

# THE CORPORATION OF THE TOWNSHIP OF ALBERTON

## PURCHASING AND PROCUREMENT POLICY

### 1. PURPOSE:

The purpose, goals and objectives of this policy and of each of the methods of procurement authorized herein are:

- 1.1 to obtain best quality and overall value for the Township based on a combination of:
  - desired quality of the goods or services;
  - demonstrated ability to perform the services or deliver the goods; and
  - overall cost, taking into consideration both price per unit and end costs including, but not limited to: freight, delivery, impact on future operating costs, and life-cycle costing;
- 1.2 to ensure service and product delivery, quality, efficiency and effectiveness;
- 1.3 to protect staff, Council and vendors involved in the procurement process by providing clear direction, authorities and accountabilities;
- 1.4 to operate a centralized purchasing function through the Clerk-Treasurer;
- 1.5 to ensure that procurement decisions are made using a competitive process that is open, transparent and fair.

### 2. PROCUREMENT METHODS:

#### INFORMAL PROCESSES:

#### 2.1 Quotations Not Required:

- 2.1.1 The Clerk-Treasurer or Department Head is authorized to make or approve budgeted purchases of goods and services where the estimated expenditures are less than \$10,000.00, exclusive of applicable taxes, from such vendor and upon such terms and conditions as he or she deems appropriate, without obtaining formal or informal quotes.

#### 2.2 Informal Quotation Purchases:

- 2.2.1 Unless otherwise specifically authorized by resolution of Council, the Clerk-Treasurer or Department Head shall procure all goods or services having an estimated budgeted value of greater than \$10,000.00 but not greater than \$25,000.00 through an informal quotation process whereby three informal quotes, either verbal or written, are obtained.
- 2.2.2 Unless otherwise specifically authorized by resolution of Council, the Clerk-Treasurer or Department Head shall procure all goods or services having an estimated budgeted value of greater than \$25,000.00 but not greater than \$50,000.00 through a formal quotation process whereby three formal written quotes are obtained.
- 2.2.3 Notwithstanding the above, adherence to the informal quotation process is not required with respect to the items listed below:
  - 2.2.3.1 Single source supply;
  - 2.2.3.2 Purchase by direct negotiation resulting from single or sole source procurement;
  - 2.2.3.3 Purchase by direct negotiation authorized by Council;
  - 2.2.3.4 Excluded procurements as set out in Section 12 hereof; and
  - 2.2.3.5 With regard to a procurement authorized by resolution of Council to be exempt from the tendering policy.

#### FORMAL PROCESSES:

#### 2.3 Formal Quotation Purchases:

- 2.3.1 Unless otherwise specifically authorized by resolution of Council, the Clerk-Treasurer or Department Head shall procure all goods or services having an estimated budgeted value of greater than \$50,000.00 but not greater than \$100,000.00 through a formal quotation process whereby three written quotes are obtained.

#### 2.4 Formal Tender Purchases:

- 2.4.1 Unless otherwise specifically authorized by resolution of Council, the Clerk-Treasurer or Department Head shall procure all goods or services having an estimated budgeted value of greater than \$100,000.00 through a formal tender process as described in Annex "A" attached hereto.
- 2.4.2 Council may, by resolution, authorize a tender procurement to be completed by way of either public or invitational tenders.

2.4.3 Notwithstanding the above, adherence to the tendering requirement is not required with respect to the items listed below, or to a transaction specifically authorized by resolution of Council to be exempt from the tendering policy:

- 2.4.3.1 Single source supply;
- 2.4.3.2 Purchase by direct negotiation resulting from single or sole source procurement;
- 2.4.3.3 Purchase by direct negotiation authorized by Council;
- 2.4.3.4 Excluded procurements as set out in Section 9 hereof; and
- 2.4.3.5 With regard to a procurement authorized by resolution of Council to be exempt from the tendering policy.

