



Bylaw Number 10

Concerning Procurement

Adoption into force:
February 22, 2010

Amended:
February 22, 2010
February 24, 2014
February 23, 2015
February 22, 2016
November 30, 2016
April 13, 2022

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Article 1 PREAMBLE & DESIGNATION

1.01 Preamble

- g) **Contract for goods on demand:** a contract with one or more suppliers used when needs are recurrent and the quantity, rhythm or frequency of the goods are uncertain.
- h) **Contract for services on demand:** a contract with one or more service providers used when needs are recurrent and the number of requests, rhythm or frequency of the execution of the service is uncertain.
- i)
- j) **Contract Rules Compliance Officer:** the individual so named by the Board of Governors to this position as required under the Contracts Act.
- k) **Contractor:** in the context of a construction contract, a legal person (other than a non-profit organization), a professional recognized by the _____ or a self-employed worker.
- l) **Goods:** any physical item having intrinsic value, excluding money, securities and negotiable instruments.
- m)
- n) **Invitation to tender:** a notice to individual vendors inviting them to bid on supplying goods or services or on a construction project.
- o) **Procurement:** Complete process of obtaining goods and services—from preparation and processing of a requisition through to receipt and approval of the invoice for payment. Also called sourcing, it involves (1) purchase planning, (2) standards determination, (3) specifications development, (4) supplier research and selection, (5) value analysis, (6) financing, (7) price negotiation, (8) making the purchase, (9) supply contract administration, (10) inventory control and stores, and (11) disposals and other related functions.
- p) **Proposal:** a bid or quote in response to an invitation to tender or public tender.
- q) **Public tender or public call for tenders:** an open invitation to vendors to bid on the electronic tendering system designated under the Contracts Act. The **public tender threshold**, or the amount from which this system must be used, can be found in the College policy for the procurement and management of contracts.
- r) **Purchase:** the purchase or lease of goods, including their installation, implementation and maintenance.
- s) **Purchasing Agent:** is defined in Article 8, below.
- t) **Purchasing Department:** an administrative unit under the direction of Plant & Facilities, generally responsible for purchasing activities in the College.
- u) **Service:** work, other than that concerning the integration of arts into the architecture and environment of government buildings and sites, performed by persons, be they

physical or legal, who are not employees of the College. Services not covered by an employment contract but performed by employees are also subject to this bylaw.

v) Service provider: in the context of a service contract, a legal person (other than a non-profit organization), a professional recognized by the _____ or a self-employed worker.

w) Specifications (specs):

Article 4 POLICY

4.01 General Policy on Procurement

The College acquires goods and services at the best overall price while meeting the following requirements:

- I. Preference is given to:
 - a.

Article 6 THRESHOLDS FOR COMPETITIVE AND DIRECTED BIDS

6.01 General Procedures

The rules for tendering set forth in the Contracts Act are followed. Specific rules may apply for services, supply or construction.

The College may not amend a contract for the purpose of avoiding the obligation to make a public call for tenders or any other obligation under the Contracts Act.

In all cases, an explanatory note by the req

7.04 Disclosing Personal Interests

Participants in the analysis of a proposal who learn that they have an interest in relation to one or the other of the bidders must notify the Purchasing Department in writing immediately, indicating the nature of the interest.

7.10 Publication of Contracts – Public Tenders

Contracts concluded following a public call for tenders must be published in the electronic tendering system designated by the Contracts Act within the deadline determined by regulations of the Contracts Act following the awarding of the contract.

8.04 Authorized Purchasing Agents

- 9.03 For contracts with an initial value of up to \$100,000, the authority of the Chief Executive Officer under the Contracts Act and under the Workforce Management Act is delegated to the Director General.
- 9.04 Notwithstanding clauses 9.02 and 9.03 and provided the amount of the potential contract is \$500,000 or less, the Director General is delegated the authority to sign any mandate on behalf of the College to participate in any joint call for tenders with other public bodies. This includes any mandate to group purchasing agents, such as the Service des achats regroupés of the Fédération des cégeps. The Director General will report on all mandates given at the subsequent Executive Committee and Board of Governors meetings.
- 9.05 Approvals of amendments within 10% of the original contract value, and under \$300,000, are delegated to the Director General.
- 9.06 The representative designated to appoint selection committee secretary and members, and ensure member rotation is the Director General.
- 9.07 The rejection of a tender with an unusually low price, as well as the appointment of the members to a committee form 0.272 0 Tef10.5f2.6 (i)2.Dtat 0 Td()Tj-0.0urm pos10.5 (des)-1,t (egat)