



COUNCIL POLICY C-PT01

Procurement

Prepared By: Procurement Services
 Effective Date:
 References: CAO Bylaw
 Procurement Directive A-PT01
 Function: Financial Management

Council Approval Date:
 Council Resolution No.: N/A
 Previous Revision Date: Aug. 26, 2008 (PT-001)
 June 28, 2011 (C-PT06)
 LAS Review Date: November 25, 2015

PURPOSE

The purpose of this policy is to provide a framework for Parkland County's procurement processes and to address the legislative requirements that apply to Parkland County, as a publicly funded institution, in the acquisition of goods, services or construction.

POLICY STATEMENT

Parkland County is committed to consistent, fair and transparent procurement processes. This policy shall ensure appropriate use of Parkland County resources through competitive purchasing and the maintenance of honesty, integrity and fairness.

DEFINITIONS

The following terms have the prescribed meanings for the purposes of this policy:

1. "Best Value" means the most advantageous balance of price, quality, delivery, and performance achieved through competitive procurement methods in accordance with stated selection criteria.
2. "Business Unit" means one of Parkland County's organizational divisions, departments or service areas.
3. "Conflict of Interest" includes, but is not limited to, the following situations:
 - a. where an employee has a direct or indirect financial or personal interest in a matter involving Parkland County that could improperly influence the performance of his or her duties and responsibilities;
 - b. where an employee could improperly influence or appear to be able to influence any decision on a matter by Parkland County for his or her personal gain or benefit;
 - c. where a party responding to a procurement document has access to confidential information of Parkland County that is not available to other parties, has communicated with any person with a view to influencing preferred treatment by Parkland County, has a relationship with any person which could result in preferred treatment by Parkland County or has engaged in conduct that compromises or could be seen to compromise the integrity of any procurement activities; and
 - d. where a vendor has commitments, relationships or financial interests that could, or could be seen to, improperly influence the objective, unbiased and impartial exercise of its independent judgment or otherwise compromise or be incompatible with the effective performance of its contractual obligations.

4. "Environmentally Preferred" means goods, services, and construction that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, product, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.
5. "Procurement" means the process by which Parkland County acquires goods, services or construction.
6. "Procurement Document" means the document used to solicit bids from bidders and includes an Invitation to Tender (ITT), a Request for Proposal (RFP), a Request of Quotation (RFQ), and a Request for Pre-Qualification (RFPQ).
7. "Qualified Vendor" means a vendor who is in the business of providing the required goods and/or services and possesses the required licenses, certifications, and clearances as may be required for the Procurement.
8. "Reciprocal Non-Discrimination" means consideration will be provided to all vendors through the competitive process regardless of their geographic location and in accordance with the trade treaties.

SCOPE

This policy applies to all Parkland County employees who are authorized to purchase goods, services, or construction on behalf of Parkland County.

MANAGEMENT RESPONSIBILITIES

The Chief Administrative Officer (CAO) is responsible for ensuring corporate compliance of this Procurement Policy.

Department managers are responsible for ensuring procurement activities are conducted in accordance with this procurement policy, directives, procedures, and practices.

Procurement Services is responsible for the development of procurement policies, directives and procedures including approval, implementation, monitoring and evaluation.

STANDARDS

1. Open and Fair Competition

- a. Parkland County will conduct open, fair and transparent procurement that affords equal access to all qualified vendors while ensuring consistency with Parkland County policies, procedures and programs and balances between accountability and efficiency.
- b. Parkland County will practice reciprocal non-discrimination with respect to Alberta's trading partners.

2. Sustainability

- a. Parkland County is committed to reducing its environmental impact, and wherever practical and economically feasible, will procure goods or services that are environmentally preferred.
- b. Parkland County employees will strive to support this value by considering specifications in procurement documents to allow for the expanded use of environmentally preferred goods and services wherever practical and economically feasible.

3. Best Value Considerations

- a. Parkland County will strive to achieve best value for the expenditure of public funds through consideration of the full range of procurement formats.
- b. Consideration may be given to the overall cost in the procurement of goods, services, or construction including but not limited to acquisition cost, operating costs, life cycle costing, salvage value, availability, serviceability and delivery.
- c. Parkland County will consider and evaluate the relevant price and non-price factors prior to commencing the competitive process.

4. Procurement Authority

- a. All purchasing activities must be approved through the annual budget process or by Council resolution, except as set out herein or in a bylaw of Council.
- b. The CAO is responsible for establishing and amending from time to time purchasing authorization levels through administrative directive.

5. Purchasing Ethics

- a. Parkland County is committed to acting ethically in all its procurement activities. Parkland County employees should ensure that all purchasing decisions and actions protect Parkland County's reputation with the vendor community as a whole.
- b. Parkland County employees 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.

6. Risk Mitigation

- a. Procurement Services will work jointly with Business Units to establish and ensure controls and safeguards are in place to mitigate risk that could bring about damage or loss to Parkland County.

7. Vendor Conduct

- a. Parkland County may refuse to do business with parties who do not honour the terms of their agreements or who enter into litigation with the County without valid justification.
- b. Parties will not engage in any procurement activities that may create, or appear to create, a conflict of interest, and any potential conflict of interest shall be disclosed to Parkland County in the form required by any procurement document or similar request.
- c. Parkland County reserves the right to disqualify or refuse to do business with any party who is in a conflict of interest.

8. Confidential Information

- a. Parkland County is committed to the protection of confidential information from unauthorized access or disclosure in compliance with Parkland County's obligations and duties under the *Freedom of Information and Protection of Privacy Act*, as amended or repealed and replaced from time to time.

9. Laws, Regulations, Trade Treaties and Other Requirements

- a. Procurement activities at Parkland County must be conducted in accordance with all laws, regulations and standards, including, but not limited to:
 - i. *Income Tax Act* and Regulations
 - ii. *Excise Tax Act* and Regulations
 - iii. *Occupational Health and Safety Act* and Regulations
 - iv. *Worker's Compensation Act* and Regulations
 - v. *Freedom of Information and Protection of Privacy Act* and Regulations
 - vi. *Municipal Government Act* and Regulations
 - vii. *Competition Act* and Regulations
 - viii. All Parkland County bylaws, policies, directives, procedures and programs.
- b. Procurement activities at Parkland County must comply with the following binding Trade Agreements:
 - i. Agreement on Internal Trade (AIT) – all Provinces and Territories (except Nunavut)
 - ii. Trade, Investment and Labour Mobility Agreement (TILMA) - British Columbia and Alberta
 - iii. New West Partnership Trade Agreement (NWPTA) - British Columbia, Alberta and Saskatchewan.