#### **OTHER:**

#### **2.5 Purchase by Negotiation:**

2.5.1 Upon authorization by resolution of Council, the Clerk-Treasurer or a Department Head may purchase by negotiation with one or more vendors and the formal bid process may be waived under one or more of the following conditions:

- 2.5.1.1 When market conditions and the goods are in short supply; or
- 2.5.1.2 When there is only one source of supply; or
- 2.5.1.3 Where there may be more than one source of supply in the open market but only one source is recommended by the Clerk-Treasurer and/or Department Head for consideration on the grounds that it provides better overall value to the Township; or
- 2.5.1.4 When only one bid is received in response to a tender call or where only one bid is received which satisfies the requirements of the tender call; or
- 2.5.1.5 Where two or more identical bids are received in response to a tender call, the Clerk-Treasurer or Department Head may negotiate with all bidders who submitted identical bids, keeping all negotiations fair and ethical; or
- 2.5.1.6 When all bids that meet the desired specifications exceed the amount budgeted and it is not viable or in the best interests of the Township to accept the lowest bid, the Clerk-Treasurer or Department Head may negotiate with the two lowest bidders submitting a bid; or
- 2.5.1.7 Council authorizes purchase by negotiation by way of resolution.

2.5.2 The undertaking of negotiations for a procurement by the Township shall in no way obligate the Township to procure goods or services from the party with whom the Township undertakes negotiations.

#### **2.6 Sole Source Procurement:**

2.6.1 Upon authorization by resolution of Council, purchase by sole source procurement, which may include purchase by negotiation, may be adopted if, in the judgment of the Clerk-Treasurer or Department Head, any of the following conditions apply:

- 2.6.1.1 Goods and/or services are in short supply due to market conditions;
- 2.6.1.2 The sources of supply are restricted to the extent that there is not effective price competition, or consideration of substitutes is precluded due to any of the following:
  - 2.6.1.2.1 Components or replacement parts for which there is no substitute;
  - 2.6.1.2.2 Compatibility with an existing product, facility or service is required;
  - 2.6.1.2.3 Specific standards are adopted by Council;
- 2.6.1.3 Documented evidence is provided which confirms that the extension of an existing contract or contractual arrangement would prove most beneficial to and in the best interests of the Township;
- 2.6.1.4 Where the value of work is less than \$10,000.00 and such work is required at a location where a contractor has already been secured through a formal or informal process, with established unit prices, and it is deemed to be in the best interests of the Township to extend the unit prices for the work to be performed for the Township;
- 2.6.1.5 Where the value of work is less than \$10,000.00, and where a contractor able to do the work is already in the vicinity and it is deemed to be in the best interests of the Township to engage that contractor's services to perform the work for the Township;
- 2.6.1.6 When only one quotation or bid is received through the procurement process and it is impractical to recall the requirements of the request for quotations or call for tenders.

### **3. UNSOLICITED PROPOSALS:**

3.1 Unsolicited proposals received by the Township shall be reviewed by the Clerk-Treasurer or relevant Department Head. Any procurement activity or contract resulting from an unsolicited proposal shall be

awarded only on a non-competitive basis, and only when the requirements of the non-competitive procurement policies and procedures set out herein have been satisfied.

- 3.2 Submitters of unsolicited proposals shall be made aware that the content of their proposal, or a portion thereof, may be used to create a public or invitational tender or request for quotation and there shall be no obligation upon the Township to engage the submitter to provide the said goods or services. Submission of an unsolicited proposal shall in no way require the Township to procure the goods or services from the submitter.

4. **PURCHASE OF USED EQUIPMENT:**

- 4.1 Department Heads are authorized to purchase used equipment that is sold by other municipalities, by private sale or public auction, or through a vendor licensed to sell used equipment, by sealed bid, or by negotiation provided that:

- 4.1.1 The equipment meets or exceeds the departmental equipment requirements; and
- 4.1.2 It is documented that it is fiscally responsible to purchase a used piece of equipment rather than purchase new; and
- 4.1.3 If the total expenditure per piece of equipment exceeds \$10,000.00 and the expenditure is not authorized in the budget or by resolution of Council, a report must be provided to Council prior to acquisition detailing purchase information and expenses, and a resolution of Council approving the purchase of used equipment is obtained.

