

Category: Finance
Policy Number: 3-1
Policy Name: Procurement of Goods and Services

Principles:

The Waterloo Public Library’s procurement policy is designed to support the following general principles:

- Effectiveness
- Objectivity
- Fairness
- Openness and transparency
- Accountability
- Efficiency

As required by legislation, the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, the Library shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

If it is not practicable to incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, it shall provide, upon request, an explanation.

The intent of this requirement is that the Library incorporate accessibility criteria and features into their procurement practices so that goods, services, and facilities are more accessible to people with disabilities, unless it is not practicable to do so.

Accessibility Features and Criteria:

Accessibility features and criteria must be considered and incorporated, where possible.

Features:

Accessibility features include technical features (e.g., software), and structural features (e.g., physical design, including hardware or product specifications).

Criteria:

Organizations make decisions on what goods, services, or facilities they procure based on different criteria. For example, they may consider quality, cost and delivery terms. Additionally, some organizations may consider environmental or manufacturing criteria, i.e., more value is placed on products that meet green initiatives or are made-in-Ontario products. Another criterion that could be included is accessibility training. This may be important for organizations when hiring another organization to provide services for them.

Self-Serve Kiosk Procurement:

The Library shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks. The intent of this requirement is that the Library offer services and/or products through self-service kiosks take steps to make them accessible, on a go forward-basis, to people with disabilities so they can be used independently and securely.

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A self-serve kiosk that uses touch-screen technology may be difficult, or impossible, to use for people who are blind or have low-vision unless an alternate (non-visual) mode of operation, such as an accessible tactile keyboard, is made available.

Self-Service Kiosks Accessibility Features:

When determining what accessibility features can be included in the design or purchase of a kiosk. Organizations may consider technical features, structural features, and the access path to the kiosk.

Technical features include:

- Colour contrast on the display screen
- Options to increase font size, as well as allowing for extra time to complete tasks
- Voice activating equipment
- Visual and non-visual modes of operation

Structural features include:

- Height and stability of the kiosk
- Headset jacks with volume control
- Specialized keypads or keyboards

Access path features include:

- Reach ranges for people using mobility aids
- Proximity of the kiosk to other objects

Purpose:

The purchasing objectives of the Waterloo Public Library are to:

- Procure by purchase, rental or lease the necessary quality and quantity of goods and/or services including professional and consulting services, in an efficient, timely and cost-effective manner, while maintaining the controls necessary for a public institution
- Encourage the most open, competitive bidding process practicable for the acquisition and disposal of good and/or services for the Library
- Ensure the objective and equitable treatment of all vendors, and to provide all qualified vendors with an opportunity to offer their goods or services to the Library
- Consider all costs, including but not limited to: acquisition, operating, training, maintenance, quality, warranty, payment terms and disposal value and disposal costs, in the evaluation of bid submissions
- Participate with other municipal departments, libraries and government agencies in cooperative purchasing plans and tendering

Authority:

Procurement activities shall be subject to the *Ontario Public Libraries Act*, the specific provision of the *Municipal Act*, and all other relevant federal and provincial legislation.

The CEO is authorized to act on behalf of the Board as the legal purchasing agent for the Waterloo Public Library.

The CEO will be responsible for monitoring adherence to the provisions of this policy and the procedures adopted for its use.

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The CEO shall also be responsible for maintaining good vendor relations and for the conduct of all negotiations with vendors.

All inquiries regarding materials, prices, services, delivery, terms conditions and adjustments, are to be conducted by or through the CEO.

Contract documents or instruments in writing requiring the signature of the Board must be signed by the Chair, Vice-Chair or a delegated trustee from the Board and shall be binding upon the Board without any further authorization or formality. The Chair, Vice-Chair, CEO, Deputy CEO or a designated member of the Board and staff, may provide a single signature for the payment of goods and services up to \$3,500. For purchases of \$3,500 or more, two signatures are required which must include two of the Chair, Vice-Chair, CEO, Deputy CEO or a designated member of the Library Board and staff.

Library Board members may not independently approve nor acquire any goods or services for the Library.

General Conditions:

No requirement for goods or services may be divided into two or more parts to avoid the provisions of this policy.

The use of standards in procurement documentation that have been certified, evaluated, qualified, registered or verified by independent, nationally-recognized and industry-supported organizations (such as the Standards Council of Canada) shall be preferred.

Procurement documentation shall avoid the use of specific products or brand names.

Notwithstanding the above, the Library may specify a specific product, brand name or approved equal for essential functionality purposes to avoid unacceptable risk or for some other valid purpose. In such instances, the CEO shall manage the procurement to achieve a competitive situation if possible.

