



POLICY MANUAL

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

RECORD OF AMENDMENTS	REVIEW DATE	AMENDED	OUTCOME	MOTION #
	June 15, 2021	Sections 5.3 and 9	Integrate Public Art Policy (#0100-053)	C-73-21

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:

Position	Threshold
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.
- 5.3** For public art procurement, Public Art Policy #0100-053 will apply and the Chief Administrative Officer is authorized to execute procurement commitments (excluding taxes) of \$50,000 and over.

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 table describes thresholds for each procurement category to guide the minimum method of procurement (see Section 10).

Value	Goods and general services	Public art	Professional services and construction
< \$10,000	Direct award or single informal quote	Direct award or single informal quote	Single written quote
\$10,000 - \$24,999	At least 3 written quotes	At least 3 written quotes	
\$25,000 - \$49,999	At least 3 written quotes or public competitive process	At least 3 written quotes or public competitive process	
\$50,000 - \$74,999		Public competitive process	At least 3 written quotes or proposals
\$75,000 - \$99,999	Public competitive process		
\$100,000 and over			

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;

-
- 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