5. **EMERGENCY PURCHASES:**

- 5.1 Notwithstanding the provisions of this policy, in case of an emergency, whether or not officially declared, when an event occurs that is determined by the Clerk-Treasurer or a Department Head to be a threat to:

- 5.1.1 public health
- 5.1.2 maintenance of essential Township services
- 5.1.3 welfare of persons or of public property, or
- 5.1.4 security of the Township or its interests

and response to the threat requires the immediate procurement of goods or services, and the imminent need does not permit time for a competitive bid process to take place, the Clerk-Treasurer may authorize the procurement of such goods, services and/or construction as is deemed necessary to remedy the situation.

- 5.2 The relevant details surrounding the emergency event shall be included in a report and submitted to Council as soon after the event as is reasonably practicable.

6. **EXEMPTIONS:**

- 6.1 The Clerk-Treasurer or a Department Head may request exemption from any or all of the purchasing methods outlined in this policy by submission of a report to Council requesting same. Any such exemption must be granted by resolution of Council.

7. **PURCHASING AUTHORIZATIONS AND RESPONSIBILITIES:**

7.1 **Expenditure Authorization:**

- 7.1.1 Council has ultimate authority for all expenditures. Council delegates this authority by the adoption of budgets or by specific resolution. The Clerk-Treasurer shall not pay for any item that has not been authorized by Council through budget appropriation or by specific resolution. This purchasing policy provides guidelines outlining how spending authority is to be exercised.

7.2 **Expenditure Approval and Responsibilities:**

- 7.2.1 The Clerk-Treasurer shall be responsible for approval of accounts within the approved budget or any amendment to same as approved by Council.
- 7.2.2 Unspecified capital expenditures authorized in the annual estimates, and expenditures which exceed or may exceed approved budgeted amounts, require Council approval by way of resolution prior to procurement.
- 7.2.3 Resolutions approving budget amendments, capital expenditures or special appropriations shall set out the purpose of the expenditure, cost estimates or expenditure limitations, and the fund in which an appropriation has been provided, if any. All reports recommending such resolutions must contain the Clerk-Treasurer's endorsement.

8. **ADMINISTRATION:**

- 8.1 The Clerk-Treasurer shall be responsible for:

- 8.1.1 the management, organization and administration of a centralized purchasing function;

