

0CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BYLAW 2024-57

BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN TO AMEND BY-LAW 2022-27 TO INCLUDE AN EMERGENCY PROCUREMENT, GROUP PROCUREMENT AND CONTRACTOR/SUPPLIER CODE OF CONDUCT

WHEREAS, the Council of the Corporation of the Township of Matachewan enacted By-law 2022-27 Governing Procurement Policies and Procedures; and

WHEREAS, the Council of the Corporation of the Township of Matachewan deems it necessary to enact a Procurement Policy to express the principles that the Town will strive to uphold in relation to its procurement operations; describe the roles and responsibilities and delegated authorities for carrying out the Town's procurement activities; and to comply with the requirements of Section 270 of the Ontario's Municipal Act, as amended from time to time;

NOW THEREFORE, the Council of the Township of Matachewan enacts as follows:

**SHORT TITLE
PROCUREMENT BY-LAW**

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**PART VIII
EMERGENCY PROCURMENT**

Notwithstanding any other provisions of this policy, where an emergency exists and time does not permit a competitive process, the Department Head may authorize any employee to acquire required deliverables in an expedited manner.

Where circumstances permit, the Department Head or delegate must notify and work with the CAO to complete the emergency purchase. Where circumstances require the Department Head to proceed without the involvement of the CAO, the Department Head must notify the CAO of the emergency purchase as soon as possible.

IF the value of the emergency purchase exceeds \$100,000 the Department Head must obtain the prior approval of the CAO and, as soon as possible, should the emergency purchase exceed the approved budget, an information report explaining the circumstances of the emergency must be submitted in a timely manner to the Council explaining the circumstances of the emergency purchase.

For the purpose of this policy, an emergency exists when an unforeseeable situation or event occurs that is determined by a Department Head or the CAO to be a threat to any of the following:

1. Public health and/or safety;
2. The maintenance of essential services;
3. The welfare of persons or public property; or
4. The security of the Town's interests.

Situations of urgency resulting from the failure to properly plan for a procurement do not constitute an emergency.

**PART IX
COOPERATIVE PURCHASING AND BUYING GROUPS**

The Town may participate in cooperative or joint purchasing initiatives with other public sector entities where such initiatives are determined by the CAO to be in the best interests of the Town. If the Town participates in such cooperative purchasing initiatives, the Town may adhere to the policies and procedures of the entity conducting the procurement process, provided that such policies comply with the goals and objectives of this policy and the procurement is in accordance with the Town's obligations under applicable trade agreements. If the Town is leading a cooperative or joint purchasing initiative, this policy and the Town's procedures will be followed

The Town may participate as a member of buying groups which administers procurements for its members when determined by the CAO to be in the best interests of the Town. If the Town is a member of a buying group, the Town may procure deliverables through the buying group provided that the procurement process is conducted in a manner consistent with the Town's obligations under applicable trade agreements.

**PART X
CONTRACTOR/SUPPLIER CODE OF CONDUCT**

The Town requires its contractors/suppliers to act with integrity and conduct business in an ethical manner.

All contractors/suppliers participating in a procurement process or providing deliverables to the Town must declare any perceived, possible or actual conflicts of interest and must conduct themselves in accordance with the Contractor/Supplier Code of Conduct Policy in

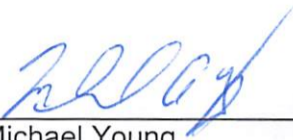
Schedule 'C'

As further described in the Contractor/Supplier Code of Conduct, the Town may suspend a contractor/supplier from bidding on Municipal contracts or termination of a contract in a whole or in part.


**PART XI
ENACTMENT**

AND THAT this by-law comes into force on the day it is passed.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED this 20th day of
November, 2024.



Michael Young
Mayor



Cheryl Swanson
Clerk



CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW 2024-57

SCHEDULE "C"