The acquisition of items listed in Appendix A is considered recurring or non-competitive expenditure and does not fall under the guidelines of the Library's procurement policy. It shall be subject to the procedure in effect at the time of purchase.

Where the authority to enter in a contract for the purchase of goods and services is a decision which is solely within the jurisdiction of the City of Waterloo, the Library Board will follow the terms and conditions of the *By-Law No.03-42: By-Law to Establish Procurement Policies and Procedures for the City of Waterloo* and use the services of the corporate Purchasing Officer. Reports will be submitted to the Library Board.

Conflict of interest:

Purchase by the Library of any goods or services for personal use by or on behalf of any Library Board member, Library staff member, member of Council, appointed officers, employees of the City of Waterloo, or their immediate families is prohibited unless authorized by the Library Board.

The acceptance of gifts, benefits, money, discounts, favours or other assistance by Library Board or Library staff members is prohibited.

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Purchases by the Library from any Library Board member or Library staff member or their immediate families or from any other source that would result in a conflict of interest is prohibited, unless such interest has been declared pursuant to the *Municipal Conflict of Interest Act*. Library staff and Board members shall not have a pecuniary interest, either directly or indirectly, in any contract with the Library or with any person acting for the Library in any contract for the supply of goods or services for which the Board pays or is liable, directly or indirectly to pay, unless such interest has been declared to the Board. Library staff and Board members are required to declare any pecuniary interest, either direct or indirect, in writing.

Legal review:

All bid solicitations and contracts of \$50,000 or more must be reviewed and approved by the Library's legal counsel.

All contractual agreements that exceed \$100,000 must be reviewed by legal counsel, who shall provide written confirmation of the review and the acceptability of the agreement.

Method of Procurement:

Note: Dollar amounts are the estimated value of the goods or services, inclusive of all taxes and delivery charges. All quotes or proposals must be maintained on file.

Purchase Orders:

Purchase orders are required for all transactions of \$50 or more, up to \$100,000.

\$0 to \$25,000

A verbal quotation shall be obtained by telephone or in-person, documented in writing and kept on file with the purchase order.

\$25,000 to \$100,000

Three written quotations shall be obtained on vendor letterhead. Requirement for goods or services may be posted on the Internet to encourage the best possible competition and to secure quotes from many qualified vendors, may be sent to selected qualified vendors.

\$100,000 to \$500,000

A Request for Proposal (RFP) must be issued. RFPs must be posted publicly as appropriate and/or may be sent to selected qualified vendors.

RFPs must be received by a designated date and time, and are to be delivered directly to the Business Office at the Waterloo Public Library.

The CEO and the Manager, Finance & Facilities must be present at a public opening of the tenders and RFPs. If only one tender is received, the Library has the option of not opening the bid and closing the call for RFP.

\$500,000 and over

Financial commitments of \$500,000 and more must be reviewed by the Library Board.

Credit card purchases:

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The CEO is authorized to use a corporate credit card for making Library purchases only. No personal use is allowed. The CEO is also authorized to use the credit card for payment of accommodation and meals for Library staff or Board members who are travelling on behalf of the Library.

Single source purchases are permitted when:

- There is only one available supplier of a required product or service that meets the needs of the Library
- Items are being acquired for test or trial use
- The Library is exercising purchase options or rental contracts
- Items being acquired are compatible with existing equipment, furniture or systems where there is only one manufacturer or distributor
- Items being acquired are unique, custom or historical
- Items being acquired are proprietary purchases, or are covered by patent or copyrights
- The purchase qualifies as an emergency purchase, as defined in this policy

Document Record:

October 2004	Initial Release
May 2014	Reviewed
March 2018	Reviewed
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Appendix “A”

Recurring or non-competitive Expenditures Exempt from the Provisions of Waterloo Public Library’s Procurement Policy

- 1. Petty Cash Items**

- 2. Training and Education**
 - Conferences
 - Courses
 - Conventions
 - Memberships
 - Seminars
 - Periodicals
 - Magazines
 - Staff training
 - Staff development
 - Staff workshops
 - Subscriptions

- 3. Employee Expenses**
 - Advances

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- Meal allowances
- Travel & Hotel accommodation
- Entertainment
- Miscellaneous

4. Employer’s General Expenses

- Payroll deduction remittances
- Licenses (vehicles, elevators, radios, etc.)
- Debenture payments
- Grants to agencies
- Payments of damages
- Tax remittances
- Charges to/from other Government or Crown Corporations
- Employee income

5. Utilities

- Postage
- Water and sewage charges
- Hydro
- Internet