

THE REGIONAL MUNICIPALITY OF WATERLOO POLICE SERVICES BOARD  
BY-LAW NUMBER 24-02

Being a by-law to provide for its procurement of goods and services  
and the disposal of its surplus goods and to repeal By-law  
Number 18-02, as amended, of the Waterloo Regional Police Services Board.

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WHEREAS The Regional Municipality of Waterloo Police Services Board passed By-law 07-02 at its meeting on May 18, 2007 to provide for the Board's procurement of goods and services and the disposal of its surplus goods;

AND WHEREAS By-law 07-02 was subsequently amended by Bylaw 08-02 dated September 10, 2008, By-law 09-02 dated June 10, 2009, By-law 16-02 dated November 1, 2016 and By-Law 18-02 dated September 12, 2018;

AND WHEREAS The Regional Municipality of Waterloo Police Services Board has deemed it desirable to set out its policies with respect to its procurement of goods and services in this by-law;

NOW THEREFORE, the Regional Municipality of Waterloo Police Services Board enacts as follows:

**PART I - DEFINITIONS**

1. For the purposes of this By-law,

**"best overall cost"** means the best cost after all factors and criteria as set out in the bid call are considered and is not limited to the lowest dollar price;

**"bid"** means any offer or submission made by a person in response to a bid call pursuant to this By-law;

**"bid call"** means any invitation to submit a quotation, sealed quotation, tender, proposal or other form of acquisition to the Chief Purchasing Officer pursuant to this By-law;

**"Board"** means The Regional Municipality of Waterloo Police Services Board;

**"Board Executive Assistant"** means the Board Executive Assistant of the Board or his or her designate;

**"Board Solicitor"** means the Board Solicitor appointed by the Board, his or her designate, or any successor position thereto;

**"Branch Manager"** means the Branch Manager of a Department, his or her designate, or any successor position thereto;

**"Chair"** means the Chair of the Board or his or her designate;

**"Chief"** means the Chief of Police, his or her designate, or any successor position thereto;

**"Chief Purchasing Officer"** means the Chief Purchasing Officer of the Board appointed pursuant to this By-law or his or her designate;

**"compliant"** means a bid that meets the terms and conditions of the bid call and that has not been qualified by the bidder;

**"consultant proposal"** means an offer to supply consultant services on which end results are outlined but no detailed specifications are given by the Board as to how the consultant services are to be completed or performed;

**"Council"** means the Council of the Region;

**"Department"** means any department, division or unit of the Board;

**"Director of Finance"** means the Director of Finance and Assets of the Board or his or her designate;

**"disability"** or **"disabilities"** shall have the same meaning as that in the *Ontarians with Disabilities Act, 2001*, S.O. 2001, c.32 or any successor legislation thereto;

**"emergency"** means a situation where the immediate purchase of goods or services is essential to comply with any law, regulation or lawful order or to prevent delays in the work of any Department which might involve danger to life, damage to property or the provision of an essential service;

**"employee"** means an employee of the Board;

**"fiscal agency services"** means a bank or trust company which handles fiscal matters for a business

**"goods"** includes all supplies, materials, equipment, vehicles and other personal property required for the operations or activities of the Board but does not include those goods as listed in Schedule "A" of this By-law, attached;

**"group purchasing organization (GPO)"** - A co-op, purchasing group, consortium, collective, coalition, or leveraged procurement group, existing to leverage their members' combined purchasing power to obtain maximum discounts from suppliers for all its members.

**"litigation"** includes, but is not limited to a court proceeding (including third party claims and cross-claims), arbitration or other hearing whereby a third party adjudicates a dispute between the Board and/or Region (or their employees acting in their official capacity) and the party regarding a claim for money or other relief where the Board and/or Region is in an adverse interest;

**"pending litigation"** occurs in those circumstances in which a written threat of legal proceedings has been made by or against the Board and/or Region (or their employees

acting in their official capacity) for money or other relief, but no formal notice or proceeding has been commenced and may include the possibility of a third party claim or cross-claim;

**“proposal”** means an offer to supply goods or services on which end results are outlined but no detailed specifications are given by the Board as to how the goods or services are to be completed or performed;

**“quotation”** means an offer to supply certain specified goods or services at a specific rate in response to the information contained in the call for quotations;

