

# TOWN OF FLORENCEVILLE-BRISTOL

## PROCUREMENT POLICY

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### POLICY NO: 13

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<b>Category:</b>	<b>Finance</b>
<b>Policy Number:</b>	<b>13</b>
<b>Effective Date:</b>	<b>January 18, 2022</b>
<b>Approval by Council:</b>	<b>January 18, 2022</b>
<b>Supersedes:</b>	<b>September 8, 2020</b>
<b>Amended:</b>	<b>January 18, 2022</b>

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### 1. APPLICABLE LEGISLATION:

1.1. The following Legislation is applicable to this Procurement Policy:

- a) Procurement Act (S.N.B.2012, C20) and Regulation 2014-93;
- b) Crown Construction Contracts Act and Regulations;
- c) Agreement on Internal Trade.

1.2. Any disposition of the Procurement Act of New Brunswick and its regulations are applicable at any time. This policy is intended as a complement to the Procurement Act. In case of disparity between this policy and a municipal by-law, a provincial or federal law, the latter will prevail.

### 2. GOAL:

- 2.1. To establish uniform rules, norms and procedures for the purchase of goods, services and construction by municipal departments in Florenceville-Bristol.
- 2.2. To assist municipal personnel in the purchase of goods, services and construction necessary for the smooth operation of the municipality while respecting the Procurement Act and its regulations.
- 2.3. To eliminate any possible conflict of interest according to Part 8 of the Local Governance Act 2017, ch. 18.
- 2.4. To obtain the best possible good, service and construction at the best price while encouraging and supporting local businesses.

**3. GENERAL:**

- 3.1. This policy applies to every department of the Town of Florenceville-Bristol. This policy also applies to all agencies, board of directors or commissions directly under the responsibility of the Town of Florenceville-Bristol.
- 3.2. Given the importance of the purchasing function, the Town has determined that the responsibility for ensuring that these policies and procedures are implemented fairly and applied consistently shall rest with the Department Heads and the Treasurer, who shall report all deviations from them to the Chief Administrative Officer/Clerk for their action.
- 3.3. All dollar values used in this document exclude shipping, taxes, duties or other incidental costs.
- 3.4. All purchases (within their limits) must be approved by the Departments Head and he/she shall prepare all reports on matters relative to the purchasing function, for consideration by the Chief Administrative Officer/Clerk and/or Council, if required.
- 3.5. Fragmentation of purchases shall not be used to circumvent this policy (i.e. purchases shall not be broken down into smaller dollar values for appropriate authorization).
- 3.6. Cooperative purchasing with other municipalities and the Provincial Government Department of Transportation and Infrastructure will be actively encouraged and practiced when assessed as the most cost-effective method of procurement.

**4. DEFINITIONS:**

- 4.1. *Construction* means a construction, reconstruction, demolition, repair or renovation of a building, structure, road or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included as an incidental to the construction, and the installation and repair of fixtures of a building, structure, road or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement.
- 4.2. *Department Heads* include the following: Public Works, Maintenance, Recreation, Tourism, Business Development, and Administration, as well as the Treasurer and Fire Chief.
- 4.3. *Estimated Value* means the estimated maximum total value of a procurement contract and any optional renewals of a procurement contract or, in the case of a standing offer agreement, the estimated maximum total value of all procurement contracts anticipated under the agreement for its original duration and any optional renewals of the procurement contracts, and includes transportation costs, maintenance costs, costs associated with the manufacture of goods, installation costs, tariffs, duties, premiums,

fees, commissions, interest and any other costs incidental to the purchase of the goods or services, but does not include taxes.

- 4.4. *Goods* mean, in relation to procurement, raw materials, products, supplies, equipment and other physical objects of every kind and description whether in solid, liquid, gaseous or electronic form, unless they are procured as part of a general construction contract.
- 4.5. *Operational Supervisors* include the following positions: Assistant Clerk and Heads of agencies, boards & commissions under the responsibility of the town.
- 4.6. *Procurement Act* means the Procurement Act adopted in October 15, 2014 and its Regulation 2014- 93, including any amendments thereto.
- 4.7. *Services* mean, in relation to procurement, all services including printing, garbage removal, snow removal, janitorial services, studies, utilities, consulting, professional services, etc., unless the services form part of a general construction contract.

