

By-Law No. 2017-362

A by-law of the City of Ottawa amending By-law No. 50 of 2000 respecting the procurement of goods, services and construction for the City of Ottawa.

OttWatch.ca By-law Archival Project



OttWatch.ca has begun archiving copies of all by-laws passed by the City of Ottawa. After each City Council meeting we ask for copies of by-laws enacted at the meeting, add this title page, and upload them to ottwatch.ca.

Be aware though that you may not be looking at the most recent version of this by-law. It is very possible that it has been amended by Council by another by-law, or even by the Ontario Municipal Board. So, um, just know that before assuming anything.

This PDF contains a copy of the by-law as passed by Council on a certain date. It is a snapshot in time. It could still be in force. It might have been amended. It may have been repealed.

When in doubt, visit <https://ottawa.ca/en/residents/laws-licenses-and-permits/laws>

If you end up asking for a copy of a by-law OttWatch doesn't have yet, please ask the Clerk's office to cc: kevino@kevino.net when they email it to you. You'd be doing the entire community a favour!

Enacted On: 2017-11-22

OttWatch Bylaw Reference: <http://ottwatch.ca/bylaws/2017-362>

This title page generated on 2018-02-19

BY-LAW NO. 2017 – 362

A by-law of the City of Ottawa amending By-law No. 50 of 2000 respecting the procurement of goods, services and construction for the City of Ottawa.

The Council of the City of Ottawa enacts as follows:

1. By-law No. 50 of 2000 entitled “A by-law of the City of Ottawa respecting the purchasing of goods, services and construction”, as amended, is amended by striking out the word “purchasing” in the title and replacing it with “procurement”.
2. Section 1, Short Title of said By-law 50 of 2000 is amended by striking out the word “Purchasing” and replacing it with “Procurement”.
3. The said By-law No. 50 of 2000 is amended by striking out, where they appear in the by-law:
 - (a) the words “Supply Branch” and substituting the words “Supply Services” in their place;
 - (b) the words “Human Resources Department” and substituting the words “Human Resources Services” in their place;
 - (c) the words “Deputy City Manager” and substituting “General Manager” in their place.
4. The definitions “Chief Procurement Officer”, “Department”, “Director”, “General Manager” and “Supply Branch” in Subsection 3(1) of said By-law 50 of 2000 are repealed and the following definitions are substituted in their place: in both subsection 3(1) and where they appear in the by-law, respectively:

“Chief Procurement Officer” means the senior official in Supply Services of the City;

“Department” means an organizational unit headed by a General Manager;

“Director” means the person appointed by the City Manager or General Manager to be responsible for the operation of a Service Area and includes the person appointed to the position of Deputy City Solicitor, Deputy City Treasurer, Chief Information Officer, Chief Procurement Officer, Chief Safety Officer, Fire Chief and Chief Ottawa Paramedic Services;

“General Manager” means the person appointed by the City Manager to be responsible for the operation of a Department and includes the person appointed to the position of City Manager, City Clerk and Solicitor, Medical Officer of Health and Auditor General.

“Supply Services” means the Chief Procurement Officer and his or designated staff responsible for performing the procurement services of the City.

5. Subsection 3(2) of said By-law 50 of 2000 is repealed and the following subsection is substituted in its place:

- (2) To establish the definition of any other procurement term not herein included, reference shall be made to the latest edition of the NIGP – the institute for Public Procurement’s Dictionary of Procurement Terms.

6. Subsection 5(1) of said By-law 50 of 2000 is repealed and the following subsection is substituted in its place:

- (1) Directors have responsibility for procurement activities within their service areas and branches and are accountable for achieving the specific objectives of the procurement project.

7. Subsection 5(6) of said By-law 50 of 2000 is repealed and the following subsection is substituted in its place:

- (6) For awards of competitive contracts:
 - (a) made to the Lowest Responsive Bidder;
 - (b) made on the basis of Best Value of a value of \$500,000 or less;
 - (c) and for awards of non-competitive contracts of a value of \$100,000 or less.

Supply Services may award a contract on behalf of a Director provided that Supply Services is in receipt of a funded requisition and the requirements of this by-law are met.

8. Section 5 of said By-law 50-2000 is amended by adding the following Subsection immediately following Subsection 5(7):

- (8) Where authority is delegated to a specific staff member in this by-law, the authority may be further delegated to staff members within the applicable department as outlined in the City’s organizational chart, or to Supply Services, provided that such delegation is authorized in writing and does not exceed the authority delegated by this by-law to the authorized person. Sub-delegation of authority will be limited to two reporting levels below the authorized person. An authority that has been sub-delegated cannot be further sub-delegated.

9. Section 8 of said By-law 50 of 2000 is amended by replacing the word director with the word Director.

10. The heading that precedes Section 18 of said By-law 50 of 2000 is repealed and the following heading is substituted in its place:

PURCHASES NOT EXCEEDING \$100,000

11. The heading that precedes Section 19 of said By-law 50 of 2000 is repealed and the following heading is substituted in its place:

PURCHASES EXCEEDING \$100,000 – REQUEST FOR TENDER

12. Subsection 19(5) of said By-law 50 of 2000 is repealed and replaced with the following:

- (5) Supply Services shall forward to the appropriate Director a summary of the procurement and recommend the award of contract to the lowest responsive bidder.

13. Subsection 19(6) of said By-law 50 of 2000 is amended by striking out the amount \$500,000 where it appears.

14. Subsection 20(4) of said By-law 50 of 2000 is amended by replacing the words standing offer with the words Standing Offer.

15. Subsection 21(8) of said By-law 50 of 2000 is repealed and replaced with the following:

- (8) Despite subsection (7) and Section 17, City staff, as designated by the Chief Procurement Officer, may issue call-ups to a maximum of \$150,000 from a standing offer provided that the purchase is properly authorized by the Director, is consistent with the intent, terms, specifications and conditions of the standing offer and all other requirements of this by-law are complied with.

16. Subsection 22(8) of said By-law 50 of 2000 is amended by replacing the words General Manager Infrastructure Services with the words Director Infrastructure Services.

17. Subsections 29(4), 39(1), 47(1) and 47(2) of said By-law 50 of 2000 are amended by replacing the words City Treasurer with the words Chief Procurement Officer.

18. Subsection 37(2) of said By-law 50 of 2000 is amended by replacing the words City Treasurer with the words General Manager, Corporate Services.

19. Subsection 47(3) of said By-law 50 of 2000 is repealed and replaced with the following:

- (3) Supply Services is to advise Council by way of a memorandum when the Chief Procurement Officer, in consultation with the City Clerk and Solicitor intends to exercise his or her discretion to reject a quotation, tender or proposal in accordance with subsection (1).

ENACTED AND PASSED this 22nd day of November 2017.

CITY CLERK

MAYOR

BY-LAW NO. 2017 - 362

-0-

A by-law of the City of Ottawa amending By-law No. 50 of 2000 respecting the procurement of goods, services and construction for the City of Ottawa.

-0-

Enacted by City Council at its meeting on November 22, 2017.

-0-

LEGAL SERVICES

J. Pereira /ds

COUNCIL AUTHORITY:

City Council - October 11, 2017

Council Agenda Item 5

(FEDCO Report No. 28)