

Doing Business with Halton Region

A Guide for New and Current Suppliers



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Introduction

This guide provides new and current suppliers with some basic information about the Region's purchasing guidelines.

Halton Region depends on the goods and services provided by private businesses. At the same time, Halton taxpayers expect their tax dollars to be spent in a fair and equitable manner, with consideration to best value and quality. For this reason, Halton Region has established procedures to govern the procurement of goods and services.

Financial Reporting, Purchasing and Payroll Services, a division of the Finance Department, is located on Level 3 in the Halton Regional Administration Centre, 1151 Bronte Road in Oakville. Purchasing Services is responsible for the procurement of goods and services for all Regional departments for a total purchase value over \$10,000 (excluding tax).

What Halton Region Buys

Halton Region purchases many different types of goods and services in order to support its internal functioning and provide essential, high-quality services to Halton residents. A few of our most common purchases include:

- Building, water and wastewater treatment plants and equipment, repairs and maintenance
- Chemicals for water and sewage treatment
- Construction
- Consulting and professional services
- Fleet vehicles and equipment
- Energy and fuels
- Grounds maintenance
- Hardware, electrical and plumbing
- Laboratory supplies
- Medical supplies
- Office supplies
- Roads, traffic, watermain and sewer maintenance
- Services for seniors and child care
- Snow removal
- Water and hydrant products
- Waste and recycling

By-laws Governing Regional Purchasing

Halton Region procures goods and services in accordance with Purchasing By-law #74-15 and fulfills its mandate to provide effective, responsive government and efficient delivery of services to residents of Halton pursuant to *Section 270 of the Municipal Act, 2001*, S.O. 2001, c25, as amended. The purposes, goals and objectives of the Purchasing By-law and each of the methods of procurement authorized are to:

- encourage competitive bidding;
- ensure fairness, objectivity, accountability and transparency in the procurement process;
- obtain the best value in the procurement of goods and services for the Regional Corporation;
- encourage environmentally responsible and sustainable procurement while maintaining fiscal prudence; and
- promote and implement procurement practices, where possible, that support the principles of the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*

The Purchasing By-law specifies that Purchasing Services has the following specific responsibilities:

- ensuring there is an open, fair and impartial procurement process for goods and services;
- ensuring compliance with the Purchasing By-law and advising Council through the appropriate Commissioner, or the CAO, when there is non-compliance;
- notifying bidders, receiving, opening and reviewing of all responses to bid solicitations;
- developing co-operative purchasing plans with other governments or their agencies or public authorities, where deemed beneficial to the Regional Corporation;
- promoting the standardization of goods and services, where such standardization demonstrably supports the purposes, goals and objectives of the Purchasing By-law;
- managing the disposal of goods that have been declared surplus in accordance with the Purchasing By-law;
- developing and maintaining relevant purchasing policies and procedures that are consistent with the Purchasing By-Law;
- evaluating the effectiveness of the Purchasing By-Law with the intent that it be reviewed five years after coming into force or earlier; and
- adhering to the code of ethics of the National Institute of Government Purchasing and the Purchasing Management Association of Canada.

Procurement Methods

Halton Region uses various methods to procure goods and services. The following is a brief explanation of these methods.

Low Value Purchase

Procurement of goods and services of a total purchase price of up to \$10,000 are at the discretion of individual department representatives, and may be made through a purchasing card, phone, fax, email or low-value purchase order.

Medium Value Purchase

For the procurement of goods and services of a total purchase price between \$10,000 and \$35,000, the department representative must solicit written quotations. The department representative shall forward the appropriate information to Purchasing Services for processing.

Request for Formal Quotation (RFQ)

For the procurement of goods and services of a total purchase price between \$35,000 and \$100,000, a Request for Quotation is applied by Purchasing Services.

Where time is of the essence, or if previous suppliers have performed satisfactorily, Purchasing Services may conduct the bid solicitation through a list of invited bidders provided by the department representative. At least three written quotations are solicited and analyzed, and the results tabulated. An award is made after consultation with the department representative.