**If there are any doubts in the interpretation of these definitions, contact the Chief Administrative Officer/Clerk.**

**5. AUTHORITY:**

5.1. Budgeted Expenditures: Municipal personnel are authorized to purchase goods, services and construction, for which funds have been included in the operational budget, as follows:

a) Chief Administrative Officer/Clerk:

Goods	\$25,000
Services	\$25,000
Construction	\$25,000

b) Department Heads:

Goods	\$3,000
Services	\$3,000
Construction	\$3,000

c) Operational Supervisors:

Goods	\$3,000
Services	\$3,000
Construction	\$3,000

d) Any purchase done for the Town of Florenceville-Bristol that is a budgeted expenditure is subject to the following approvals:

- i. By the department head or their representative for amounts of \$3,000 or less.

- ii. By the Chief Administrative Officer/Clerk for amounts more than \$3,001, but less than \$25,000. Such expenditures must be reported to Council in the Accounts Payable.

5.2. Unbudgeted Expenditures: Municipal personnel are authorized to purchase goods, services, and construction for which funds have not been included in the operational budget, as follows:

a) Chief Administrative Officer/Clerk:

Goods	\$10,000
Services	\$10,000
Construction	\$10,000

b) Department Heads:

Goods	\$0
Services	\$0
Construction	\$0

c) Operational Supervisors:

Goods	\$0
Services	\$0
Construction	\$0

d) Any purchase done for the Town of Florenceville-Bristol that is an unbudgeted expenditure is subject to the following approvals:

- i. By the Chief Administrative Officer/Clerk for amounts less than \$10,000, subject to fund availability.
- ii. By Town Council resolution for any purchase over \$10,001 that is an unbudgeted expenditure or requires the signature of official municipal representatives.

5.3. Emergency Purchases: True emergencies generally occur as a result of fire, flood, water breaks or equipment repairs. Notwithstanding the authorities outlined elsewhere in this policy, the Chief Administrative Officer/Clerk or designate in conjunction with the Department Heads and the Councillor responsible for the portfolio, is authorized to make an emergency expenditure deemed necessary in order to maintain services within the Town, up to \$25,000. Such expenditures must be reported to Council at a Special or Regular Meeting of Council and will also be reported on the monthly financial statements.

**6. SUPPLY AGREEMENTS:**

- 6.1. In order that the Town can guarantee continuous supply of various goods and services, which are required on a day to day basis, while at the same time assuring that the competitive bidding system is followed, the Department Heads, where applicable and practical, may establish supply agreements.
- 6.2. A supply agreement is an arrangement between the Town and a vendor/contractor which commits the seller to provide goods or services at a specific price for a specific period of time and commits the Town to purchase from the seller during that period.
- 6.3. These agreements will reduce the number of individual bids for the same items which will result in lower costs due to higher volumes and less time required to process orders.

**7. PURCHASE PROCESS:**

- 7.1. Internal control directive: Any purchase must follow the internal control policy in place at the accounting department at the time of purchase.
- 7.2. Identify the need: Clearly identify the necessity of the good or service to be purchased. Be as precise as possible and evaluate the need to obtain specifications from vendors.
- 7.3. Determine the value: Determine, as precisely as possible, the value of the necessary purchase. The value must include all costs associated with the purchase (taxes, transportation, etc.). For any purchase of rental space, contract length must be considered (lease of \$\_\_ per month x 12 months x # of years). If a value is determined by asking for an estimate from vendors, specify clearly that the request does not constitute a tender request, but is an information request.
- 7.4. Verify the thresholds in the Procurement Act: Compare the value of the good or service to be purchased with the thresholds pre-determined by law which are:
  - a) \$121,200 for the purchase of a GOOD
  - b) \$121,200 for the purchase of a SERVICE
  - c) \$121,200 for the purchase of CONSTRUCTION
  - d) For CONSTRUCTION between \$100,000 (Quebec-NB trade agreement) and \$302,900 (CFTA), an open competitive bidding process is permitted to be restricted to NB and Quebec companies. Above \$302,900 in construction is open to all (no restrictions permitted).

