

ORIGINAL

The Corporation of the Town of Innisfil

By-law No. 085-26

A By-law of The Corporation of the Town of Innisfil to establish and maintain a By-law concerning the procurement of goods, services and construction.

WHEREAS All municipalities and local boards shall adopt and maintain policies concerning the procurement of goods and services, pursuant to section 270 of the *Municipal Act, 2001*, SO 2001, c 25; and

WHEREAS The Corporation of the Town of Innisfil (the "Town") is committed to principles of openness, fairness and transparency in procurement in accordance with this By-law; and

WHEREAS Purchases made by the Town should seek to achieve the best value through competitive bidding where appropriate; and

WHEREAS Effective planning, monitoring and control of procurement are essential for maintaining public trust and confidence; and

WHEREAS The Town must be prepared to manage extraordinary circumstances from time to time, which may require immediate procurement decisions that are necessary to prevent or alleviate serious delay, a threat to public health, safety or welfare, the disruption of essential services or damage to public property, or to respond to an emergency; and

WHEREAS This Procurement By-law is designed to work in conjunction with Procurement Procedures and Protocols, which are administratively held and managed by Town staff as approved by the Chief Financial Officer (CFO)/Director of Corporate Services; and

WHEREAS This Procurement By-law has been developed to meet the specific needs of the Town;

NOW THEREFORE, the Council of The Corporation of the Town of Innisfil enacts as follows:

1. That By-law 032-17 is hereby repealed.
2. That this By-law comes into force and takes effect on the date of passing.

Passed this 23rd day of September, 2026.



Lynn Dollin, Mayor



Jennifer Marshall, Clerk

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1. DEFINITIONS

In this By-law,

“Agreement” means a written document, executed by the Town and the Supplier, evidencing mutual commitments on a particular subject matter that may or may not involve the purchase of Deliverables;

“Approval Authority” means the level of authority delegated to applicable Town staff to approve initiation of a procurement process, award, renewal of a Contract, or commitment of funds, subject to the financial limits, competitive requirements, and responsibilities set out in this By-law and its associated Procurement Procedures and Protocols;

“Bid” means a submission in response to a Solicitation Document, and includes proposals, quotations or responses;

“Bidder” means a Supplier that submits a Bid;

“Chief Administrative Officer” or **“CAO”** means the person appointed to that position as approved by Council and includes their Designate;

“Collusion” means an activity undertaken by two or more persons for the purpose of dividing the market, setting prices, limiting production, or limiting open competition, by deceiving, misleading, or defrauding others of their legal rights, or to obtain an objective forbidden by law, typically by defrauding or gaining an unfair advantage;

“Competitive Process” means either an Open Competition or an Invitational Competition;

“Contract” means a legally binding commitment by the Town for the procurement of Deliverables from a Supplier which may be in the form of an Agreement executed by a Supplier and the Town or a Purchase Order issued to the Supplier by a duly authorized employee of the Town that is accepted by the Supplier;

“Contract Change Order” or **“CCO”** means a mutually agreed upon addition to, deletion from, or modification of a Contract between the Town and the Supplier;

“Cooperative Purchasing” means a competitive procurement process that is conducted by one public body or group purchasing organization on behalf of one or more public bodies in order to obtain the benefits of volume purchases and administrative efficiency;

“Corporate Purchasing Card” means a credit card issued to an authorized Town staff member to be used for procuring and paying for Deliverables within established guidelines;

“Council” means the Council of the Town comprised of elected officials;

“Deliverables” means any goods, services, or construction, or any combination thereof;

“Department” means the set of Town’s Service Area(s) that a designated Director is responsible for;

“Designate” means a person authorized by the CAO, Director, Treasurer, Manager or Supervisor to act on their behalf;

“Director” means the person who is responsible for the strategic, operational and financial management of a Department;

“Disposal” means the removal of physical materials or assets owned by the Town and deemed to be Surplus through its sale, trade-in, auction, alternative use, gift, scrap, or disposal at a landfill. Also referred to as **Asset Disposal**;

“GBAPPC” means the Georgian Bay Area Public Purchasing Collaborative. This is a group of public entities primarily within Simcoe County that participate together in Cooperative Purchasing;

“In-House Bid” means a submission made by a Town Department or Service Area to provide goods or services using municipal staff and resources, in response to a competitive procurement process in which external suppliers are also invited to submit bids;

“Invitational Competition” means a competitive process in which an invitation to submit Bids is issued to a minimum of three Suppliers;

“Limited Competition Procurement” means the procurement of Deliverables through a process where Bids are solicited from less than three Suppliers when a Standard Procurement would require an Invitational Competition or Open Competition for the type and Procurement Value of the Deliverables;

“Low Cost Purchase” or **“LCP”** means a purchase of Deliverables at the thresholds indicated in Schedule B of this Procurement By-law;

“Non-Competitive Procurement” means the procurement of Deliverables directly from a particular Supplier without conducting a Competitive Process when a Standard Procurement would require an Invitational Competition or an Open Competition for the type and Procurement Value of the Deliverables;

“Non-Standard Procurement” means the procurement of Deliverables through a process other than the Standard Procurement process normally required for the type and Procurement Value of the Deliverables, and it includes Limited Competition Procurement and Non-Competitive Procurement.

“Open Competition” means a competitive process in which an invitation to submit Bids is issued through a public notice;

“Manager” means the person responsible for direction and operational control of a Town’s Service Area or their authorized Designate(s), also referred to as Service Area Manager;

“Procurement Value” means the estimated maximum total value of the Deliverables being procured over the entire duration of the Contract, including the total value of all options for extension of the Contract term and/or expansion of the scope of Deliverables to be purchased under the Contract. The Procurement Value must include all anticipated costs to the Town, including, as applicable, acquisition, delivery, installation, training, operation, maintenance, replacement and Disposal, less applicable rebates or discounts, and excludes HST or other sales taxes;

“Procurement Procedures and Protocols” means the administrative documents that establish procedures and protocols to be followed by Town staff for procurement that are consistent with the intent of the Procurement By-law;

“Procurement Services” means the Service Area that is responsible for facilitating and overseeing the Town’s procurement operations;

“Purchase Order” means the Town's written document issued by a duly authorized employee of the Town to a Supplier formalizing all the terms and conditions of the purchase of the Deliverables identified on the face of the Purchase Order;

“Qualified Supplier Roster” means a list of Suppliers that have been pre-qualified to perform work assignments involving the delivery of a particular type of Deliverables and will be eligible to participate in roster competitions, as and when the Deliverables are required;