**“Region”** means The Regional Municipality of Waterloo;

**“services”** includes any,

- (a) professional, consulting or training services;
- (b) services associated with the acquisition of goods;
- (c) services associated with the construction, demolition, maintenance, repair or upkeep of any buildings, premises or goods; or
- (d) the rental of any real property for a short duration of time,

for the Board but does not include those services as listed in Schedule “A” of this By-law, attached; and

**“tender”** means an offer in writing to supply certain specified goods or services at a specific rate in response to information contained in a call for tenders;

## **PART II – OBJECTIVE**

2. It is the objective of the Board that all goods and services be acquired on a competitive, fair and transparent basis in a manner that is efficient and accountable.

## **PART III – CHIEF PURCHASING OFFICER**

3. The Chief Purchasing Officer shall be the Director of Finance unless the Board or Chief deem it is necessary for a procurement to be handled by the Region’s Purchasing Department and then, if such appointment is accepted, the Chief Purchasing Officer for the Region shall be the Chief Purchasing Officer for that procurement. The Chief Purchasing Officer shall report to the Board, as required.
4. All acquisitions of goods and services by the Board and all purchasing inquiries of the Board regarding materials, prices, services, delivery, terms, conditions and adjustments shall be conducted through the Chief Purchasing Officer, in accordance with the provisions of this By-law, unless otherwise permitted herein.
5. (1) The Chief Purchasing Officer shall have all the necessary authority to administer this By-law and to carry out his or her duties on behalf of the Board.  
  
(2) Without limiting subsection (1) of this section, the Chief Purchasing Officer shall have the authority to,

- (a) designate employees of the Board and/or Region (as the case may be) to act in his or her place;
- (b) acquire or dispose of goods through lease or rental agreements;
- (c) establish administrative procedures and policies, which may include the establishment of any electronic bidding system, for the implementation of this By-law;
- (d) establish, through consultation with the Board Solicitor, bid documents, administrative forms, purchase orders, contracts and other documents;
- (e) set, through consultation with the Board Solicitor, the terms and conditions for a bid call;
- (f) issue purchasing cards to employees and Departments for the acquisition of goods or services and to impose terms and conditions upon the purchasing cards;
- (g) act as the power of attorney or agent of the Board in regard to any imported or exported goods owned or acquired by the Board; and
- (h) lease property or vehicles, on a short-term basis provided such is within budget, that is required for police investigative or covert operations, including leasing such in his or her own name or in another name (but on behalf of the Board);
- (i) approve negotiated acquisition to extend or renew an existing software licence or maintenance agreement that is included within the program budget;
- (j) act for the Waterloo Regional Police Services Board or any other board, committee or body associated with the service for the acquisition of their goods or services; and
- (k) consult with the Waterloo Regional Police Service's solicitor on issues surrounding procurement under this By-law.

#### **PART IV – ACQUISITIONS**

- 6. (1) This Part shall apply to the acquisition of all goods and services by the Board unless otherwise permitted in this By-law or any other by-law of the Board.
- (2) The Chief Purchasing Officer shall ensure that all bid calls under this Part include:
  - (a) the phrase "Lowest or any tender will not necessarily be accepted"; and
  - (b) the criteria to be considered in order to determine the best overall cost.
- 7. Where a requirement for goods or services has an estimated value not in excess of \$25,000, the Chief Purchasing Officer or an authorized employee may acquire the goods or services on his or her own authority from such suppliers and upon such terms and conditions that in his or her judgment are in the best interests of the Board.
- 8. (1) Where a requirement for goods or services is estimated to exceed \$25,001 but less than \$150,001 in value, the Chief Purchasing Officer may acquire the goods or services on his or her own authority from such suppliers and upon such terms and conditions that in his or her judgment are in the best interests of the Board provided that the Chief Purchasing Officer first obtains, where reasonably possible, at least three (3) written quotations for such goods or services.
- (2) Where written quotations are called for under this section, the Chief Purchasing Officer shall have the authority to accept a written quotation provided that the quotation has the best overall cost.