\*Pursuant to Regulation 2014-93 under the Procurement Act, s. 4.1(1) and (2), the thresholds in section 7.4 are as of January 1, 2022 and will be adjusted on January 1 every 2 years thereafter for inflation as advised by the Canadian Free Trade Agreement (CFTA).
- 7.5. Verifications may be done from time to time by the Treasurer or their representative on any purchase done for the municipality.

- 7.6. The Chief Administrative Officer/Clerk or designate will be responsible for the control of tender requests under this policy.
- 7.7. At all times, Department Heads will ensure that purchases made for their departments represent the best quality/price ratio and respect budgeted amounts as approved by Town Council.
- 7.8. Department Heads will be responsible for all purchases made by their departmental staff.
- 7.9. Department Heads shall establish an agreement with the Chief Administrative Officer/Clerk or designate, or Town Council per this policy, before proceeding with any purchase exceeding their annual budgets.
- 7.10. Preferential treatment may be given to local manufacturers, vendors and suppliers under the following conditions:
  - a) The Town shall observe the following order of priority:
    - 1) New Brunswick manufacturers
    - 2) New Brunswick vendors
    - 3) Atlantic suppliers
  - b) Allowed ranges for preferential treatment are as follows:
    - i. for a procurement contract with an estimated value of \$250,000 or less, a variation of 10% or \$15,000, whichever is less;
    - ii. for a procurement contract with an estimated value greater than \$250,000 and less than \$1,000,000, a variation of 5% or \$25,000, whichever is less;
    - iii. for a procurement contract with an estimated value of \$1,000,000 or greater, but less than \$5,000,000, a variation of 2.5% or \$100,000, whichever is less;
    - iv. for a procurement contract with an estimated value of \$5,000,000 or greater, but less than \$10,000,000, a variation of 2.5% or \$200,000, whichever is less; and
    - v. for a procurement contract with an estimated value of \$10,000,000 or greater, a variation of 2.5% or \$400,000, whichever is less.
- 7.11. It is not permitted to design procurement, select a valuation method or divide purchase requirements with the intention of avoiding obligations imposed by the legislation or agreements. Approval by the Chief Administrative Officer/Clerk must be received prior to utilising exemptions (Section 13 of this Policy) as per the Procurement Act.

**8. EXPENDITURES OF LESS THAN \$3,000:**

- 8.1. All purchases with a value of up to \$3,000 shall be made as expeditiously as possible with the authority as authorized in this Policy. Where possible, the purchaser should try to obtain more than one price for the goods or service being purchased so that the Town receives the best value for the dollar; however goods or services in this category may be obtained without competitive bids.

**9. EXPENDITURES BETWEEN:**

- a) \$3,001 AND \$121,200 for GOODS
- b) \$3,001 AND \$121,200 for SERVICES, or
- c) \$3,001 AND \$121,200 for CONSTRUCTION

\*Pursuant to Regulation 2014-93 under the Procurement Act, s. 4.1(1) and (2), the upper thresholds in section 9 are as of January 1, 2022 and will be adjusted on January 1 every 2 years thereafter for inflation as advised by the Canadian Free Trade Agreement (CFTA).

