

Policy statement

Leduc County (“County”) commits to acquiring goods, services, and construction in a fair and transparent manner, at the best value to align with the needs and requirements of the organization, adhering to applicable legislation and treating all vendors equitably through procurement processes that uphold integrity, transparency, accountability, efficiency, and consistency.

Definitions

Administration means the employees of Leduc County under the direction of the County Manager.

Best value means relevant financial and non-financial factors, which may include but are not limited to cost, quality of goods and services, delivery, supplier experience and performance, and risk.

Capital projects mean the acquisition, construction, rehabilitation, or replacement of capital assets.

Contract A/B means the two binding contracts created during some bidding processes in addition to other obligations and duties created under the law of tendering.

Construction means a construction, reconstruction, demolition, repair or renovation of a building, structure 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 in and incidental to the construction, and the installation and repair of fixtures of a building, structure 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.

Emergency situations means when a lack of immediate action would jeopardize operations or equipment, disrupt critical public services or involves an imminent threat to public or staff safety.

Goods or services means goods that are produced, manufactured, grown or obtained for a commercial purpose or services of a type generally sold or offered for sale in the commercial marketplace.

Limited tender means purchasing from a vendor without a competitive process which may include: sole source, single source, unique supplier, cooperative purchasing, or emergency purchases.

MASH sector is the collective reference to Mmunicipalities, Academic institutions, School boards, Health care all being subject to the same public sector procurement requirements.

Multi-year commitment means a project that spans over one budget year and requires a motion of Council for a multi-year budget commitment.

P-Cards (Purchase Cards) are corporate credit cards providing an efficient and low-cost method for obtaining small value direct purchases while maintaining transparency and accountability in County spending.

Performance based means measurable and verifiable standards.

RFx means any form of procurement document and the subsequent duties and process including:

- Binding processes creating Contract A/B such as:
 - Request for Proposals (RFP) - Price and non-price based evaluation, negotiations are not permitted.

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- Tenders in the form of Request For Tenders (RFT), Request For Bids (RFB), Invitation To Tender (ITT) or similar- price based evaluation and negotiations are not permitted.
- Non-binding processes such as:
 - Request for Quotation (RFQ) a simplified open competitive process for the procurement of standard goods and services; may be high score or low bid and do not permit negotiations.
 - Request for Qualifications (RFSQ) may be a roster framework style or pre-qualification for multi-stage procurement processes.
 - Consecutive negotiation RFP Rank-and-Run (NRFP).
 - Concurrent negotiation RFP – Best-and-Final-Offer (BAFO NRFP) or Dialogue NRFP.
- Request for Information (RFI)
 - Used to conduct market research and is not used for any form of vendor selection.

Vendor means any individual or organization, that may offer goods, services, or construction to the County.

Policy authority

Procurement activities must adhere to Canadian procurement laws, regulations, standards, trade agreements, and other relevant sources of law applicable to MASH sector entities including, but not limited to:

Legislative implications:

- *Municipal Government Act (MGA)* and Regulations
- *Freedom of Information and Protection of Privacy Act (FOIP)* and Regulations

Trade agreement implications:

- Canadian Free Trade Agreement (CFTA) – All Canadian Provinces and Territories
- New West Partnership Trade Agreement (NWPTA) – Alberta, British Columbia, Saskatchewan, Manitoba
- Trade, Investment and Labour Mobility Agreement (TILMA) – Alberta, British Columbia
- Comprehensive Economic and Trade Agreement (CETA) – European Union
- Trade Continuity Agreement (TCA) – UK

Policy implications:

- FS-05 Signing Authority Policy
- IM-01 Information and Records Management Policy
- CM-06 Land Acquisition Policy

Policy standards

Procurement practices shall follow this Policy and be aligned with applicable administrative directives and procedures.

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Authority

- All expenditures must be authorized through a Council approved budget or be approved by a motion of Council regardless of the procurement methods employed.
- The County Manager may approve the selection of vendor(s) utilizing a procurement method not specified in this policy during emergency situations as defined within the applicable trade agreement(s).
- Major or capital projects spanning more than one calendar year of budget commitment require a motion of Council prior to a multi-year commitment.
- Authority for signing agreements for the procurement of goods, services and/or construction are assigned per the Signing Authority Policy FS-05.

