

1) Section 3 Definitions and Interpretation

“City Manager” means the City Manager *and includes the Hamilton Chief of Police.*

“Council” means the Council of the City of Hamilton *and includes the Hamilton Police Services Board.*

“General Manager” means the head of a City Department and includes the Medical Officer of Health and the City Manager *and the Hamilton Chief of Police.*

2) Section 4.12 Cooperative Procurements

- (6) In the absence of an applicable City Contract, *the Hamilton Police Service may purchase Goods and/or Services using established contracts issued by the Police Cooperative Purchasing Group.* For these contracts, the selection of the vendor must have been made through a competitive procurement process and the resulting contract must permit the Hamilton Police Service to purchase from that vendor under the same terms and conditions.

3) Schedule B – Exemptions

(2) Professional Services

- (d) Outside Legal Counsel where retained by the City Solicitor or the Director of Employee & Labour Relations *or Hamilton Police Service Legal Counsel.*

KW/D. Ciardullo/D. Bowman

Attachment: *Revisions to Procurement Policy – March 2016*

cc: Deputy Chief Eric Girt, Community Policing

Superintendent Jamie Anderson, Corporate Services

John Randazzo, Chief Accountant

Revisions to Procurement Policy, March 2016

By-Law 16-070
Approved by Council March 9, 2016

LEGEND:

Blue font indicates brief description of the change made to Policy.
Black font indicates a significant change to the wording in Policy.
Red font indicates a slight change of specific words in Policy.

RESPONSIBILITIES & PROHIBITIONS OF PROCURING GOODS AND/OR SERVICES

SECTION 2

New clause added.

(5) Procurement Sub-Committee Responsibilities

The Procurement Sub-Committee shall:

- (a) Review and give input to the biennial report recommending any changes to the Procurement Policy in accordance with Policy #20 – Review of the Procurement Policy.
- (b) Be delegated the authority to impose a temporary ban upon a vendor in accordance with Policy #1 – Vendor Eligibility.

DEFINITIONS AND INTERPRETATION

SECTION 3

Definitions slightly changed for clarity.

“Authorized Delegate” means the person who has been delegated by Council an Approval Authority and includes any other person further sub-delegated such Approval Authority in accordance with the Procurement Policy. An Authorized Delegate includes a person authorized to act on their behalf temporarily.

“Cooperative Procurement” means coordination of City purchases with purchases of other government bodies, public authorities, conservation authorities, municipalities, academia, schools and hospitals (MASH) sector and not-for-profit organizations.

“General Manager” means the head of a City department or person authorized to act on their behalf temporarily, and includes the Medical Officer of Health and the City Manager.

New definition added.

“Joint Venture” means an association of two or more persons who combine their expertise and resources in a single joint business enterprise to qualify, bid, and perform the Contract. Joint Ventures, sometimes referred to as a consortium, may take the form of a partnership or special purpose vehicle. All persons of a Joint Venture must be eligible persons.

Revisions to Procurement Policy, March 2016

POLICY # 5.2 - Request for Quotations (\$10,000 – up to but not including \$100,000)

SECTION 4.5.2

New clause added. New requirement for multi-year RFQs.

- (3) Any multi-year Request for Quotations, including any contract with option(s) to extend, issued by the Client Department must be reviewed and approved by the Procurement Section prior to the RFQ being issued. As well, all Bids received in response to a multi-year Request for Quotations and any award recommendation shall also be reviewed by the Procurement Section to ensure compliance with the RFQ this Policy #5.2.

POLICY # 5.4 - Request for Proposals (\$10,000 and greater)

SECTION 4.5.4

Only format of wording revised for clarity. No other change.

