

ANNUAL REPORT



2022

Contract Management Bylaw 2019-010

Annual report on the application of the Contract Management Bylaw
number 2019-010 of the Municipality of Grosse Ile

annual report

CONTRACT MANAGEMENT BYLAW 2019-010

Bill 122, an *Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers*, sanctioned on June 16, 2017, grants, among others, a larger flexibility in choosing the method in which a contract below the government regulated threshold can be awarded as of January 1, 2018.

In order to benefit from this new flexibility, municipalities must amend their Contract Management Bylaw to outline the guidelines required to conclude such contracts.

These guidelines may be based on the type, the amount and the method that will be used for the awarding of such contracts. For example, if an expenditure is over \$25,000 and below the threshold, a municipality may decide that service contracts (technical or administrative) may be offered without a call for tenders but, a contract for supplies (equipment, machinery) may be awarded only after proceeding with a call for tenders by invitation. For contracts concluded without first proceeding with a call for tenders (superior to \$25,000 but less than the threshold), the Municipality must foresee a *rotation system*.

The purpose of the Contract Management Bylaw is to ensure that the awarding of contracts by payment with public funds are being attributed with transparency, equality, and with the best quality vs price notion. The Bylaw is based, mainly, on the following seven notions:

1. Measures to prevent communication with, the intent to influence, a member of a selection committee;
2. Measures respecting applicable laws which oppose doctoring offers;
3. Measures to ensure that the Lobbying Transparency and Ethics Act in regard to lobbying and the Code of Conduct for Lobbyists is respected;
4. Measures with the intent of preventing gestures of intimidation, influence or corruption;
5. Measures with the intent of preventing situations regarding conflict of interest;

6. Measures with the intent of preventing any situation that is susceptible to compromise the impartiality and the objectivity of the process in requesting tenders and the awarding of the contract resulting from the request;
7. Measures creating strict guidelines around any decision that may be made to authorize a modification to a contract.

To date, the Municipality of Grosse Ile has not opted to amend its Bylaw and is therefore still using the system based on the amount of the contract:

- under \$25,000 - choice of the municipal council;
- between \$25,000 and the threshold set by government – call for tenders by invitation and sent to at least two suppliers chosen by council;
- for contracts over the government regulated threshold - by means of a public call for tenders.

In 2022, the Municipality of Grosse Ile issued one (1) call for tenders by invitation in order to carry out a geotechnical study on Wide Road. For more information on the complete list of contracts for the 2022 fiscal year, please visit section “***Contracts and Call for Tenders***” on the Municipality’s website at the following address: www.mungi.ca

It is important to note that Municipalities must, once per year, deposit its annual report on the application of the contract management bylaw at a sitting of council and the report must be accessible on the internet therefore, this report shall be published on the Municipality’s website.

Municipalities must also maintain an updated list of all contracts with a value of at least \$25,000 on the Electronic Call for Tenders System (SEAO) and post this list on its website where you will also find a link to direct you to SEAO. Moreover, a list of all contracts involving an expenditure exceeding \$2 000 or more with the same supplier, if the total amount of the contracts exceeds \$25,000 within a given year, must be posted on the Municipality’s website as well.

Maxine Matthews
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