- 9.1. Expenditures in these categories shall require competitive quotes so that the Town receives the best value for the dollar. Specifications, terms, and conditions shall be determined and quotations requested from as many suppliers as practical, but normally, not less than three.
- 9.2. These quotes may be by fax, email or written.
- 9.3. The authorities for all purchases in this class are covered in Section 5 of this Policy.
- 9.4. Procedures:
- a) Departments will anticipate their needs, with sufficient lead time to allow for the competitive bidding process.
  - b) Requests for goods and/or services, complete with sufficient detail to allow for competitive bidding, will be prepared by or forwarded to the Department Head, as the case may be.
  - c) The Department Head will prepare a request for quotation according to the Guidelines for Requests for Quotations (Section 9.5).
  - d) Requests shall be sent to all companies which have indicated an interest and ability to supply. Quotations should be requested from as many suppliers as practical, but generally, not less than three. The request should have a date and time the quote is required by.
  - e) Quotes will be tabulated by the Department Head on a Quote Tracking Form (“Schedule A”) and submitted to the Treasurer prior to the purchase being made.

- f) The Department Head will ensure that the proper authorizations have been obtained.
- 9.5. Guidelines for Requests for Quotations/Proposals: The following information, as applicable, should be on any request for quotation or proposal sent out (See attached Schedule B: Request for Quotation):
  - 9.5.1. The good or service that quotes were requested on, along with minimum specifications and any other pertinent information;
  - 9.5.2. To whom quotations or proposals are to be submitted;
  - 9.5.3. Date and time quotations are required;
  - 9.5.4. A statement that all prices should be quoted net of taxes with a separate line quoting FOB (freight on board) to Florenceville-Bristol;
  - 9.5.5. A statement to the effect that "The Town does not, by virtue of any proposal call, tender, or request for quotation or proposal, commit to an award, nor does the Town limit itself to accepting the lowest price of any submitted, but reserves the right to award, or not to award, in any manner deemed to be in the Town's best interest.";
  - 9.5.6. Required delivery date;
  - 9.5.7. Proof of WorkSafe NB registration, if applicable;
  - 9.5.8. Proof of Insurance, if applicable;
  - 9.5.9. A place for the vendor's name, address, phone #, email, and signature;
  - 9.5.10. A statement whether fax or phone quotes are acceptable or not;
  - 9.5.11. A statement whether a quote can be accepted in whole or in part;
  - 9.5.12. A statement whether substitute products will be considered;
  - 9.5.13. Building/Demolition Permit required, if applicable;
  - 9.5.14. Any other conditions or stipulations that may apply;
  - 9.5.15. A waiver such as "The undersigned declares that the only persons interested in this quote as principals are named herein as such; that this quote is made in good faith, without fraud, collusion or connection with any other person quoting for the supply of these supplies and/or services; that he has carefully examined the specifications for this quote and made all the necessary inquiries; that from



his knowledge thus obtained, agrees that upon notice that this proposal will be accepted by the Town, he will supply the supplies and/or services in accordance with the attached specifications.

9.5.16. A request for a resume or list of references (optional).

9.6. For all purchases with a value between \$3,001 and \$121,200 (with subsequent adjustments for inflation increases in upper threshold as outlined in Section 7.4), Schedule A: Quote Tracking Form shall be completed by the appropriate person. This form shall show the following:

9.6.1. The good or service that bids were requested on;

9.6.2. Who the Town received quotations from;

9.6.3. The amount of each quotation;

9.6.4. Whom the good or service will be purchased from, and the reasons why, if not purchased from the lowest bidder;

9.6.5. The Treasurer's initials indicating he or she has reviewed and approved the form;

9.6.6. Once approved by the Treasurer and where applicable based on spending authority, the appropriate Department Head, the Chief Administrative Officer/Clerk and/or Council, the Quote Tracking Form will be returned to the appropriate person for the issuance of purchase. After the purchase is issued, the Quote Tracking Form will be held by the Department Head and attached to the vendor's invoice, prior to approval for payment, as evidence that these procedures were followed.

9.6.7. In the case of supply agreements, purchases from the same vendor on an ongoing nature, or purchases of goods or services that are exempt, a Quote Tracking Form is not required for each individual invoice.