Where no list of invited bidders exists, Purchasing Services conducts the bid solicitation using electronic advertising. Written quotations are solicited and analyzed, and the results tabulated. An award is made after consultation with the department representative.

Request for Tender (RFT)

For the procurement of goods and services of a total purchase price of greater than \$100,000, a Request for Tender is issued by Purchasing Services, provided the following conditions apply:

- there are sources in the market that are considered capable of supplying the goods or services;
- a clear specific solution to a problem exists and/or the goods or services are adequately defined;
- the market conditions are such that the tenders can be submitted on a competitive pricing basis; and
- it is intended that the lowest compliant bid shall be accepted without negotiations.

The department representative provides Purchasing Services with the relevant information such as specifications, provisions, plans and supplemental general conditions.

Purchasing Services conducts the bid solicitation using electronic advertising and, if appropriate, by advertising in a general circulation publication. In the case of a pre-qualified bid solicitation, only pre-qualified bidders are notified, and bids are only accepted from pre-qualified bidders.

Request for Proposal (RFP)

A Request for Proposal is applied through Purchasing Services when any of the following conditions make it appropriate:

- solutions to a problem are expected to be complex;
- the goods or services required may vary; and
- cost is not the primary evaluation criteria.

The department representative shall provide to Purchasing Services the relevant information such as specifications, provisions, plans and supplemental general conditions.

When the total purchase price for a Request for Proposal is between \$35,000 and \$100,000, and where time is of the essence or previous suppliers have performed satisfactorily, Purchasing Services may conduct the bid solicitation through a list of invited bidders provided by the department representative. Where no list of invited bidders exists, Purchasing Services conducts the bid solicitation using electronic advertising.

When the total purchase price for a Request for Proposal exceeds \$100,000, Purchasing Services conducts the bid solicitation using electronic advertising and, if appropriate, by advertising in a general circulation publication. In the case of a pre-qualified bid solicitation, only pre-qualified bidders are notified and bids are only accepted from pre-qualified bidders.

For consulting services, bidders should note that consultants may be not be eligible to bid for any follow-up assignments resulting from work completed, if there is a perceived conflict of interest.

Proposals are to be submitted using a two-envelope method. Proposals received are analysed and evaluated using criteria pre-determined by the selection committee.

Pre-qualification of Acceptable Bidders

A Pre-Qualification process for any goods or services may be conducted to select the acceptable bidders who can bid on the subsequent competitive sealed bid process, in accordance with the Purchasing By-law.

Request for Expressions of Interest

A Request for Expression of Interest may be issued for the purposes of determining the availability of suppliers for any goods or services, or to keep a list of available suppliers. This may be used as a specific pre-condition of any procurement procedure used by Halton Region. The submission of an expression of interest does not create any contractual obligation.

Co-operative Purchasing

Halton Region participates in co-operative purchasing with other units of government or their agencies or public authorities, whenever the best interests of all participants would be served.

Emergency Purchases

An emergency purchase results from an event determined to be a threat to public health, might disrupt the provision of essential services of the Regional Corporation, might present immediate risk to the welfare of persons, public property or the environment and/or is an emergency declared under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended, or

successor legislation. If this is the case, the department representative follows the procedures outlined in the Purchasing By-law.

Single-Source Purchase

A single-source purchase is used for the procurement of goods or services without a bid solicitation if any of the following conditions apply:

- there is only one known source of supply, and only this source can meet the needs of the Regional Corporation;
- the compatibility of the purchase with existing equipment, facilities or service is a paramount consideration;
- the good is purchased for testing or trial use;
- timing constraints for the receipt of third-party funding for the purchase of good or services do not permit issuing a bid solicitation;
- the goods or services are in short supply due to market conditions;
- competition is precluded due to the existence of any patent right, copyright, technical secret or control of raw material;
- the purchase relates to matters involving security, police matters, or confidential issues, in which case the purchase may be made in a manner that protects the confidentiality of the vendor or the Regional Corporation; or
- when it is most cost-effective or beneficial to the Regional Corporation.

