or services for stated amounts, and may include specific terms and conditions.
  - 10.11 **Public competitive process** is a formal procurement opportunity made publicly available on View Royal's website, the Province of British Columbia's BC Bid website and any other public tendering system.
    - 10.11.1 **Request for Proposal** (RFP) is a process to acquire services (primarily) where price is not the only consideration in selecting a contractor. The award is value-based and awarded to the proponent with the highest score and offering best overall value.
    - 10.11.2 **Invitation to Tender** (ITT) is used to acquire construction and other services where price is the only deciding factor and when the work to be undertaken can be specified in detail and must be adhered to by the contractor. Award is generally to the lowest compliant bidder.
    - 10.11.3 **Request for Standing Offers** (RSO) is used to acquire offers for goods or services that are needed on an ongoing basis, where View Royal enters into a contract only when an order is placed, as needed. Can be either price-based or value-based.
    - 10.11.4 **Request for Qualifications** (RFQu) is used to create a pre-qualified list of vendors who are eligible to participate in subsequent procurement processes. Shortlists are created using qualitative factors only and price would not normally be considered.



**10.11.5 Request for Quotations (RFQ)** is used to acquire goods or services when price is the predominant deciding factor. Awarded to the lowest price bid that meets all mandatory requirements and specifications.

**10.11.6 Request for Corporate Supply Arrangement or Master Standing Agreement** is used to acquire goods or services on behalf of a collaborative or co-operative buying group or purchasing consortium. Award is either price based or value-based.

## 11. AWARD METHODS

The following methods will be used when finalizing a purchase commitment:

Award Method	Value Threshold and Award Conditions
Petty cash	<\$100 View Royal does not have an account with the supplier
Purchase card	<\$5,000 unless higher amount approved by CAO View Royal does not have an account with the supplier Preferred method for purchases designated in foreign currencies Cardholders are required to sign a cardholder agreement
Purchase order	Any amount within issuer's approval limit or as approved by Council resolution Default method of award for all purchases Should state specific terms and conditions
Cheque requisition	Any amount within issuer's approval limit or as approved by Council resolution View Royal does not have an account with the vendor and vendor does not issue standard invoices Substantiating documentation required
Contract or agreement	Any amount within issuer's approval limit or as approved by Council resolution May be originated by the supplier or View Royal for all types of general, professional and construction services May require legal review if of a high value or complex
Change order or contract amendment	Any amount within issuer's approval limit or as approved by Council resolution Used to update, alter, extend or otherwise modify a contract Changes to contract value must be within the approved financial plan or, if exceeding the financial plan, have received Council approval to amend the financial plan
Corporate supply arrangement or master standing agreements	Any amount within issuer's approval limit or as approved by Council resolution Used by a buying group to form a contract for the bulk supply of goods or services

## **12. DISTRIBUTION**

Electronic file Y:\Administration\0340 Circulars, Directives, Orders, Manuals, Policies\50 Policies and procedures\Policies - Final\1600 - Finance