## 10. EXPENDITURES OF MORE THAN:

- a) \$121,200 for GOODS
- b) \$121,200 for SERVICES, or
- c) \$121,200 for CONSTRUCTION

\*Pursuant to Regulation 2014-93 under the Procurement Act, s. 4.1(1) and (2), the thresholds in section 10 are as of January 1, 2022 and will be adjusted on January 1 every 2 years thereafter for inflation as advised by the Canadian Free Trade Agreement (CFTA).

10.1 Recognizing that increased competition can result in greater economies for the Town, expenditures with an estimated value in excess of the amounts stated above including all optional renewal periods, except those as noted in Section 13 of this document, shall be

as a result of public tenders. All Public Tender projects and awarding thereof must be approved by Council.

10.2 Procedures for Public Tendering:

10.2.1. All tender documents must be approved by the Department Head, including those prepared by consultants, and shall be approved by the Chief Administrative Officer/Clerk prior to advertising.

10.2.2. A public tender notice must be advertised, at least 10 days before the closing date on New Brunswick Opportunities Network (NBON) pursuant to Regulation 2014-93 s. 96(1), and may be advertised in a daily newspaper and/or other periodicals if deemed appropriate or necessary by the Department Head and notice of the tender shall be posted on the Town's website. See attached Schedule C: Tender Checklist. Such tender notice shall contain the following information:

- a) The title or description of the supplies/services/construction required;
- b) How to obtain bid documents (plans, specifications, tender forms);
- c) The closing date and time for the tender;
- d) The address or location where the bids are to be deposited and addressed to the Chief Administrative Officer or designate;
- e) The date and time when the bids will be opened;
- f) The amount of bid deposit required, if any;
- g) A statement that bids must be clearly marked on the outside of the envelope as to the tender name and closing date and time;
- h) A statement that indicates the procurement is subject to the Agreement on Internal Trade (when applicable);
- i) A statement that indicates the procurement is subject to the Procurement Act or the Crown Construction Contracts Act (when applicable).

10.2.3. The tender documents must contain the following information:

- a) Detailed specifications, terms, conditions, mandatory requirements, etc., for the purchase (as applicable);
- b) Delivery requirements and address;

- c) Evaluation criteria and relative weights if criteria other than price are to be used in the evaluation (i.e. RFPs);
  - d) Point of contact for inquiries, clarifications, etc.;
  - e) A clause stating that all information and material received will become the property of the Town subject to RTIPPA;
  - f) A statement that the Town is governed by RTIPPA and information may be deemed not to be confidential; and
  - g) Any other relevant information.
- 10.2.4. Upon receipt of a completed tender from a vendor, municipal personnel shall ensure that the tender package is time and date stamped, initialed, and shall ensure the confidentiality of the information in the tender package by storing it unopened in the Town safe until the day and time for the opening of the tenders. It is the responsibility of the bidders to ensure that their tender is in the Town safe. The Town assumes no responsibility for lost, delayed or misdirected tenders.
- 10.2.5. Once a tender has been placed in the Town safe, it shall not be removed until the time advertised for the opening of tenders.
- 10.2.6. Immediately following the time advertised for closing of tenders, the Town safe shall be sealed by the municipal personnel assigned this responsibility.
- 10.2.7. Tenders received after the advertised closing time shall be returned, unopened, to the bidder.
- 10.2.8. At the time advertised for the opening of tenders, which usually will immediately follow the closing time, the Town safe will be opened and the tenders will be taken to the area identified in the tender notice for the opening of bids, at which time the Chief Administrative Officer/Clerk or designate shall open all tenders. Each tender shall be recorded, date stamped and initialed. The Chief Administrative Officer/Clerk or designate shall be the chair of this tender opening committee.
- 10.2.9. Tenders will be opened and reviewed for completeness. Those which are found to be formal in all respects shall be announced by the Chair who shall identify the bidder and the amount of the tender (unless the publication of this information has been restricted in the tender specifications).
- 10.2.10. Tenders shall not be considered and will be returned to the bidder at the address shown on the bid documents if:

- a) A required bid deposit is not included;
- b) The tender is not signed, if required;
- c) The same tenderer submits more than one bid, unless requested to do so in the tender specifications, or unless the second bid is clearly identified as an amended bid;
- d) There are changes in written bid amounts which have not been initialed by the bidder;
- e) There are any documents not included which were specifically required for the tender;
- f) The tender is illegible or its pricing terms and conditions cannot be understood by the tender opening committee.