9. (1) Where a requirement for goods or services is estimated to exceed \$150,000 but less than \$1,000,001 in value, the Chief Purchasing Officer shall acquire the goods or services by advertising for tenders.
  - (2) Where tenders are called for under this section, the Chief shall have the authority to accept a tender provided that the tender is compliant and it has the best overall cost.
  - (3) Notwithstanding subsection (2) of this section, only the Board shall have the authority to accept a tender if,
    - (a) the tender with the best overall cost that is compliant exceeds the budget for the acquisition of the goods or services and approval from the Board to increase the budget is desired.
10. (1) Where a requirement for goods or services is estimated to exceed \$1,000,000 in value, the Chief Purchasing Officer shall acquire the goods or services by advertising for tenders.
  - (2) Where tenders are called for under this section, the Board shall have the authority to accept a tender provided that the tender is compliant and it has the best overall cost.

#### **PART V – REQUEST FOR PROPOSALS**

11. The Chief Purchasing Officer may conduct a request for proposals where he or she believes that the requirement for goods or services cannot be adequately defined or specified.
12. Where a request for proposals is utilized, the Chief Purchasing Officer and at least two (2) employees from a Department or Departments requiring the goods or services shall form a committee that,
  - (1) establishes the terms and conditions for the request for proposals along with the criteria that will be utilized for the evaluation of the proposals;
  - (2) advertises the request for proposals if the value of the goods or services is estimated to exceed \$150,001; and
  - (3) evaluates the proposals and tabulates the results in accordance with the established criteria.
13. For proposals that have a value not in excess of \$150,000, the Chief Purchasing Officer shall have the authority to accept a proposal provided that the proposal is compliant and that it best meets the criteria as established pursuant to subsection 12(1) of this By-law.
14. (1) For proposals that have a value in excess of \$150,001 but less than \$1,000,000, the Chief shall have the authority to accept a proposal provided that the proposal is compliant and that it best meets the criteria as established pursuant to subsection 12(1) of this By-law.
  - (2) Notwithstanding subsection (1) of this section, only the Board shall have the authority to accept a proposal if,

- (a) the proposal that best meets the criteria as established pursuant to subsection 12(1) of this By-law exceeds the budget for the acquisition of the goods or services and approval from the Board to increase the budget is desired.
- 15. For proposals that have a value in excess of \$1,000,001, the Board shall have the authority to accept a proposal provided that the proposal is compliant and that it best meets the criteria as established pursuant to subsection 12(1) of this By-law.
- 16. The Chief Purchasing Officer shall have the authority to negotiate the exact terms and conditions of any contract or other document before any person's proposal is accepted pursuant to this By-law.

## **PART VI – CONSULTANT PROPOSALS**

- 17. Where the services of a consultant have an estimated value not in excess of \$150,000, the Chief Purchasing Officer may acquire the services on his or her own authority from such consultant and upon such terms and conditions that in his/her judgment are in the best interests of the Board.
- 18. (1) Where the services of a consultant have an estimated value in excess of \$150,001, but less than \$500,000, the Chief Purchasing Officer and at least two (2) employees from a Department or Departments requiring the consultant services shall form a committee that,
  - (a) establish the terms and conditions for the request for consultant proposals along with the criteria that will be utilized for the evaluation of the proposals;
  - (b) advertises the request for consultant proposals; and
  - (c) evaluates the consultant proposals and tabulates the results in accordance with the established criteria.

(2) The Deputy Chief and/or Chief shall have the authority to accept a consultant proposal under this section provided that the proposal is compliant and that it best meets the criteria as established pursuant to subsection (1)(a) of this section.
- 19. (1) Where the services of a consultant have an estimated value in excess of \$500,001, the Chief Purchasing Officer and at least two (2) employees from a Department or Departments requiring the consultant services shall form a committee that,
  - (a) establishes the terms and conditions for the request for consultant proposals along with the criteria that will be utilized for the evaluation of the proposals;
  - (b) advertises the request for consultant proposals; and
  - (c) evaluates the consultant proposals and tabulates the results in accordance with the established criteria.

(2) The Board shall have the authority to accept a consultant proposal under this section provided that the proposal is compliant and that it best meets the criteria as established pursuant to subsection (1)(a) of this section.
- 20. (1) The Chief Purchasing Officer shall ensure that the acquisition of any consultant services under this Part includes:

- (a) a work plan from the consultant that is in accordance with the terms of reference for the project; and
  - (b) a maximum fee for the consultant in regard to all services and disbursements.
- (2) The Chief Purchasing Officer shall have the authority to negotiate the exact terms and conditions of any contract or other document before any consultant's proposal is accepted pursuant to this By-law.