“Service Area” means a unit within a Department that specializes in a specific service (i.e., Financial Services is the Service Area within the Corporate Services Department);

“Solicitation Document” means the document issued by the Town to solicit Bids from Bidders;

“Sponsorship” means a mutually beneficial contractual agreement between the Town and an external company, organization, association, or individual where the Town of Innisfil leverages a municipally owned asset or event to receive financial or in kind support in exchange for recognition, exposure, activation opportunities, and/or other marketing benefits for the external party;

“Standard Procurement” means the procurement of Deliverables in accordance with section 7 and Schedule “B”;

“Standing Offer” means a written Agreement between the Town and a Supplier for the supply of Deliverables to the Town upon the Town’s request, through the use of an ordering process during a particular period of time, at a predetermined price or discount, generally within a pre-defined dollar limit;

“Supervisor” means the person responsible for operational services of a Town’s Service Area, who reports to a Manager;

“Supplier” means a person carrying on the business of providing Deliverables, also referred to as a **“Vendor”**;

“Surplus” means goods or tangible assets that are fully owned by the Town that have been deemed surplus by the relevant Manager and are no longer used, which have become obsolete, worn out or incapable of being used, or not required by the Town;

“Town” means The Corporation of the Town of Innisfil;

“Town Staff” means any person employed by The Corporation of the Town of Innisfil, including full-time, part-time, temporary, contract, casual, seasonal and student employees, and includes any authorized Designate acting on behalf of such employee where permitted under this By-law, but does not include members of Council or committee members unless expressly stated.

“Treasurer” means the person as appointed by Council and includes their Designate;

“Unsolicited Proposal” means an offer or proposal for a new or innovative idea submitted by a Supplier outside of a procurement process initiated by the Supplier for the purpose of obtaining a Contract or other type of agreement with the Town, with the express intent of securing a benefit, including but not limited to, a financial return, for the Supplier.

2. INTRODUCTION

2.1 Purpose

The purposes of this Procurement By-law are set out in the Recitals, and they form part of the operative provisions of this By-law.

2.2 Application

- a. This Procurement By-law and the Procurement Procedures and Protocols apply to all elected officials, committee members, and staff of the Town.
- b. This By-law applies to the procurement of Deliverables by the Town except as otherwise stated. This By-law also applies to the disposal of the Town's surplus assets where noted.
- c. In addition to this By-law, the Town has procedures, protocols, templates, forms, and other documents for use in procurement activities, and they are maintained and updated as necessary by Procurement Services.

2.3 Title and Administration of By-law

This By-law may be referred to as the "Procurement By-law". Procurement Services, under the direction of the Manager of Legal Services, is responsible for the administration and interpretation of this By-law, which includes evaluating the effectiveness of the By-law and recommending updates to the By-law, as appropriate, but no later than every five (5) years.

2.4 Validity and Severability

Should any section, subsection, clause, paragraph, or provision of this By-law be declared by a court of competent jurisdiction to be invalid or unenforceable, the decision shall not affect the validity or enforceability of any other provision of this Procurement By-law as a whole.

2.5 Interpretation

In this Procurement By-law,

- a. The word "may" is permissive.
- b. The words "shall" and "will" are imperative.
- c. Words used in the present terms include the future.
- d. Words in the singular number include the plural number and vice versa.
- e. Where staff of the Town are authorized to do any act, such act may be done by their authorized delegate unless specifically stated otherwise.
- f. Where the context requires, the masculine gender shall include the feminine neutral genders, and vice versa.
- g. All references to dollar amounts in the By-law are in Canadian dollars and do not include applicable taxes.

2.6 Procurement Procedures and Protocols

The Supervisor of Procurement Services, under the direction of the Manager of Legal Services, is responsible for developing, administering and maintaining detailed Procurement Procedures and Protocols to govern the Town's procurement operations in accordance with this By-law.

The Supervisor of Procurement Services is authorized to supplement and amend the Procurement Procedures and Protocols as and when deemed necessary, to meet the present and future needs of the Town.

The CFO/Director of Corporate Services or their designate, is authorized to approve the Procurement Procedures and Protocols.

2.7 Purchasing Goals and Objectives

The Town's goals and objectives in relation to its procurement operations are to:

- a. conduct centralized procurement through Procurement Services;
- b. comply with applicable legislation, government directives and policies;
- c. subject to the requirements of this By-law, align procurement practices with applicable trade agreements and legislation;
- d. encourage open, fair and transparent procurement processes;
- e. as appropriate, provide for reciprocal non-discrimination and geographic neutrality in accordance with applicable trade agreements and legislation;
- f. achieve best value through consideration of the full range of procurement formats and the adoption of commercially reasonable business practices;
- g. encourage the procurement of Deliverables with due regard to the preservation of the natural environment by considering environmental factors in the procurement planning process and, where possible, incorporating specifications, performance requirements and evaluation criteria that support this goal;
- h. promote and incorporate, whenever possible, the relevant requirements of the *Ontarians with Disabilities Act, 2001*, SO 2001, c 32 and *Accessibility for Ontarians with Disabilities Act, 2005*, SO 2005, c 11 in procurement for the Town;
- i. adhere to the highest standards of ethical conduct and avoid conflicts of interest.

3. CONDUCT AND CONFLICTS OF INTEREST

3.1 Public Purchasing Code of Ethics

All employees authorized to purchase Deliverables on behalf of the Town shall, while respecting the parameters of this By-law and applicable laws, strive to adhere to the following principles, which are based on the tenets of the Ontario Public Buyer Association's Code of Ethics:

- a. **Open and Honest Dealings with Everyone Who is Involved in the Purchasing Process.** This includes all Suppliers, as well as all members of staff and of the public who utilize the services of Procurement Services.
- b. **Fair and Impartial Award Recommendations for All Contracts and Tenders.** This means that the Town does not inappropriately extend preferential treatment to any Supplier in a procurement process.
- c. **An Irreproachable Standard of Personal Integrity on the Part of All Those Designated as Authorized Purchasers for the Town.** No gifts or favours are accepted by any employee or elected official of the Town in return for business or the consideration of business. Employees and elected officials must not

take any action that provides, could, or appear to provide a Supplier an advantage over others.

- d. **Cooperation with Other Public Agencies in Order to Obtain the Best Possible Value for every Tax Dollar.** The Town is a member of a collaborative purchasing group, made up of several public agencies. This group pools its expertise and resources to practice good value analysis and to purchase Deliverables in volume and save tax dollars.

3.2 No Local Preference and Non-Discrimination

The Town shall not apply local preferences in awarding purchases unless otherwise mandated by applicable laws.