10.2.11. The amount of the bid of tenders rejected under Subsection 10.2.10 will not be announced nor will they be recorded by staff.

10.2.12. Where there is a difference between the written bid and the numerical bid, the written bid shall be used. Notwithstanding the foregoing, where there is a mathematical error in the tender document, the correct mathematical computation shall be used.

10.2.13. A vendor submitting a tender may amend the tender, after its deposit in the Town safe and before the time for the opening of tenders, by:

- a) Delivering to the Chief Administrative Officer/Clerk or designate an amending letter or facsimile transmission signed by the same person who signed the original tender, identifying clearly on the face of the amending letter or facsimile transmission the tender number and closing date of the tender being amended, and ensuring that the amending letter or facsimile transmission is deposited in the tender box before the time for the closing of tenders.
- b) An amendment of tender shall not disclose the amended total tender price but shall show the revision to the tender price to be amended, in the case of a unit price contract, state the amount to be added to or subtracted from the tender price, in the case of a lump sum tender, or supply the information that is missing from the tender on deposit.

10.2.14. Requests to withdraw a tender after the bids have been opened must be by letter to Council who may consider the request prior to award.

10.2.15. A list of contractors/suppliers who have taken out bid documents shall be maintained by the Chief Administrative Officer/Clerk or designate, but will not

be divulged to any bidder or organization prior to the closing time for receipt of tenders.

10.2.16. Tenders by Email will not be considered.

10.2.17. The Town may extend a tender closing date by advising all vendors who have received or requested copies of the tender documents of the new tender closing date.

10.2.18. The Town on its own initiative, or on the request from a vendor submitting a tender, may refuse to release to other vendors or parties information contained in the tender which could reasonably be considered to be proprietary or otherwise adversely affect the commercial interest of the vendor.

10.3. Once a tender is awarded by Council, the master copy or originals of the following documents will be given to the Administrative Services Manager to file under the direction of the Chief Administrative Officer/Clerk.

- a) Tender Document
- b) NBON and/or Newspaper Advertisement
- c) Bid submitted by the successful bidder
- d) Letter of award or rejection

10.4. Bids submitted by unsuccessful bidders will be stored at the direction of the Chief Administrative Officer/Clerk.

10.5. Details of the successful bidder for procurements subject to a trade agreement over \$500,000 must be published on NBON within 72 days of the contract being awarded and shall include the following information:

- a) the name and address of the Town
- b) the solicitation number
- c) a description of the goods and services provided
- d) name and address of the successful supplier
- e) reason for using an alternative procurement method, if applicable
- f) value of the awarded procurement contract
- g) the date the procurement contract was awarded

## 11. WORKSAFE NB:

11.1. For all purchases that have a labour or service component, the Town requires proof of registration with WorkSafe NB. The Treasurer will attach vendor's WorkSafe NB proof of registration to the vendor invoice.

## 12. INSURANCE:

12.1. Where practical, for all purchases that have a significant labour or service component separately identified, the Town requires proof of liability insurance before any work may

commence on Town property.