## **PART VII – PURCHASE BY NEGOTIATION**

21. (1) The Chief Purchasing Officer may acquire any goods or services through negotiation where,
- (a) there is only one known source of supply;
  - (b) in the judgment of the Chief Purchasing Officer, the goods or services are in short supply due to market conditions;
  - (c) two (2) or more identical bids are received;
  - (d) the lowest bid exceeds the estimated cost and it is impractical to recall the bid;
  - (e) all bids received are non-compliant and it is impractical to recall the bid;
  - (f) one (1) or no bids are received in a bid call;
  - (g) the extension of an existing or previous contract would prove more cost effective or beneficial for the Board;
  - (h) the acquisition involves the ongoing maintenance and service requirements for Board property;
  - (i) the acquisition is required or is beneficial in regard to the standardization of goods or services for the Board; or
  - (j) an existing contract for a good or service has been terminated prematurely and there is an immediate need for the good or service while a new bid call is put out.
- (2) For purchases that have a value in excess of \$150,001 but less than \$500,001, the Chief shall have the authority to accept a proposal provided best meets the criteria as established pursuant to subsection 21 (1) of this By-law. Any purchase made under this criteria will be reported to the Board on a quarterly basis through the Purchasing Awards board report.
- (3) Notwithstanding subsection (1) of this section, the Chief Purchasing Officer shall submit any negotiated acquisition, with the exception of a negotiated acquisition to extend or renew an existing software licence or maintenance agreement that is included within the program budget, to the Board for approval if the value of the acquisition exceeds \$500,001.

## **PART VIII - EMERGENCIES**

22. (1) The Chief Purchasing Officer may acquire any goods or services that are required by the Board to respond to an emergency.
- (2) Where an emergency occurs after business hours when the Chief Purchasing Officer is not available, any manager, director, executive or Branch Manager of the Board, or any emergency measures specialist for the Board, shall have the authority to acquire any goods or services that are required by the Board to respond to the emergency

provided the manager, director, executive, Branch Manager or emergency measures specialist reports the acquisition to the Chief Purchasing Officer on the next business day following the acquisition.

- (3) Any authority under this section shall include the authority to sign any contract or other document that may be required as part of the acquisition of the goods or services.
- (4) After the emergency is over, the Chief Purchasing Officer shall report to the Board any expenditure with a value in excess of \$150,001 and the Chief Purchasing Officer shall include an explanation in regard to the emergency and the need for the goods or services.

#### **PART IX - ACQUISITION OF GOODS AND SERVICES FROM GOVERNMENT BODIES**

23. The Chief Purchasing Officer may acquire any goods or services from a federal, provincial or municipal body, ministry, agency, board, corporation or authority when similar goods or services are not available from other sources.

#### **PART X - CO-OPERATIVE PURCHASING**

24. (1) The Chief Purchasing Officer may enter into arrangements with any government body, ministry, agency, group purchasing organization (GPO), board, corporation or authority on a co-operative or joint basis for the acquisition of goods or services where there are economic advantages in so doing that are in the best interests of the Board and the method of acquisition to be used is a public and competitive method.
- (2) The Chief Purchasing officer shall submit any co-operative purchasing to the Board for approval if the budget is exceeded for the acquisition of the goods or services.

#### **PART XI – GENERAL**

25. The Chief Purchasing Officer, wherever reasonably possible, shall seek to standardize the goods and services required by Departments so as to provide the most cost effective and efficient purchasing system.
26. The Chief Purchasing Officer, after consultation with the Department that requires the goods or services, shall ensure that all specifications and that all the terms and conditions of a bid call,
  - (1) are clear and concise;
  - (2) indicate the minimum acceptable levels of quality;
  - (3) are commercially practical; and
  - (4) encourage competitive bidding.