Submitting a Bid

All necessary instructions for submitting a bid are included in the bid documents. The following information describes the solicitation, advertisement and opening of bids. If you have further questions, contact Purchasing Services at 905-825-6000 during regular business hours (Monday to Friday, 8:30 a.m. to 4:30 p.m.).

No List of Bidders

Halton Region does not maintain any Bidders' lists. Bidders who wish to be notified regarding Region bid calls must register at <https://haltonregion.bidsandtenders.ca>. It is the Bidder's responsibility to seek out bid opportunities.

Bid Solicitation

Bid opportunities for goods, services and construction are advertised on <https://haltonregion.bidsandtenders.ca> and in newspapers, if newspaper media is required. The minimum calling period for tenders and proposals over \$100,000 is 15 calendar days.

Bid documents can be downloaded directly from <https://haltonregion.bidsandtenders.ca> or obtained from Purchasing Services, Halton Regional Administration Centre, 1151 Bronte Road, Level 3, or by contacting the Finance Customer Service Representative at (905)-825-6000 ext. 7011 during regular business hours.

Document Fees

Document fees are in accordance with the User Fee schedule as approved annually by Regional Council.

Ownership of Documents

All bid documents issued by Halton are the property of Halton Region and may not be copied or sold to other parties without express authorization of the Manager of Purchasing.

Altering Documents

Bidders must not electronically alter any portion of downloaded documents, with the exception of adding the information requested. Doing so invalidates the bidder's response.

Bid Enquiries

It is the bidder's responsibility to clarify any questions raised by the bid before the bidder submits its bid. The bidder may submit questions in writing through Halton Region's website <https://haltonregion.bidsandtenders.ca> using the "Submit a Question" link associated with the bid request. Questions and answers are provided in an addendum and posted on <https://haltonregion.bidsandtenders.ca>.

Addendum

Interpretations to queries from bidders, changes, questions and answers, cancellation of or additions to the bid document under call are in the form of a written addendum. It is the sole responsibility of the bidder to regularly check the individual bid webpage for any addenda.

Bid Deposits

If a bid deposit is required, then the amount and the form will be specified in the bid document. A bid deposit may be a certified cheque, bank draft, bid bond or any combination thereof, made payable to the Regional Municipality of Halton. When required, a bid deposit is to accompany the bid submission.

Bid Submission

The bidder must submit their bid to the Office of the Manager of Purchasing, The Regional Municipality of Halton, 1151 Bronte Road, Oakville ON, L6M 3L1, in a sealed envelope or package no later than the closing time of 2:00 p.m. (Oakville time), as specified in the bid document. All bids should have a bid label attached to the envelope or package for easy identification.

Late Bids: A bid will not be accepted at the counter after the closing time of 2:00 p.m., and will be considered late and refused at the counter. If a bid is received after the official closing time through the mail, it shall be returned unopened, collect, via next day courier, and with a covering letter stating that it could not be accepted due to late arrival.

Withdrawal Prior to Opening: A bidder who has submitted a bid may request that the bid be withdrawn, or may revise all or part of a bid at any time up to the closing date and time by submitting a letter on the bidder's letterhead to the Manager of Purchasing, or designate, requesting removal of the previously submitted bid from the tender box. The letter must bear the signature of an authorized signing officer of the Bidder. The Manager of Purchasing will mark on the letter the time and date of receipt, will place the letter in the tender box and return the bid to the bidder. The bidder can submit a revised bid prior to the closing date and time. The Region will not accept requests to revise or

withdraw a bid by phone or fax. The last bid received by Halton Region prior to the closing date and time will supersede and invalidate all bids previously submitted by that bidder.

If two submissions are received from the same company, the last bid received by the Region prior to the closing date and time will supersede and invalidate all bids previously submitted by that bidder.