3.3 Town's Code of Conduct and Conflict of Interest

All procurement by the Town shall be undertaken in accordance with the Town's Code of Conduct and Conflict of Interest Policy CP.03-10-06, as amended, the Town's Code of Conduct for Members of Council and Local Boards Policy CP.01-13-02, as amended, and the *Municipal Conflict of Interest Act*, RSO 1990, c M.50, as amended.

All participants in a procurement process, including any outside consultants or other service providers participating on behalf of the Town, must declare any perceived, possible, or actual conflicts of interest.

"Conflict of Interest," when applied to the activities of the Town and its consultants or service providers, means a conflict or tension between one's private interests and the interests of the Town.

3.4 Elected Officials and Committee Members

- a. In accordance with best practices in municipal procurement, Council recognizes the need for a clear separation of political and administrative functions in relation to the Town's procurement activities. It is the role of Council to establish policy and to approve expenditures through the Town's budget approval process. Through this By-law, Council delegates to the Town's employees the authority to incur expenditures in accordance with approved budgets through the procurement of goods, services and construction in accordance with the rules and processes set out in this By-law.
- b. To facilitate Council's oversight role in respect of significant projects, Council may require Departments to obtain Council's authority to initiate specific procurements by identifying procurement projects of interest, such as procurements that are of a high value or involve significant risk, security concerns, or significant community interest.
- c. To avoid any potential appearance of bias or political influence in procurement activities, elected officials of Council and committee members shall separate themselves from procurement activities. This includes but is not limited to obtaining information on any particular procurement, participating as an evaluation member in any procurement process, or participating in making a decision about the outcome in any procurement process, with the exception of section 11. Council Reporting, 11.1 Staff Report for Action where Council is required to approve applicable procurement circumstances as contained herein.

3.5 Supplier Code of Conduct and Conflicts of Interest

All Suppliers participating in a procurement process or providing Deliverables to the Town must declare any perceived, possible, or actual conflicts of interest and must conduct themselves in accordance with the Supplier Code of Conduct, Schedule C of this By-law.

3.6 Lobbying Restrictions

- a. Suppliers, their staff or representatives, or anyone involved in preparing a Bid shall not engage in any form of political or other lobbying whatsoever or seek to influence the outcome of the procurement process or subsequent contract award. This restriction extends to all of the Town's elected officials, committee members and staff.
- b. The Town's elected officials, committee members, or employees shall not provide information regarding the Town's need for specific Deliverables to prospective suppliers where the provision of the knowledge could provide an unfair advantage whether perceived or actual to that vendor.
- c. The Town may reject any Bid from any Bidder that engages in lobbying, without further consideration.
- d. Where the Town has issued a Solicitation Document and prior to contract award all communications shall be in accordance with the terms of the Solicitation Document. The Town may reject a Bid where a Supplier or person acting on behalf of one or more Supplier(s) contacts or attempts to seek information about the procurement from anyone other than the contact person identified in the Solicitation Document. This restriction on communications extends to communications with the Town's elected officials, committee members and any other staff. This is also known as the "blackout period" and is in place to protect the integrity of the procurement process.

3.7 Collusion

The Town strictly prohibits any form of collusion. Any Bid that, in the opinion of the Town, appears to be the result of collusive practices may be rejected immediately and without further consideration. Suppliers found to have engaged in collusion may be disqualified from the current procurement process and from future procurement opportunities. The Town reserves the right to pursue any and all remedies available to it under applicable law, including civil, contractual, and administrative remedies arising from or related to any collusive conduct.

4. PROHIBITIONS

- 4.1** No Town staff, elected official, or committee member shall purchase or offer to purchase, on behalf of the Town, any Deliverables except in accordance with this By-law and following the rules set out in the Procurement Procedures and Protocols, as amended from time to time.
- 4.2** No Town staff shall authorize the award of a Contract where the provisions of this Procurement By-law have not been adhered to.
- 4.3** No employee or designated representative for the Town shall prepare, design or otherwise structure a procurement, select an evaluation method or divide

procurement requirements into two or more parts to circumvent any obligation and/or threshold of this By-law.

4.4 The Town shall not enter into any Contract for Deliverables that may or will establish an employee-employer relationship. Such Contract, if entered into, will be void.

4.5 Any employee who intentionally and knowingly contravenes this By-law or the Procurement Procedures and Protocols, as amended from time to time, may be subject to disciplinary action.

5. RESPONSIBILITIES AND AUTHORITIES

Overall Considerations

All persons that are subject to this By-law are accountable for the decisions and actions which they take pursuant to this By-law and in the administration of Contracts that have been awarded.

Specific responsibilities pertaining to all stages of a procurement process, from the initial identification of requirements through to the management of Contracts with Suppliers, are detailed in this By-law and the Procurement Procedures and Protocols. In addition to those specific responsibilities, the general roles and responsibilities delegated to the Town's staff are set out below.

5.1 Procurement Services

Procurement Services led by the Supervisor of Procurement Services is responsible for the Town's procurement operations. In fulfilling this role, the Supervisor of Procurement Services will lead the Procurement Services team in the fulfillment of:

- a. conducting reviews and recommending amendments to this Procurement By-law and the Procurement Procedures and Protocols as and when deemed necessary, to align with best practices and applicable legislation;
- b. ensuring consistent application of this By-law and provision of procurement services in an efficient and diligent manner;
- c. monitoring adherence to this By-law and the Procurement Procedures and Protocols and reporting any non-compliance in accordance with the provisions of this By-law and the Procurement Procedures and Protocols;
- d. escalating where appropriate instances of non-compliance to the Manager of Legal Services;
- e. developing procurement strategies;
- f. evaluating the Town's business requirements and spending patterns to identify opportunities for more strategic sourcing;
- g. providing procurement advice and related services, including researching, developing, maintaining and updating (in consultation with Legal Services) the Town's procurement procedures, protocols, Solicitation Document templates, standard term contracts, and forms;
- h. addressing issues or concerns that arise in respect to a procurement process and seeking legal advice, as required;
- i. providing appropriate orientation, training, and tools to employees involved in procurement activities;

- j. managing the disposal of physical materials and assets that have been deemed Surplus in accordance with the Asset Disposal Protocol in the Procurement Procedures and Protocols;
- k. managing the corporate purchasing card program in accordance with the Corporate Purchasing Card Protocol in the Procurement Procedures and Protocols;
- l. managing the signing authority in relation to procurement activities in accordance with the Approval Authority Protocol in the Procurement Procedures and Protocols;
- m. acting as the Town's representative in respect to engagements with group purchasing organizations (GPO) such as, but not limited to, the Georgian Bay Area Public Purchasing Collaborative (GBAPPC), Kinetic GPO, Supply Ontario (SO), Ontario Education Collaborative Marketplace (OECM), Local Authority Services (LAS), Canoe Procurement Group of Canada (Canoe), where engagements include joining an organization or utilizing an existing GPO agreement;
- n. participating in Contract negotiations, where applicable; and
- o. performing other responsibilities as may be specified in the Procurement Procedures and Protocols or that are otherwise assigned to the Supervisor of Procurement Services.