27. The Chief Purchasing Officer may conduct a process to pre-qualify persons or obtain desired information for any bid call where the Chief Purchasing Officer believes it to be in the best interests of the Board.
28. No requirement for goods or services shall be divided to avoid the requirements of this By-law and the total project or annual requirement shall be considered.
29. Except as otherwise stated, dollar amounts shown in this By-law that set out the parameters for acquiring goods or services or disposing of goods shall be the total cost excluding taxes and freight.
30. (1) Except where Part VIII of this By-law applies, the Chief Purchasing Officer shall ensure that the cost of any good or service acquired under this By-law has been authorized by the Board through,
  - (a) a by-law or resolution; or
  - (b) a Department's budget.(2) Authorization of a capital work by the Board shall constitute authorization for any acquisition of goods or services necessary to carry out the work.
31. The Chief Purchasing Officer shall require that all bids involving the construction or repair of any works for the Board with a value estimated to exceed \$150,001 have security for the bid and for the performance of the contracted work in a form and an amount that best meets the interests of the Board.
32. All bids shall ordinarily be received electronically in its electronic bidding system.
33. (1) The Chief Purchasing Officer, after consultation with the Department that requires the goods or services, shall present a report to the Board that sets out the Chief Purchasing Officer's recommendation and justification for any bid that is to be accepted by the Board pursuant to this By-law.
  - (2) In any report under subsection (1) of this section, the Chief Purchasing Officer shall disclose any bid that was found to be non-compliant.
- 34.34.
  - (1) The Chief Purchasing Officer shall ensure that all purchasing orders and contracts have clear payment terms that have been reviewed, as necessary, by the Region's Chief Financial Officer and the Board Solicitor.
  - (2) The Chief Purchasing Officer shall ensure that the quality of all goods and services acquired by him or her is monitored and deemed acceptable.
35. (1) Where any purchase of goods or services has been authorized under this By-law, the Chief may authorize disbursement of additional funds provided that the additional funds:
  - (a) shall not exceed the greater of ten percent (10%) or \$100,000 of the original contract price;
  - (b) are available within the program budget; and

- (c) are required to complete works that are necessary as part of the original contract.
- (2) The conditions under subsections (1), (a), (b) and (c) of this section do not apply where the additional funds are provided to the Board by another government body.
- 36. The Chief Purchasing Officer, subject to the approval of the Board Solicitor, shall have the authority to terminate a contract for the acquisition of a good or service if the grounds for termination in the contract have been satisfied.
- 37. The Chief shall have the authority to act in the absence of the Board as follows:
  - (a) approval of all tenders, quotations and Request for Proposal awards when the Board is unavailable, where funds are provided in the budget and established policies have been observed; and
  - (b) before such approval is given, the Chief shall make reasonable attempts to advise the Chair or Vice-Chair of the Board of the intended approval.

## **PART XII - ADVERTISING**

- 38. When any bid call under this By-law is required to be advertised, the Chief Purchasing Officer shall, as a minimum, advertise the bid call,
  - (1) on the website for the Board from the date that the bid is called to and including the date on which the bid call closes;

## **PART XIII – LITIGATION POLICY**

- 39. The Chief Purchasing Officer shall not open and consider any sealed bid or otherwise acquire any goods or services from a person with whom the Board, the Chief and/or Region is in litigation or pending litigation unless approval allowing such is obtained by the person from the Board prior to the close of the bid call or the acquisition of the goods or services.

## **PART XIV – ENVIRONMENTALLY SOUND ACQUISITIONS**

- 40. In order to increase the development and awareness of environmentally sound goods, the Chief Purchasing Officer shall use reasonable efforts to review all bid call specifications to ensure that wherever possible and economical, bid calls are amended to provide for expanded use of goods and services containing the maximum level of post-consumer recyclable waste or recyclable content, without significantly affecting the intended use of the good or service.

## **PART XV – PERSONS WITH DISABILITIES**

- 41. When acquiring goods or services for the Board, the Chief Purchasing Officer shall have regard to accessibility for persons with disabilities to the goods or services and comply with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

## **PART XVI – STORES OPERATIONS**

42. (1) The Director of Finance shall oversee and be accountable for all stores, inventory and warehouse operations for the Board.
- (2) All employees and Departments shall requisition and acquire their required goods from the Director of Finance (or his/her designate) when the required goods are available at the Board's stores, inventory and warehouse operations.
- (3) When operating the stores, inventory and warehouse operations under subsection (1) of this section, the Director of Finance shall ensure that a proper system of materials management and inventory control is utilized so that the needs of the Board are met at all times.
- (4) Without limiting subsection (3) of this section, the Director of Finance shall conduct a physical inventory on an annual basis of all goods stored under his or her control.

