

Corporation of the Town of Newmarket

By-law 2019-49

A By-law to amend By-Law 2014-27, being a By-Law to define the Procurement Policies for the Corporation of the Town of Newmarket.

Whereas Section 270 of the Municipal Act, 2001, as amended provides that a municipality shall adopt and maintain policies with respect to its procurement of goods and services;

And whereas Council enacted By-Law 2014-27 to define the Procurement policies and procedures for the Corporation of the Town of Newmarket, hereinafter, called “the Owner”, and it is now deemed necessary to amend By-Law 2014-27;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. THAT Schedule “A” Exceptions to Procurement By-Law 2014-27 (the “By-law”) be amended to include acquisitions from government bodies, non-governmental bodies that exercise governmental authority delegated to them, and non-profit organizations as set out in the Canadian Free Trade Agreement (“CFTA”) and other applicable trade treaties; and
2. THAT that provision “x” of Section 13.6, Single Source, that states the following, “Notwithstanding anything in this by-law, where a purchase is determined by Council to be fair and reasonable and is made from a non-profit corporation supported by the Owner, the Owner may make such a purchase as a single source purchase”, be deleted; and
3. THAT Schedule “D” of the Procurement By-Law include a new Table 9- exceptions for acquisitions with governmental bodies, non-governmental bodies that exercise governmental authority delegated to them and non-profit organizations;
4. THAT the new Table 9 to Schedule “D” delegate authority to staff as follows:

Estimated Procurement Value (Dollar) Threshold Applicable taxes are extra	Method of Procurement	Advertising	Report to	Authority	Contract Agreement Requirements And Parties responsible for Contract Execution
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TABLE 9 – EXCEPTIONS – # 15. Acquisitions with Governmental Bodies, Non-Governmental Bodies that Exercise Governmental Authority to them and Non-Profit Organizations

\$10,000.01 to \$50,000.00	Not Applicable	Not Required	Manager	Manager	Agreement Optional Director and Manager, Procurement Services
\$50,000.01 to \$99,999.99	Not Applicable	Not Required	Director	Director	Agreement Optional Director and Manager, Procurement Services
\$100,000.00 to \$249,999.99	Not Applicable	Not Required	Commissioner	Commissioner	Agreement Optional Director and Manager, Procurement Services
\$250,000 and Over	Not Applicable	Not Required	CAO	CAO	Agreement Optional Director and Manager, Procurement Services

4. THAT this By-law 2019-49 come into force and effect on July 18, 2019.

Enacted this 18th day of July, 2019.

John Taylor, Mayor

Lisa Lyons, Town Clerk