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- 8.1.2 the procurement, storage and distribution of all materials, equipment, supplies and services on behalf of the Township. Where the Clerk-Treasurer deems it expedient, he or she may delegate performance of any of these functions to the appropriate Department Head;
- 8.1.3 the issuance of all requests for quotations and calls to tender.
- 8.2 Department Heads shall be responsible for:
- 8.2.1 the operation of an effective inventory control system for his or her department, with the objective of keeping inventory at a minimum but at an adequate level to support and supply the departments.
- 8.2.2 all vendor contacts and maintaining good business relations; and
- 8.2.3 supplying the Clerk-Treasurer with specifications for procurements which clearly define required quality and/or function and which include such details, information, drawings, maps or other material as may be required to be attached to the bid documents or as may be needed for his or her guidance and information in the preparation and calling of quotations or tenders, or in the placing of orders. Specifications are to be generic or "as equivalent". All factors influencing the purchasing decision are to be included in the specifications.
- 8.3 For the purposes of this policy, any reference herein to "Department Head" shall include the Chair of a committee of the Township.
- 8.4 Department Heads and committees of the Township shall provide to the Clerk-Treasurer by March 1<sup>st</sup> in each year the estimates of their requirements for the subject fiscal year for budgetary purposes in order to ensure adequate supplies of goods and services.
- 8.5 The Clerk-Treasurer shall, with the cooperation of Department Heads, promote and co-ordinate standardization of goods wherever possible, and shall advise on and approve the practicality of specifications.
- 8.6 No contract or purchase shall be divided to circumvent the requirement(s) of this policy.
- 8.7 In all procurements:
- 8.7.1 Consideration shall be given the best overall value for the Township, which shall be based on the best combination of quality, demonstrated ability to perform the work and best financial advantage to the Township, as determined by the Township in its sole and unfettered discretion, which may be based in whole or in part on past experience, rather than only lowest price.
- 8.7.2 Where acceptance of other than the lowest quotation or tender received would result in a higher quality of service, or a more reasonable end cost to and better value for the Township, a report on the proposed purchase and the quotations or tenders received shall be submitted to Council for consideration, approval and, if deemed expedient, contract award.
- 8.7.3 Provided that all specifications and quality or performance requirements are met and assured, total cost shall be the prime criteria used to determine best value for the Township.
- 8.8 The Township may participate with other units of government, their agencies, boards or committees, or public authorities in cooperative purchase ventures when the best interests of Alberton Township will be served. Where such participation is at variance with the Township's purchasing policy, Council shall first authorize participation.
- 8.9 Performance evaluations may be undertaken on suppliers and providers of services, and may be taken into account with regard to future acquisitions.
- 8.10 All invoices and accounts from vendors shall be authorized by the Clerk-Treasurer, following approval of same by the applicable Department Head, prior to payment.
- 8.11 Between the last regular meeting of Council in any year and the adoption of estimates for the next year, the Clerk-Treasurer is authorized to pay all accounts for any ordinary business transactions of the Township which are required to maintain services prior to the adoption of estimates in addition to all accounts for approved expenditures, capital items and projects.
- 8.12 After the adoption of estimates, the Clerk-Treasurer is authorized to pay accounts in accordance with the estimates upon receipt of evidence of value received and approval of the appropriate Department Head.
- 8.13 Unless authorized by resolution of Council, goods or services which have not been provided for in the budget shall not be ordered.
- 9 Exclusions:**
- 9.1 The procurement methods described in this by-law do not apply to procurement of the following goods and services:
- 9.1.1 Training and education expenses, including travel expenses (meals, accommodations, transportation costs), conference or convention registration fees, course or seminar or workshop tuition or registration fees, membership fees and subscriptions;
- 9.1.2 The following general expenses: payroll deductions remittances, grants to agencies, damage claims, petty cash replenishment, tax remittances, insurance premiums, ongoing maintenance for existing computer hardware and software;
- 9.1.3 Professional and special services (excluding all contracted services except cleaning), including committee fees, legal fees, and other professional services related to litigation or legal matters, witness

fees, veterinary expenses, audit or accountant fees, bailiff fees or collection agency fees, medical examinations;

- 9.1.4 Utilities, telecommunications, advertising, licenses, certificates;
- 9.1.5 Goods and services provided by government agencies or Crown corporations, or provided in-house by the Township;
- 9.1.6 Goods, services and/or equipment deemed by the Clerk-Treasurer to be necessary or advisable to carry out the requirements of the *Municipal Elections Act*;
- 9.1.7 Any goods or services identified as excluded elsewhere in this policy or excluded by resolution of Council.

## 10 Investment Recovery - Disposition of Surplus Goods

- 10.1 Department Heads shall provide to the Clerk-Treasurer a list of items deemed as surplus assets for sale or disposal as same are identified.
- 10.2 Surplus assets not requested by any municipal department shall be sold or disposed of by the Clerk-Treasurer on authorization by Council in such manner as is directed by resolution.
- 10.3 Any surplus assets remaining after attempted sale or disposition by any of the methods described in Section 10.2 may be donated to a municipal department for future fund-raising activities upon the request of the department, donated to a non-profit entity by way of resolution of Council, or discarded as waste.
- 10.4 Unless otherwise directed by Council by way of resolution, revenue generated from the sale of each surplus asset shall be designated as current year administrative income.