Withdrawal requests received after the closing time will not be allowed. The party concerned shall be informed that the withdrawal request arrived too late for consideration.

The withdrawal of a bid does not disqualify a bidder from submitting another bid on the same contract.

Opening of Tenders

Tenders are opened on Tuesdays in a designated room at the Halton Regional Administrative Centre at 2:15 p.m. (Oakville time) and is a public opening. The opening committee consists of staff from Purchasing and a representative from the respective department. For each tender, the envelope is opened and the bidder's name and total tender amount announced and recorded on the bid sheet, unless otherwise specified in the bid document. Following the opening, Purchasing retains the bid deposits of the three low bidders and the balance of the bid deposits will be returned to the bidders. When a bid deposit is returned by hand, a representative of the bidding company must sign the bidders' list as acknowledgement of receipt.

Opening of Quotations and Proposals

Quotations and proposals are opened on Thursdays in the Office of the Manager of Purchasing and is not a public opening. The opening committee acknowledges the bid number and the name of the bidder on the bid sheet.

More than One Bid under the Same Name

If more than one bid is received under the same name, without any notice of withdrawal, the bid contained in the envelope bearing the latest date and time stamp is considered the intended bid. If the two bids are received in the same envelope, the signed copy or, if both are properly signed/executed and prices differ, the lower price is considered the intended bid.

Return of Bid Deposits

The bid deposits of the three low bidders are held in Purchasing Services until notification from the Project Manager to release the deposits to the bidders.

Bid Results

Tender results are posted on <https://haltonregion.bidsandtenders.ca> by 4:00 p.m. Tuesday on the date of the official closing. As soon as practical after an award, the name of the successful bidder and the value of the contract are posted on <https://haltonregion.bidsandtenders.ca>.

Review of Bids

If a bid contains an informality or irregularity, the bid is referred to the Manager of Purchasing to determine whether the bid complies with the submission requirements set out in the bid document. Irregularities are dealt with according to the Chart of Bid Irregularities approved by Regional Council on June 17, 2015.

Cancellation of Bid Solicitation

When the Region deems it necessary to cancel a bid solicitation, all bidders will be notified by the Manager of Purchasing Services.

Contract Award

Halton Region awards contracts to the lowest compliant bidder for quotations and tenders. The lowest compliant bidder is one who:

- Meets specifications;
- Meets terms and conditions of the bid;
- Provides the lowest price; and
- Provides necessary securities as required.

For proposal awards, the evaluation criteria are specified in each Request for Proposal document. Halton Region awards a contract to the bidder whose proposal is the highest overall ranking score; however, cost is not necessarily the prime consideration.

Bidder De-Briefing

A bidder can request a debriefing session to discuss their proposal. Representatives from Purchasing and the department may meet with the unsuccessful bidder after a proposal award to learn how they might be successful the next time. The bidder should contact the Purchasing representative as specified in the bid document.

Freedom of Information

The information collected in a bid submission is collected under the authority of the Purchasing By-law # 74-15, as amended. All bids submitted to Halton Region are subject to the protection and disclosure provisions of the *Municipal Freedom of Information and Protection Privacy Act*.

General Purchasing Information

No Local Preference:

Halton Region does not have a local preference policy.

Terms and Conditions of Purchase

When goods and services are purchased by means of a formal Purchase Order, the Purchase Order number must appear on all shipping documents, packing slips and invoices. Orders are to be shipped F.O.B. destination to the location specified. The Purchase Order is a legal contract between Halton Region and its suppliers/contractors. By shipping goods or performing the work as stated on the Purchase Order, the supplier/contractor agrees to the Terms and Conditions on the Purchase Order and will fulfill their obligations.

When goods and services are purchased as a result of a bid process, the formal bid document specifies the General Terms and Conditions.

Deliveries and Completion Dates

It is important that goods/services and construction be delivered promptly and project schedules met according to the date agreed upon when the purchase order or contract was established.

