

Category: Finance
Policy Number: 3-1
Policy Name: Procurement of Goods and Services
Revision: 2.0

Principles:

The Waterloo Public library's (WPL) procurement policy is designed to support the following general principles:

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

As required by legislation (AODA) WPL 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 WPL 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:

WPL shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks. The intent of this requirement is that WPL 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.

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 – includes the colour contrast on the display screen and the options to increase font size, as well as allowing for extra time to complete tasks. Other technical features include voice activating equipment and visual and non-visual modes of operation, etc.

Structural features – includes the height and stability of the kiosk, headset jacks with volume control, and specialized keypads or keyboards, etc.

Access path – includes reach ranges for people using mobility aids, the proximity of the kiosk to other objects, etc.

Purpose:

The purchasing objectives of the Waterloo Public Library are to:

1. 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;
2. Encourage the most open, competitive bidding process practicable for the acquisition and disposal of good and/or services for the library;
3. 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;
4. Consider all costs, including but not limited to: acquisition, operating, training, maintenance, quality, warranty, payment terms, disposal value and disposal costs, in the evaluation of bid submissions.
5. 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.

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 delegated 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.

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. For transactions greater than \$100,000, a Request for Proposal (RFP) is required.

\$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.

For consulting services, a written submission outlining the specifics of the project and the consulting service to be provided must be obtained.

\$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.

For consulting services, a minimum of three written submissions outlining the specifics of the project and the consulting service to be provided must be obtained. A panel comprised of the CEO and two senior library staff will review and evaluate all submissions. The evaluation will be documented and maintained on file. If three quotations cannot be obtained, approval is required by resolution of the Library Board.

\$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.

All RFPs that are issued by the library will be numbered.

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 two senior staff members from the library 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.

For consulting services, an RFP must be issued. Proposals for consulting services will be evaluated by the CEO, Manager, Finance and a senior manager familiar with the project or goods and services being provided.

The CEO will prepare a report to the Library Board for the approval of the RFP. Following approval by the Board, a purchase order will be issued.

\$500,000 and over

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

Credit card purchases

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

Single source purchases must be reviewed and approved by the CEO.

Emergency purchases:

Emergency purchases are permitted when there is an immediate and serious need which may affect the life, safety, health and/or welfare of the general public, staff or the protection of public property, or to prevent serious damage, disruption of work, or to restore or to maintain essential library service to a minimum level.

Emergency purchases are to be made using the most expedient and economical method available, and supported by purchase order and written documentation.

Receipt of goods:

Library staff shall arrange for prompt inspection of goods on receipt to confirm conformance with the terms of any contract, and will report any discrepancies. The appropriate course of action for any non-performance or discrepancies shall be coordinated by staff in consultation with senior management and reported to the CEO.

Disposal of surplus assets:

The disposal of surplus assets shall be managed under the library’s “Policy for Disposal of Surplus Assets”.

Document Revision Record:

Revision Level	Revision Date	Change
1.0	October 27, 2004	Initial Release
2.0	May 28, 2014	Reviewed & Updated
2.1	March 21, 2018	Reviewed and Updated

Approval:

CEO	Board Chair	Date
..... Laurie Clarke Helen Kaluzny	May 28, 2014 March 28, 2018

Appendix “A”

RECURRING or NON-COMPETITIVE EXPENDITURES EXEMPT from the PROVISIONS OF WPL PROCUREMENT POLICY

1. **Petty Cash Items**

2. **Training and Education**
 - a) Conferences
 - b) Courses
 - c) Conventions
 - d) Memberships
 - e) Seminars
 - f) Periodicals
 - g) Magazines
 - h) Staff training
 - i) Staff development
 - j) Staff workshops
 - k) Subscriptions

- 3. Employee Expenses**
 - a) Advances
 - b) Meal allowances
 - c) Travel & Hotel accommodation
 - d) Entertainment
 - e) Miscellaneous

- 4. Employer's General Expenses**
 - a) Payroll deduction remittances
 - b) Licenses (vehicles, elevators, radios, etc.)
 - c) Debenture payments
 - d) Grants to agencies
 - e) Payments of damages
 - f) Tax remittances
 - g) Charges to/from other Government or Crown Corporations
 - h) Employee income

- 5. Professional and Special Services**
 - a) Committee fees
 - b) Witness fees
 - c) Court reporters' fees
 - d) Honoraria
 - e) Arbitrators
 - f) Legal settlements

- 6. Utilities**
 - a) Postage
 - b) Water and sewage charges
 - c) Hydro
 - d) Cable television charges