In addition to leading Procurement Services in connection with the above activities, the Supervisor of Procurement Services is responsible for:

- a. preparing an annual summary report for information to Council for the following procurement activities:
 - 1. Emergency Purchases that meet or exceed the thresholds outlined in Schedule B to this By-law,
 - 2. Non-Standard procurements that meet or exceed the thresholds outlined in Schedule B to this By-law, and
 - 3. Instances where the provisions of this By-law were waived.
- b. collecting key performance indicator (KPI) data for review and analysis and providing an extraction of data for corporate reporting, as needed;
- c. researching, monitoring and learning about developments in legislation, the changing landscape of procurement best practices, assessing their impacts and incorporating amendments, where necessary, to the By-law and the Town's Procurement Procedures and Protocols as required;
- d. addressing and, where possible, resolving issues or concerns that arise in respect to a procurement process or application and interpretation of this By-law and/or the Town's Procurement Procedures and Protocols;
- e. seeking guidance and advice from the CFO/Director of Corporate Services and Manager of Legal, as required;
- f. reviewing all requests for waiving the provisions of this By-law in accordance with the Waiving Provisions of the By-law Protocol within the Town's Procurement Procedures and Protocols;
- g. reviewing and approving all Non-Standard Procurement requests in conjunction with the requisitioning Manager.

5.2 Managers

Managers are responsible for procurement activities within their Service Area and shall be accountable for determining and achieving specific objectives as outlined for each procurement project. Managers are responsible for:

- a. ensuring that they and their Service Area staff comply with this By-law and the Procurement Procedures and Protocols;
- b. encouraging sound procurement practices;
- c. ensuring that they manage their respective Service Area budgets within their financial limits;
- d. ensuring that sufficient approved funds are available for all procurement activities;
- e. where additional budget funding is required for any procurement activity, ensuring such additional funding is obtained in accordance with the applicable Finance Service Area protocols and procedures;
- f. ensuring that when an emergency occurs (as outlined in the emergency purchase section in this By-law), that they comply with the outlined requirements, consultation, reporting, and applicable procedures outlined in the Emergency Purchase Protocol;
- g. identifying and addressing non-compliance with this By-law and Procurement Procedures and Protocols within their Service Area;
- h. ensuring that they comply with their assigned Approval Authority limits and delegate Approval Authority limits to their Service Area staff in compliance with this By-law and the Procurement Procedures and Protocols;
- i. ensuring the provision of appropriate education and training to employees involved in procurement activities;
- j. notifying Procurement Services upon discovery of instances of non-compliance and consulting with Legal Services to obtain advice with respect to mitigating potential risks to the Town arising from the non-compliance;
- k. notifying Procurement Services once an item has been deemed as a Surplus asset (excluding Town land and/or buildings) and ensuring staff follow the associated Asset Disposal Protocol outlined in the Procurement Procedures and Protocols;
- l. when contemplating waiving the provisions of this By-law, ensuring it is done in accordance with the Waiving Provisions of the By-law Protocol within the Town's Procurement Procedures and Protocols;
- m. when contemplating Non-Standard Procurement, ensuring it complies with this By-law and the Procurement Procedures and Protocols.

5.3 Directors

Each Director is responsible for the strategic, operational and financial management of their Department. This includes providing significant leadership in the provision of high-quality services, at appropriate service levels, across the organization.

As a key member of the Steering Group, a Director is accountable for leading innovative initiatives related to business planning, corporate strategy, overall performance, development of budgets and work plans, and lead teams in the delivery of services and solutions to internal and external clients. Accountable for the coordination and general management/oversight of assigned Department, providing leadership/management, advice and guidance to corresponding area Managers, the Director(s) ensures alignment of

assigned Service Area business planning, cross-functional initiatives and collaborates with Managers on future direction, as well as managing, measuring and monitoring the performance of the team.

This role serves as back-up and support for the duties and responsibilities of the CAO.

Each Director is responsible for:

- a. ensuring that the Managers within their assigned Department comply with this By-law and the Procurement Procedures and Protocols;
- b. ensuring that when an emergency occurs (as outlined in section 10 Emergency Purchases of this By-law), that the Managers comply with the outlined requirements, consultation, reporting, and applicable procedures outlined in the Emergency Purchase Protocol;
- c. ensuring that non-compliance brought to their attention is addressed in the manner specified in the Procurement Procedures and Protocols;
- d. ensuring that they comply with their assigned Approval Authority limits and delegate Approval Authority limits to their Service Area Manager(s) in compliance with this By-law and the Procurement Procedures and Protocols.

5.4 All Staff

All Town employees are responsible for complying with this By-law. Individual employees involved in procurement activities must clearly understand their obligations and responsibilities under this By-law and the Procurement Procedures and Protocols and should consult with Procurement Services with respect to any questions regarding the application or interpretation of this By-law or any relevant procedures.

5.5 Treasurer

The Treasurer is responsible for overseeing the Finance Service Area and reports to the Chief Financial Officer (CFO)/Director of Corporate Services. The Treasurer is responsible for administering both the capital and operating budgets as well as finance policies (as referenced in section 6. Approval Authority).

5.6 Manager of Legal Services

The Manager of Legal Services is responsible for overseeing Procurement Services and providing support and guidance as required.

The Manager of Legal Services shall address instances of non-compliance of this By-law and Procurement Procedures and Protocols with the appropriate Director(s) and Manager(s) and may seek consultation and support from the CFO/Director of Corporate Services. Continued non-compliance shall be reported to CFO/Director of Corporate Services and the CAO.

5.7 Chief Financial Officer (CFO)/Director of Corporate Services

The CFO/Director of Corporate Services is the Director responsible for overseeing the Corporate Services Department made up of Finance, Information Technology, Customer Service, Legal Services, and Clerk Services. The CFO/Director of Corporate Services provides support and guidance as required.

The CFO/Director of Corporate Services or their designate, is authorized to approve the Procurement Procedures and Protocols and to supplement and amend the Procurement Procedures and Protocols as and when deemed necessary, to meet the present and future needs of the Town.