Health and Safety

Halton Region is committed to promoting health and safety in the workplace by preventing accidents, injuries and occupational illness. All work must be performed in strict compliance with the *Occupational Health and Safety Act, R.S.O. 1990*, as amended. Further details can be found in the General Terms and Conditions for Services.

Material Safety Data Sheets

Upon contract award and if applicable, the supplier must ensure that Material Safety Data Sheets related to the supplied goods are current (three years from the date of certification or less).

Insurance Certificate

Prior to commencing the work, the contractor must obtain and submit a Certificate of Insurance meeting all requirements of the bid document in a form acceptable to the Region.

Workplace Safety and Insurance Certificate

Prior to commencing the work, the contractor must obtain and submit a certificate of good standing (certificate of clearance) as evidence of compliance with all requirements of the *Workplace Safety and Insurance Act, 1997* and its regulations, as amended.

Supplier Performance

Purchasing Services expects the highest possible performance from all suppliers. Suppliers are periodically evaluated on actual performance in terms of:

- service and delivery;
- completion schedules;
- ability to respond to urgent requests;
- quality of workmanship;
- quality of goods and services;
- adherence to specifications;
- terms and conditions; and
- contract compliance.

The supplier is expected to act in partnership with Purchasing Services to maintain price competitiveness, efficient and cost-effective delivery of goods and services and be innovative in generating new ideas and introducing new products to serve the residents of Halton.

Invoices

Invoices are paid based on the Purchase Order, unless otherwise specified, following the receipt of goods or services. No orders will be paid without a supporting invoice referring to a Purchase Order number. Prompt payment discounts are taken from the date of receipt of invoice or date of receipt of material, whichever is later. All invoices are to be directed to the attention of Accounts Payable.

Electronic Payment Deposit: Halton Region strongly encourages all suppliers and contractors to sign up for electronic funds transfer. Complete the Electronic Payment Deposit form or fax it to Accounts Payable at (905)-825-3463 or email to accounts.payable@halton.ca

Official Bid Document Label

For Bidders who download the document package from <https://haltonregion.bidsandtenders.ca>, the label is the last page of the document and is to be affixed (glued) to the outside of the sealed envelope prior to submission so that it is visible to the Office of the Manager of Purchasing.

The Halton Co-operative Purchasing Group (HCPG)

Purchasing Services is a member of the Halton Co-operative Purchasing Group (HCPG), whose objective is to seek and provide the best value for the taxpayers' dollar in the most cost-effective way. The HCPG is dedicated to providing optimum value and resources to its member agencies and client groups through innovative and progressive co-operative purchasing. Visit their website at: www.hcpg.ca.

Ontario Regulation 191/11 – Integrated Accessibility Standards

Ontario Regulation 191/11 – Integrated Accessibility Standards, passed under the *Accessibility for Ontarians with Disabilities Act, 2005*, requires that all persons who provide goods, services or facilities on behalf of Halton Region must receive training:

- on the requirements of the accessibility standards referred to in the Regulation and on the Human Rights Code as it pertains to people with disabilities; and
- on the provision of Halton Region's goods, services or facilities, to people with disabilities, including any updates to Halton Region's policies regarding same, as set out in "Accessible Customer Service at Halton Region" available at halton.ca.

Pursuant to the Regulation, records of the training identified above must be kept, including the dates on which the training is provided and the number of individuals to whom it is provided.

Contractors are responsible for meeting these training and record keeping requirements and warrant that they shall ensure all of their employees, agents, and/or subcontractors who provide goods, services or facilities on behalf of Halton Region will receive adequate training in order to meet the requirements of the Regulation, and that records of this training will be maintained.

Upon the Region's request, the Contractor shall provide the Region with evidence of compliance with the training requirements under Ontario Regulation 191/11 and permit the Region or its agents to conduct a review or audit of the Contractor's fulfillment of these training requirements. The Contractor will be required to co-operate with any such request and provide the Region with access to its employees and any records related to the training requirement as may be requested by the Region.