## **PART XVII – PERFORMANCE EVALUATION**

43. (1) An employee who administers a contract that was entered into pursuant to this By-law may conduct a performance evaluation in relation to the contractor at any time during or after the completion of the contract.
- (2) If a contractor obtains a score of less than 80% on a performance evaluation then the Chief Purchasing Officer shall place the contractor on probation for a period of two years from the date that the Chief Purchasing Officer gives the contractor notice of probation.
- (3) While on probation pursuant to subsection (2) of this section, each employee who administers a contract that was entered into pursuant to this By-law shall carry out of a performance evaluation both during and after the completion of the contract.
- (4) If a contractor receives a score of less than 80% on a final performance evaluation for a contract during a probation period then the Chief Purchasing Officer shall suspend the contractor for a period of two years from the date that the Chief Purchasing Officer gives the contractor notice of the suspension and the Chief Purchasing Officer shall not open and consider any bids or otherwise acquire any goods and services from the contractor.
- (5) At the conclusion of the suspension period, the Chief Purchasing Officer may open and consider bids from the contractor, and otherwise acquire goods and services from the contractor, but the contractor will be on probation for a one year period commencing on the date that the suspension concludes and subsections (3) and (4) shall apply accordingly.
- (6) Subject to subsections (7) and (8) of this section the Chief Purchasing Officer shall have all necessary authority to implement and oversee the performance evaluation process and, without limiting the foregoing, the Chief Purchasing Officer shall have the authority to prescribe the performance evaluation forms and scoring, as needed.

- (7) The Chief Purchasing Officer shall ensure that every call for bids includes a term requiring the successful bidder and contractor to agree to and partake in the performance evaluation process as required.
- (8) Every performance evaluation shall be approved in writing by the Chief Purchasing Officer and a supervisor for the employee who administers the contract and a copy of the performance evaluation shall be provided to the contractor.
- (9) Every contractor may, within 15 days of receipt of a performance evaluation, write to and request that the Chief review the performance evaluation in relation to the grounds a set out in the contractors written request.
- (10) Upon receipt of a written request pursuant to subsection (9) of this section the Chief shall review the performance evaluation based upon the grounds set out in the request and the Chief shall have all the authority to either revise or confirm the performance evaluation.
- (11) At the conclusion of the review pursuant to subsection (10) of this section, the Chief shall advise the contractor in writing of his or her decision.
- (12) This section shall not limit the ability of the Chief Purchasing Officer in any way to utilize third party references, internal references, performance evaluations or other information when considering a bid pursuant to this By-law.

#### **PART XVIII- DISPOSAL OF SURPLUS GOODS**

44. (1) The Director of Finance shall declare any goods that are owned by the Board to be surplus when the goods are,
- (a) no longer required by the Board;
  - (b) obsolete; or
  - (c) in a state beyond repair having regard to their relative value.
- (2) When goods are declared to be surplus in accordance with subsection (1) of this section, the Director of Finance may dispose of the goods by public auction, tender, quotation or negotiation based on terms and conditions that are in the best interests of the Board and in accordance with the *Police Services Act*.
- (3) Where the Director of Finance determines that surplus goods cannot be sold in accordance with subsection (2) of this section, the Director of Finance may dispose of the goods in such manner as he or she deems appropriate.
- (4) Where surplus goods have a value estimated to exceed \$150,001, the Director of Finance shall not exercise his or her authority under subsections (2) or (3) of this section unless the Board gives prior approval.
- (5) The Director of Finance shall not sell surplus goods under this section to any elected official, officer or employee of the Board or Region unless:
- (a) the Director of Finance has the prior approval of the Board; or
  - (b) through a public auction.

- (6) Nothing in this section shall prohibit or otherwise restrict the ability of the Board to donate or otherwise dispose of surplus goods at below fair market value when the disposal is for the benefit of the community or for humanitarian purposes.
- (7) Despite anything in this Section, the Director of Finance may dispose of a surplus police service dog to an employee who is a trained handler of police service dogs for nominal consideration without the approval of the Board, subject to the following:
  - (a) the said police service dog is determined to be no longer fit to carry out police services in the opinion of the Chief; and
  - (b) the handler taking ownership of the said police service dog provides the Board with a release and indemnity satisfactory to the Board's Solicitor.