## 11 Conflict Of Interest

- 11.1 No procurements shall be made for, on behalf of or for the personal benefit or use of any elected or appointed member of Council, any officer of the Township or any employee of the Township.
- 11.2 Where an employee who is involved in any procurement process has any pecuniary interest, whether direct or indirect, in the procurement, the employee:
  - 11.2.1 shall immediately disclose the interest and the nature thereof to the Clerk or, where it is the Clerk who has the pecuniary interest, to Council;
  - 11.2.2 shall not take part in the award of the contract;
  - 11.2.3 shall not attempt in any way to influence the award of the contract.
- 11.3 An employee has an indirect pecuniary interest if the employee or the employee's spouse or equivalent, or a child of the employee:
  - 11.3.1 has a controlling interest in, is a shareholder in, or is a director or senior officer of a corporation which has a pecuniary interest in the procurement;
  - 11.3.2 is a partner in or is the sole proprietor of an unincorporated business entity or enterprise that has a pecuniary interest in the procurement; or
  - 11.3.3 is in the employ of a person, corporation, unincorporated business entity or enterprise that has a pecuniary interest in the procurement.
- 11.4 All Council members shall conduct themselves in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.
- 11.5 All employees, members of Council and appointed officers are prohibited from accepting, directly or indirectly, from any person, company or corporation to which any procurement is or may be awarded, any rebate, gift, money or anything whatsoever of value, except where same is provided for the use and benefit of the Township.

## 12 Policy Review:

- 12.1 This policy shall be reviewed by Council as deemed expedient to assess the effectiveness of the policy in achieving the objectives set out in Section 1 as well as in complying with the requirements of the *Municipal Act, 2001*, as may be amended from time to time.
- 12.2 This policy shall be amended only by resolution of Council.

## TENDER PROCEDURE

The following applies to all tenders issued by the Township but does not preclude the addition of further terms or conditions to any particular tender:

### **PRIOR TO TENDER DUE DATE:**

1. Sealed tenders shall be obtained by the Clerk-Treasurer:
  - 1.1 By posting notice of the tender on the Township's website; and
  - 1.2 By either:
    - 1.2.1 placing a minimum of two consecutive weekly advertisements in a newspaper having general local circulation, subject to the following:
      - 1.2.1.1 Such advertisements may be placed in out-of-town newspapers if it is deemed beneficial by the Clerk-Treasurer to do so in order to attract a greater number of bids;
      - 1.2.1.2 Where time is of the essence, a minimum of one advertisement may be placed in a newspaper having general local circulation. Such advertisement may be supplemented by local radio announcements and/or publication in additional publications as may, in the discretion of the Clerk-Treasurer, be deemed expedient.
  - or
  - 1.2.2 By forwarding an invitation to submit a tender, along with all pertinent tender information, to all known suppliers, vendors of record, pre-qualified vendors, or such suppliers as Council may specify by resolution.
2. Tender documentation shall be prepared by the Clerk-Treasurer, in conjunction with the relevant Department Head where applicable. It is the responsibility of the Department Head to ensure that proper tender documents, plans and specifications are prepared and available to prospective tenders on the day that notice of the tender is first published or on the day that the invitation is issued, as may be the case.
3. Where tender forms are supplied that include a provision for signature by the Township and the tenderer, the form is to provide firstly for the signature of the tenderer, then secondly by the Township.
4. All tenders calls shall be identified by a numbering identifier assigned by the Clerk-Treasurer.
5. Unless otherwise authorized by Council, tenders shall close at 3:00 p.m. on a Wednesday that is not a holiday and shall be publicly opened by the Clerk-Treasurer and:
  - 5.1 the applicable Department Head or designate; and/or
  - 5.2 at least one member of Council