- (7) Where only one Bid has been received in response to a Request for Proposals and
 - (a) is non-compliant; or
 - (b) has successfully passed the technical proposal requirements and the Bid is non-compliant,the Manager of Procurement in conjunction with the Client Department may proceed to negotiate the changes required to achieve an acceptable Bid, provided that such changes will not alter the general nature of the requirement described in the Request for Proposals.
- (8) Where the Bid being recommended for award is in excess of budgeted funds, the General Manager of the Client Department in consultation with the Manager of Procurement may enter into negotiations with the vendor submitting that Bid, provided that it is agreed by both the City and the vendor that the changes required to achieve an acceptable Bid will not alter the general nature of the requirement described in the RFP.

POLICY # 7 - Construction Contracts

SECTION 4.7

New clauses added. Expands use of Policy #7.

- (4) Where additional consultancy work is required to oversee or administer the additional construction work referred to in subsection (3), and the consultancy services were not issued as a Policy #9 Consulting and Professional Services roster assignment, Policy #10 Emergency - Procurements or Policy #11-Non-competitive Procurement, the General Manager of the Client Department may authorize the payment for such consultancy work and approve any required purchase acquisition documents, including a completed *Construction Contracts Form*.
- (5) The *Construction Contracts Form* shall detail what additional construction or consultancy work was required to address the unexpected circumstances. Such additional work shall not expand the scope of the work but shall have been determined to be necessary in order to deliver the original approved work.

Revisions to Procurement Policy, March 2016

PROCUREMENT POLICY POLICY # 1 - Vendor Eligibility

SECTION 4.1

New clauses added. Allows ability to impose temporary ban by Procurement Sub-Committee.

- (9) Where the Procurement Sub-Committee is satisfied that there is sufficient evidence of act(s) or omission(s) described in this Policy #1 on the part of a vendor, the Sub-Committee may impose a temporary ban upon the vendor from competing or being awarded any City Contract while an investigation is being conducted by the Manager of Procurement. The ban may be up to 12 months. The Procurement Sub-Committee's decision shall be final with respect to the temporary ban.
- (10) Where a temporary ban is imposed under subsection (9), the Manager of Procurement shall, prior to the expiry of the temporary ban, report to the appropriate standing committee of Council the status of the investigation and any recommendations for further action.

POLICY # 2 - Approval Authority

SECTION 4.2

Chart expanded to include Policy 2 and Policy 13. See chart attached.

Additional wording added for clarity.

- (d) The following chart indicates the approval authorities for various Procurement Policies in accordance with this Policy #2 as well as the persons having the authority to execute contracts in accordance with Policy #13 Authority to Execute Contracts.

POLICY # 5 - Determining the Procurement Process

SECTION 4.5

Additional wording added for clarity.

- (2) The dollar values identified in this Procurement Policy represent the annual estimated procurement value for a Good and/or Service to be procured. The annual estimated procurement value is the cumulative value of a particular Good and/or Service in one calendar year. For multi-year Contracts, the estimated total procurement value over the term of the Contract, including any renewal periods, shall be used as the basis for determining which procurement process and Approval Authority applies.

Revisions to Procurement Policy, March 2016

POLICY # 9 - Consulting and Professional Services

SECTION 4.9

New dollar threshold for Roster Assignments.

- (2) A Consulting and Professional Services roster will be established every two years through a formal Request for Rostered Candidates process. Work assignments presented to vendors on an approved list (rostered candidates) will be distributed on a rotational basis as well as a "best fit" basis and having an estimated procurement cost of less than \$150,000.

POLICY # 11 - Non-competitive Procurements

SECTION 4.11

New clauses added.

- (2) Council must approve any requests for negotiations with a single source as set out in subsection (1)(b) of this Policy # 11, where the cumulative value of the Policy 11 exceeds a multi-year value of the proposed procurement is \$250,000 or greater. For greater clarity, the total cumulative value of a Policy 11 shall not exceed \$250,000 in any given year or multiple consecutive years.