Procurement Conduct

- Staff will abide by and follow the County’s Code of Conduct.
- Administration involved in establishing the specifications of needed goods or services, or the evaluation of a procurement competition must remain free of any real or perceived conflicts of interest with any vendor or potential vendor.
- Administration will not use their public role to influence or seek to influence a procurement decision which could further personal interest of the employee.
- Administration will not engage in any procurement activities that may create, or appear to create, a conflict of interest, including but not limited to accepting gifts or favours, or providing preferential treatment to suppliers or products. If a potential conflict of interest exists, the employee shall advise their supervisor immediately.

Trade Agreement Obligations

- Procurement over trade agreement value thresholds will be posted on the Government of Alberta’s Alberta Purchasing Connection website and the County’s e-procurement site.
- Procurement shall be conducted in a fair, open and transparent manner, treating all vendors fairly, including dealing with vendors complaints, providing feedback to unsuccessful vendors upon request, and maintaining records on vendor’s performance under contracts.
- Purchases shall be at the best value to the County consistent with the required quality and service, and factors such as price, availability, warranties, quality and serviceability shall be considered in determining the best value.
- All specifications in procurement competitions shall be performance based, accurate, and clear.
- The County may consider and evaluate financial and non-financial factors throughout the competitive processes in adherence to the procurement format engaged.
- Limited tender procurements will not be used to avoid competition or discriminate between suppliers.

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Policy exemption

The requirement for an open competition may not apply to the purchase of:

- a) Utility contracts.
- b) Contracts or agreements pertaining to employee compensation, reimbursement, training, or education.
- c) Land purchases.
- d) Matters of a confidential nature which may result in harm if published in an open procurement.
- e) Legal services.

Notwithstanding the exception clauses or any exception outlined within the trade agreements, administration should achieve good value for all purchases.

With the prior written authorization of the County Manager, the County may acquire goods or services through limited tender:

- when there is only one available supplier of a required good,
- through the use of a co-operative purchasing agreement, or
- through the use of a Government of Alberta standing offer.

Procurement methods

Goods and/or Services Value (total annual spend)	Nature of Procurement	Process Requirements
\$0 to 4,999	Direct Purchase	<ul style="list-style-type: none"> • May be a direct purchase through a P-Card or Purchase Order.
\$5,000 to \$74,999 Construction up to \$199,999	Below Trade Agreement Thresholds	<ul style="list-style-type: none"> • A Purchase Order or simple written contract required. • Written quotations from two or more vendors. • May be invitational or openly posted to Alberta Purchasing Connection (APC) and/or County's website.
Goods or Services over \$75,000 Construction over \$200,000	Over Trade Agreement Thresholds	<ul style="list-style-type: none"> • A formal procurement process to be carried out by administration or a consultant engaged to act on behalf of the County. • Rfx and invitations to tender must be advertised on Alberta Purchasing Connection (APC). • A written contract required. • Formal document retention of entire procurement process required.

Policy responsibilities

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Council responsibilities:

Council will:

- Approve the policy.

Administration responsibilities:

County Manager or designate will:

- Direct administration to develop the necessary administrative directives and procedures to carry out this policy.

Directors will:

- Communicate policy to their respective staff.
- Confirm expenditures incurred by their department are authorized in the annual budget or approved by resolution of Council.
- Oversee department compliance to this policy.

Director of Finance will:

- Develop the necessary administrative procedures to implement this policy.

Procurement Coordinator will:

- Act in consultation with the requisitioning department to provide procurement guidance for the use of the most appropriate procurement process.
- Provide advice and assistance to employees on procurement related activities.
- Provide training for employees with regards to procurement related policies, procedures, standards and processes.

Monitoring and updating

- This policy will be posted on Leduc County’s website.
- This policy will be reviewed at least once every four (4) years.

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