in Council Chambers of the Municipal Office forthwith after the specified closing time and date. Tender contents will be made public as a condition of the tendering process.
6. Where two or more identical bids are received which meet specifications, the Clerk-Treasurer may negotiate with the bidders who submitted the identical bids in order to achieve the Township's purchasing goals. The use of purchase by negotiation in this manner in no way obligates the Township to obtain goods or services from any of the bidders with whom negotiations are undertaken.
7. Where all bids received in response to a tender call that meet specifications exceed the amount budgeted for the procurement, the Clerk-Treasurer is authorized to negotiate with all bidders whose bids exceed the budgeted amount by 15% or less in order to achieve, or attempt to achieve, the Township's purchasing goals. The use of purchase by negotiation in this manner shall in no way obligate the Township to obtain goods or services from any bidder(s) with whom negotiations are undertaken, and Council may instruct that a contract not be awarded for the procurement regardless of the results of such negotiations.
8. If tenders are being sought with regard to capital projects, where:
  - 8.1 the Township has the capability to perform the work itself or through its existing contracts; and
  - 8.2 no acceptable tenders have been received; and
  - 8.3 work schedules and capabilities permit; and
  - 8.4 it is cost-effective to have the work performed internally or through its existing contracts,

Council may direct, by resolution, that a contract not be awarded with regard to the call for tenders and that the project be completed internally or under existing contracts.
9. The following phrases shall be included in all tender documents:
  - Lowest or any tender not necessarily accepted. The Township reserves the right to reject any or all bids, to waive irregularities and/or informalities therein, and to award the contract in the best interests to the Township based on the best combination of price, demonstrated ability to perform the work and best financial advantage to the Township, as determined by the Township in its sole and unfettered discretion.

- Questions regarding this tender must be directed to (*specify name, title, phone and fax numbers, and mailing address*).
  - The Township reserves the right to disqualify tenders not submitted in strict accordance with the requirements of the tender documents and its procurement policy.
  - All pages of the tender document submitted must be numbered.
  - Bidders shall determine levy and collection of HST on amounts bid and shall show separately the HST amount, and HST number, or, alternatively, shall cite the basis of exemption in lieu thereof.
  - The Township is governed by the *Municipal Freedom of Information and Protection of Privacy Act* and bidders acknowledge and agree that tender contents will be made public as a condition of the tendering process.
  - To ensure tenderer compliance with the provisions of the *Occupational Health and Safety Act*, the tender shall provide the Township with such assurance by completion and provision of all information included in or required by the tender package with regard thereto.
  - Tenders will be opened in the presence of the Clerk-Treasurer or designate, and the subject Department Head or designee, and one member of Council.
  - Tender openings shall be open to the public.
10. The Township may cancel any tender at any time prior to the opening of tenders.
11. The Township may, at its option, refuse to award a contract after tenders have been opened where all tenders received exceed the amount budgeted for the goods or services for which a tender was sought.

#### REFUSAL TO ACCEPT TENDERS:

12. The Clerk-Treasurer shall refuse to accept any tender submission that is:
- Not sealed; or
  - Received after the closing deadline; or
  - Submitted after a tender has been cancelled.

#### BID IRREGULARITIES:

13. The following irregularities in bids shall result in automatic rejection of the tender:
- Corporate seal or equivalent proof of authority to bind corporate bidder is missing
  - Signature of bidder or corporate authority is missing in any section of the tender document requiring execution
  - Original signatures not provided
  - Bid surety not submitted with bid when such surety is required
  - Bid security by way of certified cheque is not provided where same is required
  - Required bid security cheque is not certified
  - Insufficient bid security
  - Bid completed, or partially completed, in pencil or other erasable or removable medium
  - "White-Out" or similar product used on bid documents
  - Bidder does not attend mandatory site meeting when required
  - Pages missing from tender document
  - Bid received on documents other than those provided by Township (excluding additional sheets where tender allows for submission of same)
  - Part bid received where complete bid has been requested
  - Bid fails to meet specification or quality requirements
  - Bid documents suggest that the bidder has made a major mistake in calculations or bid, or has grossly misinterpreted the tender
  - Bid document wording has been altered
  - Bidder indicates refusal to allow tender contents, or any portion thereof, to be made public
  - Changes to unit price(s) not initialed
14. The irregularities described below may be waived by the Township at its discretion:
- A proper response envelope or label is not used but the tender is sealed and received by the tender closing time specified
  - Bid contains minor typographical error(s) in wording
  - Minor changes to wording not initialed
  - Changes to mathematical extensions of unit prices or tax calculations not initialed
  - Bid is conditional
  - Bid is obscure
  - Bid contains additions not called for, erasures or alterations of document wording