Accessible Formats

The Contractor shall ensure that any information, products, deliverables and/or communications produced pursuant to the Contract are available in an accessible format, as defined in *Ontario Regulation 191/11 – Integrated Accessibility Standards*, unless deemed unconvertible, as outlined in the Regulation.

Green Procurement

The purpose of Halton Region's Green Procurement Policy is to acquire goods and services ("products") from suppliers that generate positive environmental outcomes, and to integrate sustainability considerations into product selection so that negative impacts on society and the environment are minimized throughout the full life cycle of the products.

Suppliers/Contractors are expected to carry out their work in an environmentally responsible manner that includes, but is not limited to:

- efficient use of natural resources;
- waste minimization;
- toxicity minimization;
- use of high quality materials that can be repaired or upgraded;
- use of renewable, recycled and recyclable materials;
- use of reusable parts; and
- protection of indoor and outdoor air quality.

Intellectual Property

All reports, plans, designs and other documents to be produced by the successful Proponent to a Request for Proposal shall, on submission to the Region, become the property of the Region.

Halton Region's Broker

All orders from outside Canada must be cleared through Halton Region's customs broker.

Non-Resident Withholding Tax

The Regional Municipality of Halton is obligated under paragraph 153(1)(g) of the *Income Tax Act* and Subsection 105(1) of the *Income Tax Regulations*, to withhold 15 per cent from payments of fees, commissions, or other amounts paid to non-resident individuals, partnerships or corporations, in respect of services rendered in Canada. The Regional Municipality of Halton would not be required to withhold under Regulation 105(1) if the non-resident obtains a Waiver Certificate from the Canada Revenue Agency prior to the commencement of the engagement.

New Product Review

Halton Region has two committees that review new products. Both committees consist of staff from Planning and Public Works and Purchasing Services. Their recommendations are forwarded to the Planning and Public Works Management Team.

Product Review Committee (Linear Works—Water and Wastewater)

This committee was established in 1993. Its purpose is to recommend acceptance or rejection of new products for inclusion in the Regional standards and specifications and the Region's list of approved manufacturers. For a Product Approval Application Form, and for further information, contact Purchasing Services at purchasing@halton.ca.

Facilities Product Review Committee (PRC)

This committee was established in early 2006 through Regional Council Report PPW01-06/CS-01-06. The equipment to be reviewed by the Facilities PRC is proposed to encompass all of the Region's water and wastewater facilities, including plants, water storage reservoirs, pumping stations, biosolids storage and landfill treatment facilities. The Facilities PRC will recommend acceptance or rejection of products for inclusion or deletion to the Approved Equipment List (AEL).

The proposed process for the Facilities PRC will ensure that equipment and product evaluation is based on a quantitative approach, and considers all aspects of a product's suitability for use in Regional facilities and not just cost. Products that have been included on the AEL will then be selected for use at a specific location based on a competitive purchasing process. For further information, contact Purchasing Services at purchasing@halton.ca.

Purchasing Ethics

Purchasing Services maintains membership in the following associations and subscribes to their Codes of Ethics:

- National Institute of Government Purchasing (NIGP)
- Ontario Public Buyers Association (OPBA)
- Supply Chain Management Association (SCMA)

The employees, elected officials or officers of Halton Region may not accept gifts and gratuities or of other than nominal value from suppliers.

Purchasing Contact

You may contact Purchasing Services by e-mail at purchasing@halton.ca

Some Helpful Bidding Tips

- Visit <https://haltonregion.bidsandtenders.ca> regularly for upcoming bids.
- Check the individual active bid webpage regularly for addenda.
- Read the bid documents thoroughly and comply with all instructions and conditions.
- Check that all required forms are completed and signed, as requested.
- Ensure all requested securities are enclosed with your submission.
- Ensure your bid is submitted to the Office of the Manager of Purchasing before the closing time, or it will be returned unopened.