#### **PART XIX- PROVIDING ASSISTANCE**

45. The Director of Finance, provided there is no adverse impact upon the operations of the Board, may lend, lease, rent or otherwise provide any vehicle, equipment or other goods as owned by the Board to any federal, provincial or municipal body, ministry, agency, board, corporation or authority where such is in need because of unforeseen conditions.

#### **PART XX – SIGNING AUTHORITY**

46. Provided the terms of this By-law have been satisfied,
  - (1) the Director of Finance or Chief may sign any contract or other document required for the acquisition of goods or services or for the disposal of goods with a value not exceeding \$1,000,001; and
  - (2) the Chair or Vice-Chair and Board Executive Assistant may sign any contract or other document required for the acquisition of goods or services or for the disposal of goods regardless of their value.

#### **PART XXI – CONFLICT OF INTEREST**

47.
  - (1) The Chief Purchasing Officer and the Director of Finance shall abide by all Waterloo Regional Police Service procedures concerning a conflict of interest when carrying out any duties or functions under this By-law.
  - (2) Without limiting subsection (1) of this section, no elected official, officer or employee of the Board or Region shall allow contact with a person, or any officer, employee or agent of a person, who has submitted a bid to the Board unless the bid call has been awarded or the contact is for the purpose of receiving a complaint.
48.
  - (1) The Chief Purchasing Officer shall not open and consider any bid, or otherwise acquire any goods or services from an elected official, officer or employee of the Board or Region unless the elected official, officer or employee obtains approval from the Board prior to the close of the bid call or the acquisition of the goods or services.

- (2) The Chief Purchasing Officer shall not acquire a good or service with a value exceeding \$20,001 based upon an unsolicited offer from a person unless the Chief Purchasing Officer obtains approval from the Board prior to the acquisition.

## **PART XXII – ADMINISTRATION**


49. This By-law may be cited as the “Board’s Purchasing By-law”.
50. (1) Any complaint that the Board failed to abide by the provisions of this By-law that is significant in nature shall be reported to the Chief and the Chief shall investigate the complaint and report to the Board as necessary unless the complaint involves the Chief, in which case, it shall be reported to the Board for investigation.
- (2) A failure to adhere to the provisions of this By-law shall not render any acquisition, contract or other document to be void or voidable.
- (3) The Board may waive any provisions or requirements of this By-law.
51. The Chief Purchasing Officer, in the administration of this By-law, shall abide by all of the laws of Canada, the Province of Ontario and such other bodies having lawful jurisdiction.
52. If any section or sections of this By-law or parts thereof are found by any Court to be invalid or beyond the power of the Board to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent therefrom and shall continue in full force and effect unless and until similarly found invalid or beyond the power of the Board to enact.
53. The Chief and the Director of Finance shall review the effectiveness of this By-law every five (5) years and report to the Board as necessary.
54. (1) This By-law shall come into effect on January 1, 2024.
- (2) By-law 18-02 of The Regional Municipality of Waterloo Police Services Board, and any amendments, shall be repealed effective on the coming into force and effect of this By-law.
- (3) Notwithstanding subsection (2) of this section, By-law 18-02 of The Regional Municipality of Waterloo Police Services Board, and any amendments, shall continue to apply to all bid calls commenced before its repeal.

By-law read and passed in the Board Chambers of The Regional Municipality of Waterloo Police Services Board this 13<sup>th</sup> day of December 2023.



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Karen Redman, Chair



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Meghan Martin, Executive Assistant

## SCHEDULE "A"

1. Goods or services with a value less than \$75.00 (petty cash items)
2. Meals, travel and hotel accommodation
3. Conferences, conventions, workshops and seminars
4. Memberships in associations
5. Outside legal counsel
6. Goods or services required for litigation
7. Appraisal and real estate services
8. Permits, certificates, licences and other approvals acquired through a government or regulatory body
9. Investments
10. Insurance services
11. Postage, water and sewer
12. Goods with a historical, artistic or cultural significance
13. Advertisements and public notices
14. Medical, dental and laboratory services
15. Child care services
16. Funeral services
17. Temporary help services
18. Services for the purpose of carrying out an investigation.
19. Fiscal Agency Services

The foregoing list of goods and/or services may be acquired through and by virtue of budgetary approval for such, collective agreement obligations and/or separate authority conferred by the Board and falls within the authority of the Director of Finance or the Chief.