Together with the CAO, address any non-compliance that the Manager of Legal Services has brought to their attention.

5.8 Chief Administrative Officer (CAO)

The CAO is accountable to Council for ensuring the Town's compliance with this By-law and Procurement Procedures and Protocols and together with the CFO/Director of Corporate Services, must address any non-compliance that the Manager of Legal Services has brought to their attention.

The CAO shall ensure that they comply with their assigned Approval Authority limits and delegate Approval Authority limits to the Directors in compliance with this By-law and the Procurement Procedures and Protocols

5.9 Procurement Review Committee

As required, the Manager of Legal Services will establish a Procurement Review Committee for the purpose of making determinations on procurement-related matters referred by the Supervisor of Procurement Services that may include without limitation:

- a. the Non-Standard Procurement Protocol;
- b. the Procurement Protest Protocol;
- c. the Supplier Suspension Protocol; and
- d. the Waiving Provisions of the By-law Protocol.

The Procurement Review Committee shall include the Supervisor of Procurement Services, an internal legal representative, and at least one member of the Town's Leadership Team (i.e. Director or Manager).

6. APPROVAL AUTHORITY

The Approval Authority for procurements are set out in Schedule D – Procurement Approval Authority to this By-law. The respective procedures are outlined in the Procurement Procedures and Protocols.

6.1 Approval of the Capital and Operating Budgets

The beginning of the procurement process commences with the approval by Council of the operating and capital budgets for the Town. Upon approval of these budgets, Town staff that have Approval Authority are permitted to purchase Deliverables based on the approved budgets, on behalf of the Town in accordance with their applicable spending limits in Schedule D to this By-law, and with the following understanding:

- a. Capital Budget Procurements
Staff may initiate capital budget procurement in advance of budget approval with the condition that a resultant award is contingent upon Council approval of the capital budget.
- b. Operating Budget Procurements

Staff may approve procurements up to fifty percent (50%) of the previous year's approved operating budget before receiving the current budget year's approval from Council, if applicable.

6.2 Approved Funding

Notwithstanding section 6.1 Approval of the Capital and Operating Budgets, no Contract may be awarded unless there is approved funding in an amount sufficient to cover the Procurement Value that is available and the procurement process was conducted in accordance with this By-law, Procurement Procedures and Protocols and the Town's applicable Finance Service Area policies and protocols.

6.3 Additional Funding

Procurements that do not have sufficient approved funding either prior to the Contract award or during a Contract term must secure approved funding in accordance with this By-law, Procurement Procedures and Protocols and the Town's applicable Finance Service Area policies and protocols (i.e., Capital Budget Funding Policy CP.7.1.16, as amended).

6.4 Financing Lease

A financing lease may only be approved and entered into in accordance with the Town's Debt Management Policy CP.7.1.4, as amended.

A financing lease is a lease arrangement in which the Town substantially assumes the risks and rewards associated with ownership of the leased asset. Under such a lease, the asset and corresponding liability are recognized on the Town's balance sheet.

6.5 Approval to Participate in Cooperative, GPO and Government VOR Purchasing

The Supervisor of Procurement Services has the authority to authorize participation in and to pursue Cooperative Purchasing and to authorize the use of Agreements established by group purchasing organizations (GPO), and/or government vendor of record (VOR) arrangements where it is deemed in the best interest of the Town, provided that (a) the requirement for approved funds, as set out in section 6 of this By-law, is met and (b) the procurement process was conducted in a manner that is consistent with the objectives of this By-law.

6.6 Contract Award

No Contract may be entered into, either through issuance of a Purchase Order or execution of an Agreement, unless approved funding in an amount sufficient to cover the Procurement Value is available and the procurement process was conducted in accordance with this By-law, Procurement Procedures and Protocols. Such Contract, if entered into, will be void.

6.7 Approval Authority for Standard Procurements

Approval Authority for Standard Procurements are subject to the following conditions:

- a. the requirement for approved funds, as set out in section 6 of this By-law, must be met;
- b. the procurement process must be conducted through the Standard Procurement method, as determined in accordance with Schedule B;
- c. the procurement process must be conducted in accordance with all applicable Procurement Procedures and Protocols; and

- d. subject to this By-law, where a Competitive Process is conducted, the Contract must be awarded to the highest scoring or lowest compliant Bidder (as applicable) in accordance with the evaluation and selection process set out in the Solicitation Document.

6.8 Approval Authority for Non-Standard Procurements

The use of a Non-Standard Procurement process is only permitted under the specific circumstances set out in the Procurement Procedures and Protocols under the Non-Standard Procurement Protocol.

All Non-Standard Procurement processes must be approved in accordance with the Non-Standard Procurement Protocol. No Contract may be awarded through a Non-Standard Procurement unless the requirement for approved funds, as set out in section 6 of this By-law, is met.

6.9 Contract Extensions and Amendments

Contract extensions should not be used to expand a Contract beyond what was contemplated under the original terms of the Contract and the original procurement process.

Amendments (also referred to as Contract Change Orders or CCO), when required, must be executed in accordance with the By-law and the Procurement Procedures and Protocols.

A CCO must not be used to circumvent the need to procure additional Deliverables through a Competitive Process in accordance with this By-law or the Procurement Procedures and Protocols.

If a Contract extension or amendment results in a net increase to the contract value previously approved, the extension or amendment must be approved in accordance with Schedule D – Procurement Approval Authority and provided that the requirement for approved funds, as set out in section 6 of this By-law, is met.

Notwithstanding this section 6 – Approval Authority, the delegation of authority to approve a Contract does not apply to a contract requiring Council approval under section 11 – Council Reporting of this By-law.

7. STANDARD PROCUREMENTS

7.1 Standard Procurement Methods

The Town uses a number of different methods for Standard Procurement. Depending on the Procurement Value and the type of Deliverables required, Standard Procurement methods may include:

- a. ordering Deliverables from an existing Standing Offer;
- b. obtaining a minimum of three (3) quotes where possible and practical for Low Cost Purchases;
- c. conducting roster competition to solicit Bids from Suppliers on an established Qualified Supplier Roster;
- d. conducting an Invitational Competition by soliciting Bids from a minimum of

three (3) Suppliers; or

- e. conducting an Open Competition by public notice and invitation.

The Standard Procurement method required for a particular procurement must be determined in accordance with Schedule B - Summary of Procurement Thresholds. Detailed requirements and specific responsibilities pertaining to each method are contained in the Procurement Procedures and Protocols.