TOTAL CUMULATIVE VALUE (\$, Canadian, Not including tax)	APPROVAL TO INITIATE POLICY # 11 PROCESS	APPROVAL TO ENTER INTO CONTRACT
\$10,000 or greater	General Manager	Policy # 2 – Approval Authority
\$250,000 or greater for single source type purchases	Council	Council as per Policy # 2 – Approval Authority

- (4) The Goods and/or Services shall be procured through a Purchase Order, a formal Contract or any other process as approved by the Director of Financial Services & Corporate Controller.
- (5) Where consultancy services are being procured and are in excess of \$100,000, a formal Contract shall be required.
- (6) All formal Contracts shall be in a form satisfactory to the City Solicitor.

Revisions to Procurement Policy, March 2016

POLICY # 12 - Cooperative Procurements

SECTION 4.12

Not-for-Profit organizations were added to the list of agencies in which the City can participate with in cooperative procurements.

POLICY # 14 - Standardization

SECTION 4.14

New clause added.

- (3) Where a standardized Good can be procured from more than one vendor that Good shall not be considered a single source purchase.

Table was revised.

- (4) Standardization Approval Summary Table

Standardization Type	Total Cumulative Value (\$)	Duration of the Standard	Approval Required	Expiry
Standardization does not result in a single source purchase.	Less than \$100,000	No more than 5 years	Manager of Procurement or The Standards and Approved Products Committee*	At the conclusion of the contract term.
Standardization does not result in a single source purchase.	Less than \$100,000	Greater than 5 years	Council or The Standards and Approved Products Committee*	As approved by Council or The Standards and Approved Products Committee.
Standardization does not result in a single source purchase.	\$100,000 or greater	Any	Council or The Standards and Approved Products Committee*	As approved by Council or The Standards and Approved Products Committee.
Standard results in a single source purchase.	\$10,000 or greater	Any	Council or The Standards and Approved Products Committee*	As approved by Council or The Standards and Approved Products Committee.

*Approvals made by The Standards and Approved Products Committee shall only be within the committee's mandate as approved by Council.

Revisions to Procurement Policy, March 2016

POLICY # 16 - Disposal of Surplus and Obsolete Goods

SECTION 4.16

The word “Obsolete” was added to this Policy.

POLICY # 18 - Vendor Complaint Resolution

SECTION 4.18

New clauses added.

- (3) The scheduling of any meeting with the Manager of Procurement or applicable General Managers shall take place within three business days of the Manager of Procurement's receipt of the vendor's written request to meet so as not to delay the award of a contract. The Manager of Procurement shall provide the vendor with proposed dates and times for the meeting. The vendor shall be required to respond with their availability and attend a meeting at one of the proposed day and times otherwise have their complaint denied.
- (4) The request for any meeting with the applicable General Managers may be denied. For instance, where the applicable General Managers have determined that it would be inappropriate or where there is no merit to the complaint.

SCHEDULE B – Exemptions

Additional wording added for clarity

- (1) Government agencies, regulatory bodies, licensing agencies, other public authorities and non-for-profit organizations accountable to the Ontario government and municipalities to which the City is required to remit to or pay a fee.

POLICY # 2 - Approval Authority

SECTION 4.2

PROCUREMENT POLICY		ESTIMATED PROCUREMENT VALUE (\$, Canadian Funds, exclusive of applicable taxes)	APPROVAL AUTHORITY POLICY #2	AUTHORITY TO EXECUTE CONTRACTS POLICY #13 *
Policy # 5.1	Low Dollar Value Procurements	Up to but not including \$10,000	General Manager or Authorized Delegate	Person who exercised the Approval Authority for the procurement.
Policy # 5.2	Request for Quotations	\$10,000 to \$99,999	General Manager or Authorized Delegate	Person who exercised the Approval Authority for the procurement.
Policy # 5.4	Request for Proposals	\$10,000 to \$99,999	General Manager or Authorized Delegate unless any of the conditions in subsection (3) of Policy #2 apply, then Council approval is required.	General Manager and City Manager
Policy # 5.3	Request for Tenders	\$100,000 to \$249,999	City Manager or Authorized Delegate unless any of the conditions in subsection (3) of Policy # 2 apply, then Council approval is required.	General Manager and City Manager
Policy # 5.4	Request for Proposals		For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the conditions in subsection (3) of Policy # 2 apply, then Council approval is required.	General Manager of Public Works and City Manager

