



# Baie-D'Urfé

## **Annuel report on the application of the contract management by-law**

**Tabled at the council meeting held on February 13, 2024**

## **1. Introduction**

On March 12, 2019, the Town of Baie-D'Urfé adopted By-law number 1068 on contract management (the by-law). It was subsequently amended on July 13, 2021, through the adoption of By-law number 1068-1 amending By-law number 1068 on contract management to promote local purchasing.

In accordance with Article 573.3.1.2 of the *Cities and Towns Act*, R.S.Q. c. C-19, a municipality must submit at least once a year, during a council meeting, a report on the implementation of its by-law.

## **2. Objective**

This report aims to enhance the transparency of the Town's contract management process by informing citizens about the implementation of measures outlined in the by-law. It seeks to demonstrate the good practices established for the sound management of municipal contracts.

## **3. By-law modification**

No modification in 2023

## **4. Statistics of Contracts Awarded for the Period from January 1st to December 31st, 2023**

The City can enter into contracts using the three (3) main solicitation methods:

- a) by mutual agreement;
- b) following a call for tenders by invitation (this method of awarding contracts is no longer used, and has been replaced by requests for quotations);
- c) following a public call for tenders.

The dispositions stipulated in articles 573 and following of the *Cities and Towns Act*, RLRQ c. C-19 (the Act), are respected. The estimated expense for the contract to be awarded is used to determine the solicitation method to be used. When requesting a quotation for the award of a contract by mutual agreement, the justifications for transparency and sound management of public funds must be presented, and measures must be in place to encourage competition and rotation among potential suppliers. The Town keeps an up-to-date list of contracts awarded involving an expense of \$25,000 or more. This list is published on the Quebec government's electronic tendering system (SEAO). In addition, a list of all contracts involving

an expense of more than \$2,000 incurred during the last fiscal year with the same co-contractor, when the total expense exceeds \$25,000, is published on the Town's website.

Here are the contracts over \$25,000 awarded by the Town between January 1, 2023 and December 31, 2023:

Awarding method	Number of contracts	Values of contracts
Public call for tenders	16	\$3,044,938.99
Contract by mutual agreement	25	\$1,777,801.48
Grouping agreement	1	\$94,854.38

## **5. Measures provided by the by-law**

All the measures stipulated in the by-law were introduced into the Town's tendering process during 2023. These measures have been respected and are aimed in particular at :

- ensure compliance with any applicable anti-bid-rigging legislation;
- ensure compliance with the *Lobbying Transparency and Ethics Act*, RLRQ c. T-11.011, and the *Code of Conduct for Lobbyists*, RLRQ c.T-11.011, r.2;
- prevent acts of intimidation, influence peddling or corruption;
- prevent conflict of interest situations;
- prevent any other situation that could compromise the impartiality and objectivity of the tender process and the contract management resulting therefrom;
- govern the decision-making of authorizing the amendment of a contract.

## **6. Complaints and sanctions**

In 2023, no complaints were received and no sanctions were imposed concerning the application of the by-law.

## **7. Conclusion**

In 2023, the City continued to follow the best practices in contract management established during the adoption of the regulation, including:

- a) Verification of the Register of Enterprises Ineligible for Public Contracts is conducted before awarding contracts;

- b) Bids received are verified and analyzed for compliance. Bids that are found to be non-compliant remain documented;
- c) Cost overruns and other contract amendments are allowed solely when they are incidental to the original contract and when they relate to items that could not be foreseen at the time of the contract award. Depending on the amount of expenditures, they are either authorized by employees with the delegation of power to authorize expenditures in accordance with By-law number 1043 concerning delegation, control, and budget monitoring.

In conclusion, the City remains vigilant throughout the municipal contract award process.



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Nicolas Bouchard, general director

05-02-2024

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