7.2 Establishment of Standing Offers

The Supervisor of Procurement Services may establish Standing Offers for Deliverables that the Town requires on a regular or recurring basis. Standing Offers must be established through an Open Competition. The establishment of a Standing Offer does not create a contractual commitment to procure Deliverables from the Supplier.

7.3 Pre-Qualification of Suppliers

The Supervisor of Procurement Services may establish Qualified Supplier Rosters of Suppliers pre-qualified to supply Deliverables that the Town requires on a regular or recurring basis.

A Qualified Supplier Roster may also be established as a first stage in a 2-stage procurement process in order to establish a short-list of pre-qualified Suppliers that will be eligible to submit a Bid in response to a second-stage Solicitation Document. A pre-qualification process as part of a 2-stage procurement process may be used whenever determined appropriate by the Supervisor of Procurement Services, in consultation with the Manager requesting the procurement.

A Qualified Supplier Roster must be established through an Open Competition. Pre-qualified Suppliers must be selected for inclusion on the Qualified Supplier Roster in accordance with the evaluation and selection process set out in the applicable Solicitation Document.

8. NON-STANDARD PROCUREMENTS

A Non-Standard Procurement is the acquisition of Deliverables through a process or method other than what is required for a Standard Procurement. Non-Standard Procurement includes:

- i. Non-Competitive Procurement where a Competitive Process would normally be required; or
- ii. Limited Competition Procurement where an Open Competition would normally be required.

The use of a Non-Standard Procurement process is only permitted under the specific circumstances set out in the Town's Non-Standard Procurement Protocol.

No Contract may be awarded through a Non-Standard Procurement unless the requirement for approved funds, as set out in section 6 of this By-law, is met. Schedule B outlines the summary of thresholds.

9. COOPERATIVE, GPO AND GOVERNMENT VOR PROCUREMENT

As stated in section 6, the Town may, with the Supervisor of Procurement Services' approval, participate in procurement opportunities with cooperative purchasing, group purchasing organizations (GPO) and utilize government vendor of record (VOR) arrangements and Agreements established by a cooperative or GPO.

VORs, Standing Offers and other Agreements established by a cooperative purchasing group, a group purchasing organization or government agency in accordance with the objectives of this By-Law shall be deemed to have been completed by way of Standard Procurement. As appropriate, when purchasing Deliverables using a third-party Standing Offer or other Agreement, the Town must adhere to the second stage procurement requirements outlined in the Standing Offer or other Agreement or as otherwise specified in the Procurement Procedures and Protocols.

10. EMERGENCY PURCHASES

Notwithstanding any other provisions of this By-law, where an emergency exists a Manager or their Designate, in consultation with their Director, and informing the Treasurer and Supervisor of Procurement Services as soon as time permits under the circumstances, may acquire Deliverables in an expedited manner when it is required to and in accordance with this By-law and the Emergency Purchase Protocol, as well as with Schedule B - Summary of Procurement Thresholds.

An emergency is defined as any situation that meets one or more of the following conditions:

1. Prevent or alleviate serious delay.
2. Maintain essential Town services.
3. Maintain security or order.
4. Protect public property.
5. Protect human, animal, plant life, health or prevent/alleviate a threat to same.
6. Comply with official orders issued by an upper tier government.
7. Comply with the Emergency Response Plan or respond to a State of Emergency, in accordance with the Emergency Management Program By-law 091-23, as amended.

Situations of urgency resulting from the failure to properly plan for a procurement do not constitute an emergency.

11. COUNCIL REPORTING

11.1 Staff Report for Action

The service area Designate shall create a Staff Report to seek Council approval, to be included in the Council agenda for action in the following circumstances:

1. Where any of the conditions of delegated Approval Authority as outlined in section 6, of this By-law are not met.
2. Where provisions of this By-law are being waived.
3. Any Contract requiring approval from the Ontario Land Tribunal.
4. Any Contract prescribed by statute to be authorized by Council.
5. Where Council has directed staff to provide a report for approval.
6. When a procurement will result in a financing lease agreement and requires approval from the Treasurer and Council in accordance with the Town's Debt Management Policy C.P. 05-14-05, as amended.

11.2 Staff Report for Information

The service area Designate shall create a Staff Report for information to be included in the Council agenda for information purposes in the following circumstances:

1. A Standard Procurement has a Procurement Value greater than \$1,000,000.
2. A Non-Standard Procurement for Deliverables with Procurement Value greater than the applicable thresholds in the Canadian Free Trade Agreement (CFTA).
3. An emergency purchase pursuant to section 10 of this By-law with the Procurement Value greater than \$100,000.

12. SUPPLIER RELATIONS AND CONTRACT MANAGEMENT

12.1 Debriefings

Where the Town has conducted an Invitational or Open Competition, unsuccessful suppliers may request a debriefing. Debriefings must be conducted in accordance with the Debriefing Protocol.

12.2 Procurement Protests

Suppliers may formally protest the compliance of a procurement process with this By-law. Procurement protests must be managed and responded to in accordance with the Procurement Protest Protocol.

12.3 Contract Management

All Contracts for Deliverables must be managed in accordance with the Contract Management Protocol.

12.4 Supplier Performance

The performance of a Supplier under Contract must be monitored and tracked in accordance with the Supplier Performance Evaluation Protocol.

12.5 Supplier Suspension

Suppliers may be suspended from participating in current or future procurement processes in accordance with the Supplier Suspension Protocol.

13. PROCUREMENT RECORD KEEPING

13.1 Supplier Information

Information received from Suppliers in connection with a procurement process or a Contract is subject to release pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*, RSO 1990, c M.56 and other applicable laws, regulations and by-laws.

13.2 Procurement Records

The maintenance, release and management of all procurement records must be in accordance with the Town's by-laws, policies and procedures on document management and access to information.

Procurement Services is responsible for ensuring that all documentation relating to a procurement is properly filed and maintained in a procurement project file.

Documentation and reports regarding procurement processes and Contract awards and data necessary to trace the process conducted electronically must be maintained for a minimum period of three (3) years from the Contract award date or such longer period as may be required under the Town's Records Retention By-law 009-17, as amended.

14. OTHER

14.1 Corporate Purchasing Card

Purchases made with the corporate purchasing card must comply with this By-law and the Corporate Purchasing Card Protocol within the Procurement Procedures and Protocols.

No personal purchases may be made with the corporate purchasing card that are not authorized by applicable Town procedures and protocols.

14.2 Unsolicited Proposal

An Unsolicited Proposal received by the Town shall comply with the provisions of this By-law and will be administered in accordance with the Unsolicited Proposal Protocol. This protocol is available on the Town's website.