PROCUREMENT POLICY	ESTIMATED PROCUREMENT VALUE (\$, Canadian Funds, exclusive of applicable taxes)	APPROVAL AUTHORITY POLICY #2	AUTHORITY TO EXECUTE CONTRACTS POLICY #13 *
Policy # 5.3 Request for Tenders Policy # 5.4 Request for Proposals	\$250,000 or greater	Council a) where the funds to procure the goods and services have been previously approved through the budget process;	General Manager and City Manager
		b) for all other Contracts; c) where any of the conditions in subsections (3) and (4) of Policy # 2 apply.	City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract
		For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the conditions in subsection (3) of Policy # 2 apply, then Council approval is required.	General Manager of Public Works and City Manager
Policy # 7 Construction Contracts (applicable to existing contracts with unexpected circumstances)	\$10,000 or greater	General Manager (Policy #7 <i>Construction Contracts Form</i>)	Where the existing contract requires a formal amendment, same persons as existing contract.
Policy # 10 Emergency Procurements	\$10,000 or greater	General Manager	General Manager

PROCUREMENT POLICY		ESTIMATED PROCUREMENT VALUE (\$, Canadian Funds, exclusive of applicable taxes)	APPROVAL AUTHORITY POLICY #2	AUTHORITY TO EXECUTE CONTRACTS POLICY #13 *
Policy # 11	Non-competitive Procurements (single source)	Up to but not including \$250,000	General Manager	General Manager
		\$250,000 or greater	Council	City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract.

*(persons authorized to execute the Contract and all necessary associated documents.
Includes persons in an acting position)

HAMILTON POLICE SERVICES BOARD**- RECOMMENDATION -**

DATE: 2016 April 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Kenneth Weatherill
Acting Chief of Police

SUBJECT: *The Power of Our Voices Project and Funding Agreement through the Department of Justice Canada Victims Fund (PSB 16-062)*

RECOMMENDATIONS:

- a) That the Board approve the acceptance of a Grant in the amount of \$4,700.00 from the Department of Justice Canada Victims Fund to provide for the "Power of Our Voices" Project, facilitated by the Hamilton Police Service Victim Services Branch.
- b) That the Chair of the Board be authorized and directed to enter into said Grant, in a form satisfactory to Legal Counsel to the Hamilton Police Service.



Kenneth Weatherill
Acting Chief of Police**FINANCIAL / STAFFING / LEGAL IMPLICATIONS:**

FINANCIAL ~ n/a

STAFFING - n/a

LEGAL - n/a

BACKGROUND:

The "Power of Our Voices" Project is a program proposed by the Victims Services Branch and planned for the Victims and Survivors Week between May 29, 2016 and June 4, 2016.

The objective of the Project is to raise awareness about issues facing victims and survivors of crime and to educate them on services, assistance, and laws in place to help victims, survivors and their families.

Events planned and funded through the Grant will be a Death Notification Workshop, to teach victim support workers and other personnel the most current, proven, and compassionate approaches to death notification.

Further, an event to educate our youth and citizens about the dangers of drinking and driving and empower them to make safe choices for themselves and their friends to reduce the risk of crash, death and injury, is planned.

Finally, the funding will allow for an enhanced Opening Ceremony and Plaque Re-Dedication with a Victim Services Open House to follow. Resource materials will be provided, available to support victims and empowering friends and families of those killed or injured to take control of their own grieving process and begin to heal.

KW/M. Worster

cc: Deputy Chief Eric Girt, Community Policing

Inspector Mike Worster, Community Mobilization Division

John Randazzo, Manager of Finance/Chief Accountant