15. Unit price(s) provided in a tender will govern, and the Clerk-Treasurer is permitted to correct errors only in mathematical extensions and/or tax calculations in a tender based thereon.
16. The Township reserves the right to accept or reject any or all tender submissions, including the lowest bid, in its absolute discretion. Where all bids have been rejected and/or disqualified, the Township reserves the right to reissue any bid document either in its original format or modified as best suits the requirements of the Township.

**TENDER PRE-AWARD PROCEDURE:**

17. Subsequent to tender opening, a written summary of tenders received and a recommendation, signed by those persons cited in Section 5 who publicly opened the tenders, shall be submitted for Council consideration and shall include the following:
  - 17.1 Names of all bidders and values;
  - 17.2 Comments as to any disqualification or bid irregularities - the absence of any comments from the report shall be deemed by Council as confirmation that those signing the summary found the tender(s) for which no comments are provided to be valid and in order, and those signing the summary assume full responsibility and may be held accountable in this regard;
  - 17.3 A recommendation as to whom the contract should be awarded, provided that if the recommendation is to award a contract to other than the lowest tender, the grounds and rationale for the recommendation must be clearly stated.

**TENDER APPROVAL PROCEDURE:**

18. After opening of bids, consideration by Council of the summary described in Section 17 above, and discussion by Council:
  - 18.1 Council shall make a decision whether or not to award a contract and such decision of Council shall be made in the form of a resolution or by-law, as appropriate. Where a contract is to be awarded, the resolution and/or by-law shall include authorization for the execution of any agreements or other necessary documents by the appropriate signing officers of the Township.
  - 18.2 The Clerk-Treasurer shall arrange for the completion of the procurement documentation, including the completion and execution by the successful bidder of any contract and receipt of all required bidder documentation, including insurance endorsements, etc.
  - 18.3 After all documentation is finalized, the Clerk-Treasurer or Department Head shall proceed to complete the procurement.

**TENDER AWARD PROTESTS - DISPUTE RESOLUTION:**

19. Protests or disputes raised by any bidder with regard to any tender shall be resolved as follows:
  - 19.1 All disputes shall be resolved between the bidder and authorized municipal staff only. Involvement of members of Council in bid dispute resolution is prohibited.
  - 19.2 The bidder shall deliver to the Clerk-Treasurer written notice of the dispute or protest, which notice shall list all issues in dispute.
  - 19.3 No new or additional issues may be added to the list of issues by the bidder after the said list is received by the Clerk-Treasurer.
  - 19.4 The Clerk-Treasurer and the applicable Department Head shall review each issue in dispute and shall respond to same in writing. When deemed expedient by the said municipal officers, they may meet with the bidder raising the dispute with a view to resolving same.
  - 19.5 The Clerk-Treasurer shall provide a report to Council regarding every dispute filed which identifies:
    - 19.5.1 the nature of the dispute;
    - 19.5.2 attempts made to resolve the dispute;
    - 19.5.3 how the dispute was resolved;
    - 19.5.4 whether Council approval of the resolution is required.

Where required, Council approval of a proposed resolution of issues, or directions provided by Council with regard to a dispute, shall be provided Council by way of formal resolution.