14.3 Sponsorship

Sponsorship and naming rights agreements involving cash, goods, services, marketing value, or other benefits provided to the Town in exchange for providing recognition, promotional considerations, or branding opportunities, are not considered procurement activities under this By-law. These arrangements are exempt from all competitive procurement requirements contained in the By-law and are listed in Schedule A of this By-law. The Town may negotiate and enter into sponsorship and naming rights agreements at its discretion, subject to applicable Town policies, administrative procedures, and approval authorities.

14.4 Disposal of Surplus Goods or Assets

Procurement Services is responsible for the administration of the disposal of surplus goods or assets (excluding Town owned land and/or buildings as outlined in Schedule A) and must be managed in accordance with the Asset Disposal Protocol.

No Town employee, officer or elected official, or any member of a Town board or committee may personally obtain any personal property that has been declared surplus unless it is obtained through a public process.

14.5 Sustainable Procurement

The Town of Innisfil is committed to integrating sustainable procurement practices into its purchasing activities, consistent with the Town's Integrated Sustainability Master Plan (ISMP) and any successor, related, or supporting sustainability strategies, plans, policies, or frameworks and its vision of building a sustainable, climate-resilient, low-carbon community. In making procurement decisions, the Town will, where practicable and consistent with best value and operational requirements, incorporate sustainability considerations that support the priorities and objectives of the ISMP's and any successor, related, or supporting sustainability documents.

14.6 In-House Bids

The acceptance and award of In-House Bids require prior approval of Council and would only be permitted where private sector suppliers have also been given an opportunity to submit bids.

SCHEDULE A - EXCLUSIONS FROM PROVISIONS OF THE PROCUREMENT BY-LAW

The Contracts and payment of the expenses listed below are excluded from the Competitive Process and public notice requirements in this By-law. This exclusion extends to any Deliverables acquired as part of, or incidental to, an excluded contract, even if such Deliverables would otherwise be subject to the competitive procurement requirements if procured separately. For example, if a contract for courier services (listed below) incidentally involves the purchase of courier envelopes, the purchase of envelopes, regardless of value, will also be excluded.

The Supervisor of Procurement Services may from time to time identify additional types of Contracts, payments and Deliverables as excluded from the competitive procurement requirements of the By-law provided that any addition to the list is consistent with the objectives of the By-law.

This By-law does not apply to the acquisition of or payment for the following:

1. Goods or services, the supply of which is controlled by a statutory monopoly.
2. Work to be performed on a property, by a contractor, under the provision of lease, warranty or guarantee held in respect of the property or the original work,
3. Training and Education
 - a. Books, newspapers, magazines, subscriptions and periodicals
 - b. Conferences, conventions, courses, seminars and workshops
 - c. Memberships
 - d. Staff development and training
 - e. Computer software for educational purposes
4. Refundable Employee Expenses
 - a. Advances
 - b. Meal allowances
 - c. Hotel accommodation
 - d. Mileage
 - e. Transit fare
 - f. Miscellaneous – non-travel
5. Employer's General Expenses
 - a. Payroll deduction remittances
 - b. Licences (vehicles, elevators, radios, communication, software, etc. required to maintain existing products and systems originally obtained in accordance with the Procurement By-law)
 - c. Debenture payments
 - d. Grants to agencies/donations
 - e. Health benefits
 - f. Payments of damages
 - g. Tax remittances
 - h. Charges to/from other Government or Crown Corporations
 - i. Employee wages

- j. Freight and customs clearance charges
- k. Postal charges
- l. Workers Safety Insurance Board payments
- m. Insurance premiums
- n. Charges to and from other government bodies

6. Professional and Special Services

- a. Committee fees
- b. Witness fees
- c. Court reporters' fees
- d. Honoraria
- e. Arbitrators, mediators
- f. Temporary help
- g. Recreation program facilitators and/or hosts
- h. Courier services
- i. Advertising - classified, recruitment advertising, display, public tendering and media advertising
- j. Lawyers, notaries, legal services, fees, settlements, claims and other related services
- k. Employment/labour workplace investigators
- l. Executive recruitment services and recruitment search agencies/firms
- m. Election equipment, materials, services and supplies
- n. Realty appraisers

7. Utilities/Other

- a. Postage
- b. Water and sewer charges
- c. Hydro charges
- d. Cable television charges
- e. Telephone (land lines), connectivity such as fiberoptics, cable connection, internet and cellular services, etc. (excluding telephone hardware)
- f. Natural gas/propane charges
- g. Refunds and rebates to ratepayers
- h. Utility works, locates, connectivity and relocates by a public utility Supplier (e.g. hydro, gas, water/wastewater, heat, cable systems)
- i. Collection agencies (ex: tax sale services)
- j. Land and building acquisition and disposal – exempt unless otherwise directed in Sale & Other Disposition of Land Policy CP.02-14-08 and/or Real Property Acquisition Policy CP9.1.1, as amended

8. Goods and Services related to cultural or artistic fields, such as:

- a. Performers for public events hosted and/or produced and/or sponsored by the Town at its public event venues
- b. Events supporting local non-profit organizations
- c. Services provided by representatives from Indigenous communities to attend on Town project sites for observation purposes during invasive site testing or construction
- d. Lodging and associated meals and services from hotels or similar providers of accommodations for members of the public who are participating in Town hosted and/or sponsored sporting and/or tourism events, as required under the terms and conditions of the agreement between the Town and the event owner

- e. Sponsorship and/or naming rights for cultural, sports and/or other Town owned venues, events, etc.

9. Trade Treaties – Non-Application and/or Exemption

- a. Where specific types of procurements are listed as non-application or are otherwise exempted from applicable Trade Treaties and are not listed in the Procedures and Protocols as requiring approval as a Non-Standard Procurement. For example, but not limited to, CFTA – Chapter 5, Article 504 Scope and Coverage, 11-13 and CETA – Chapter 19, Article 19.2 Scope and Coverage, 3. a-e), as amended