**13. EXEMPTIONS FROM THE COMPETITIVE BIDDING PROCESS:**

- 13.1. As per Section 166 of the Procurement Act (S.N.B. 2012) Regulation 2014-93, services from the following may be exempted from the application of Sections 8 to 10 inclusive of this policy:
- a) Engineers;
  - b) Architects;
  - c) Land Surveyors;
  - d) Accountants;
  - e) Lawyers
  - f) Medical Doctors;
  - g) Dentists;
  - h) Nurses;
  - i) Pharmacists;
  - j) Veterinarians;
  - k) Notaries;
  - l) Psychologists;
  - m) Midwives.
- 13.2. As per Section 158 of the Procurement Act Regulation 2014-93, goods, services and/or construction purchased in the following circumstances are exempted from the application of Sections 8 to 10 inclusive of this policy:
- 13.2.1. Purchase of supplies that are the subject of a lease contract where payments are partially or totally credited to the purchase;
  - 13.2.2. Purchase of services with a total value of less than \$121,200 (subject to inflation adjustment as outlined in Section 7.4) where it can be shown that for reasons of specific skills, knowledge or experience, the choice of vendor is limited to one or a very limited number of individuals, provided that the exemption is not used to unduly restrict competition;
  - 13.2.3. Purchase of supplies or services for representational purposes outside the Province;
  - 13.2.4. Where the supplies or services are required in the event of an emergency or urgent situation;
  - 13.2.5. Where the use of a public tendering process would interfere with the ability to maintain security or order, or to protect human, animal or plant life or health;
  - 13.2.6. Where there is an absence of competition for technical reasons and the supplies or services can be supplied only by a particular vendor and no alternative or substitute exists;

- 13.2.7. Supplies or services provided by a vendor that is a statutory monopoly;
- 13.2.8. Where it is necessary to ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
- 13.2.9. For services or supplies provided by a vendor under the provisions of a warranty or guarantee;
- 13.2.10. In the event of an absence of bids in response to a tender made in accordance with the tendering procedures specified in this policy;
- 13.2.11. Where supplies may be purchased under exceptionally advantageous circumstances such as bankruptcy or receivership;
- 13.2.12. Where the carrying out of work by a vendor other than the vendor who did the original work would nullify the guarantees held;
- 13.2.13. Services related to matters of a confidential nature where disclosure of the matter through a public tendering process would compromise the confidentiality of the matter;
- 13.2.14. Purchase of supplies or services from philanthropic organizations or handicapped persons;
- 13.2.15. Purchase of supplies intended for resale to the general public;
- 13.2.16. Supplies or services directly related to research and development or production of a prototype or original concept, provided that subsequent purchases are carried out in accordance with this policy;
- 13.2.17. Supplies or services purchased from a department, government funded body or non-profit organization;
- 13.2.18. Purchase of supplies and services made under the provisions of a cooperation agreement financed in whole or in part by an international cooperation organization, if the agreement specifies different rules for such purchases;
- 13.2.19. Purchases of supplies or services made jointly with another government or a department, agency or body under the jurisdiction of that government through an agreement or through an agency established to oversee such purchases provided that the purchases are made through an open tendering process;

- 13.2.20. Purchases of supplies or services from standing offer or supply contracts established by the federal government;
- 13.2.21. Purchases of sand, stone, gravel, asphalt compound or pre-mixed concrete for use in the construction or repair of roads where transportation costs or technical considerations restrict the available supply base to local sources of supply;
- 13.2.22. Transportation services provided by locally-owned trucks for hauling aggregate on highway construction projects;
- 13.2.23. Services for sporting events if the sporting events have been procured by an organization whose main purpose is to organize such events;
- 13.2.24. Services of financial analysts;
- 13.2.25. Services provided by an organization for the management of investments if the management of investments is the primary purpose of the organization;
- 13.2.26. Financial services respecting the management of financial assets and liabilities, including ancillary advisory and investment services and information services, whether or not delivered by a financial institution;
- 13.2.27. Advertising and public relations services;
- 13.2.28. Purchase of products under supply management or regulated by provincial marketing boards;
- 13.2.29. Purchase of supplies and services related to cultural or artistic fields;
- 13.2.30. Purchase of subscriptions to newspapers, magazines or other periodicals; and
- 13.2.31. Purchase of supplies or services on behalf of a third party not covered by the Procurement Act or Regulations.