SCHEDULE B – SUMMARY OF PROCUREMENT THRESHOLDS

Procurement Type	Procurement Process	Commodity Type	Procurement Threshold	Facilitated By	Related Procedures and/or Protocol	Approval Authority (See Schedule D)
Standard Procurement	Low Cost Purchase	Goods, Services and Construction	\$0-\$25,000	Service Area (involving Procurement Services is not required)	Procurement Procedures and Protocols	As per Approval Authority provided by Service Area Manager/Director for specific staff
Standard Procurement	Invitational Competition	Goods and Services	\$25,001 - \$139,000*	Procurement Services, unless otherwise stated in the Procurement Procedures and Protocols	Procurement Procedures and Protocols	As per Approval Authority provided by Service Area Manager/Director for specific staff
		Construction	\$25,001 - \$347,400*	Procurement Services, unless otherwise stated in the Procurement Procedures and Protocols	Procurement Procedures and Protocols	As per Approval Authority provided by Service Area Manager/Director for specific staff
Standard Procurement	Open Competition	Goods and Services	Greater than \$139,000*	Procurement Services	Procurement Procedures and Protocols	As per Approval Authority that aligns with the awarded procurement amount
		Construction	Greater than \$347,400*	Procurement Services	Procurement Procedures and Protocols	As per Approval Authority that aligns with the awarded procurement amount
Standard Procurement	Standing Offer	Goods and Services	Any Amount	Procurement Services	Procurement Procedures and Protocols	As per Approval Authority provided by Service Area Manager/Director for specific staff

Standard Procurement	Prequalification	Goods, Services and Construction	Any Amount	Procurement Services	Procurement Procedures and Protocols	As per Approval Authority provided by Service Area Manager/Director for specific staff
Non-Standard Procurement	Limited Competition Or Non-Competitive	Goods, Services and Construction	Over \$25,000	Procurement Services Supervisor of Procurement Services must approve the use of Non-Standard Procurement	Non-Standard Procurement Protocol	Supervisor of Procurement Services must approve the use of Non-Standard Procurement The execution of contract/PO shall be as per Approval Authority and Non-Standard Procurement Protocol Staff Report for Information to Council when over CFTA threshold.
N/A	Emergency Purchase	Goods, Services and Construction	Over \$25,000	Service Area Manager, in consultation with Director. Inform Treasurer and Supervisor of Procurement Services as soon as time permits given the circumstance.	Emergency Purchase Protocol	As per Approval Authority and Emergency Purchase Protocol Staff Report for Information to Council for Emergency Purchase \$100K +
N/A	Waiving Provisions of the By-law	Goods, Services and Construction	Any Amount	As outlined in related protocol	Waiving Provisions of the By-law Protocol	Council Approval Required

*The Procurement Threshold amounts, will be adjusted every 2 years at the start of the year to be compliant to the Canadian Free Trade Agreement (CFTA) and the Canadian-European Union Comprehensive Trade Agreement (CETA) treaties. The trade treaty thresholds are outlined on CFTA and Government of Canada's websites. The values in the table with asterisks are valid from January 1, 2026 – December 31, 2027, and will be updated again on January 1, 2028, and every two years thereafter.

SCHEDULE C – SUPPLIER CODE OF CONDUCT

The Town requires its Suppliers to act with integrity and conduct business in an ethical manner. The Town may refuse to do business with any Supplier that has engaged in illegal or unethical Bidding practices, has an actual or potential conflict of interest or an unfair advantage, or fails to adhere to ethical business practices.

Suppliers are responsible for ensuring that any employees, representatives, agents or subcontractors acting on their behalf conduct themselves in accordance with this Code of Conduct. The Town may require the immediate removal and replacement of any individual or entity acting on behalf of a Supplier that conducts themselves in a manner inconsistent with this Code of Conduct. The Town may refuse to do business with any Supplier that is unwilling or unable to comply with such requirement.

(a) Illegal or Unethical Bidding Practices

Illegal or unethical Bidding practices include:

- bid-rigging, price-fixing, bribery or collusion or other behaviours or practices prohibited by federal or provincial statutes
- offering gifts or favours to the Town's officers, employees, appointed or elected officials or any other representative of the Town with the purpose of influencing the Town's procurement process
- engaging in any prohibited communications during a procurement process
- submitting inaccurate or misleading information in a procurement process
- engaging in any other activity that compromises the Town's ability to run a fair procurement process

The Town will report any suspected cases of collusion, bid-rigging or other offenses under the *Competition Act* to the Competition Bureau or to other relevant authorities.

(b) Conflicts of Interest

All Suppliers participating in a procurement process must declare any perceived, possible or actual conflicts of interest.

The term "conflict of interest," when applied to Suppliers, includes any situation or circumstance where:

- in the context of a procurement process, the Supplier has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to:
 - (i) having, or having access to, confidential information of the Town that is not available to other Suppliers

- (ii) having been involved in the development of the procurement document, including having provided advice or assistance in the development of the procurement document
 - (iii) receiving advice or assistance in the preparation of its response from any individual or entity that was involved in the development of the procurement document
 - (iv) communicating with any person with a view to influencing preferred treatment in the procurement process (including but not limited to the lobbying of decision makers involved in the procurement process)
 - (v) engaging in conduct that compromises, or could be seen to compromise, the integrity of an open and competitive procurement process or render that process non-competitive or unfair, or
- in the context of performance under a potential contract, the Supplier's other commitments, relationships or financial interests:
 - (i) could, or could be seen to, exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement, or
 - (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations

Where a Supplier is retained to participate in the development of a Solicitation Document or the specifications for inclusion in a Solicitation Document, that Supplier will not be allowed to respond, directly or indirectly, to that Solicitation Document.

(c) Ethical Business Practices

In providing Deliverables to the Town, Suppliers are expected to adhere to ethical business practices, including:

- performing all contracts in a professional and competent manner and in accordance with the terms and conditions of the contract and the duty of honest performance
- complying with all applicable laws, including safety and labour codes (both domestic and international as may be applicable)
- ensuring that fair wages are paid to the Supplier's employees
- providing workplaces that are free from harassment and discrimination

SCHEDULE D – PROCUREMENT APPROVAL AUTHORITY

The Approval Authority entrusted to Town staff who are involved with procurement activities are specified in this Schedule. Approval Authority must comply with this By-law and the Approval Authority Protocol within the Procurement Procedures and Protocols. The Approval Authority levels are based on available approved budget, an “up to a maximum dollar amount per occurrence per authority type” based on the following authority type category and limits:

Authority Type Category	Maximum Approval Authority Limit (per occurrence)
1. CAO	Council Approved Budget (CAB)
2. Directors, Treasurer and Fire Chief	\$1,000,000
3. Clerk, Chief Building Officer and Service Area Managers	\$500,000
4. Deputy Clerk, Deputy Fire Chief, Supervisors	\$100,000
5. Other Town Staff with confirmed Approval Authority	\$50,000

For greater certainty, “Other Town Staff with confirmed Approval Authority” refers to Town employees who have been assigned Approval Authority by their respective Supervisor, Manager or Director under the Approval Authority Protocol and who are not otherwise captured by another authority type category in this Schedule.