**Certification for Town of Florenceville-Bristol Policy Manual:**

I certify that this *Procurement Policy* was adopted by Council as indicated above.

\_\_\_\_\_  
**Mayor**

January 18, 2022  
**Date of Council Resolution**

\_\_\_\_\_  
**Clerk**

January 18, 2022  
**Date Policy in Effect**



**Schedule A: Quote Tracking Form**

**Project Name:** \_\_\_\_\_  
Department Head: \_\_\_\_\_  
Project quote description: \_\_\_\_\_

**Contractor:** \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Date requested: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Quoted Price: \_\_\_\_\_

**Contractor:** \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Date requested: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Quoted Price: \_\_\_\_\_

**Contractor:** \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Date requested: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Quoted Price: \_\_\_\_\_

**Contractor:** \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Date requested: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Quoted Price: \_\_\_\_\_

**In attendance for opening:** \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Lowest quote: \_\_\_\_\_  
Recommendations: \_\_\_\_\_  
 Quotes attached

Chief Administrative Officer: \_\_\_\_\_ Date: \_\_\_\_\_  
Treasurer: \_\_\_\_\_ Date: \_\_\_\_\_



**Schedule B: Request for Quotation**

*Town Department Head to complete to dotted line*

Good or Service Requested: \_\_\_\_\_  
Submit Quote to: \_\_\_\_\_  
Date Quote Required by: \_\_\_\_\_ Time: \_\_\_\_\_  
Required Date: \_\_\_\_\_

*The Town does not, by virtue of any proposal call, tender, or request for quotation or proposal, commit to an award, nor does the Town limit itself to accepting the lowest price of any submitted, but reserves the right to award, or not to award, in any manner deemed to be in the Town's best interest.*

Requestor will check if applicable:

- Attach proof of WorkSafe NB registration
- Attach proof of Insurance
- Attach resume or list of references
- Other conditions or stipulations \_\_\_\_\_
- Quote may be accepted in whole or in part
- Product substitution will be considered
- Building/Demolition Permit will be required

*All prices should be quoted net of taxes with a separate line quoting FOB (freight on board) to Florenceville-Bristol.*

Quotes may be submitted via:  Phone (506) 392-\_\_\_\_\_  Fax (506) 392-5211  
 Email \_\_\_\_\_@florencevillebristol.ca

*Vendor to complete below dotted line*

Vendor Name: \_\_\_\_\_  
Vendor Address: \_\_\_\_\_  
Vendor Phone / Fax: \_\_\_\_\_  
Vendor Email: \_\_\_\_\_  
Vendor Quote: \_\_\_\_\_

*The undersigned declares that the only persons interested in this quote as principals are named herein as such; that this quote is made in good faith, without fraud, collusion or connection with any other person quoting for the supply of these supplies and/or services; that he has carefully examined the specifications for this quote and made all the necessary inquiries; that from his knowledge thus obtained, agrees that upon notice that this proposal will be accepted by the Town, he will supply the supplies and/or services in accordance with the attached specifications.*

Signature of Vendor: \_\_\_\_\_ Date: \_\_\_\_\_



## Schedule C: Tender Checklist

A public tender notice must be advertised, at least 10 days before the closing date on New Brunswick Opportunities Network (NBON) and may be advertised in a daily newspaper and/or other periodicals if deemed appropriate or necessary by the Department Head and notice of the tender shall be posted on the Town's website. Such tender notice shall contain the following information:

- The title or description of the supplies/services/construction required
- How to obtain bid documents (plans, specifications, tender forms)
- The closing date and time for the tender
- The address or location where the bids are to be deposited and addressed to the Chief Administrative Officer or designate
- The date and time when the bids will be opened
- The amount of bid deposit required, if any
- A statement that bids must be clearly marked on the outside of the envelope as to the tender name and closing date and time
- A statement that indicates the procurement is subject to the Agreement on Internal Trade (when applicable)
- A statement that indicates the procurement is subject to the Procurement Act or the Crown Construction Contracts Act (when applicable)