

PROCUREMENT POLICY

Council Policy
C 301-25

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Purpose

The purpose of this policy is to establish guidelines for the procurement of goods and services for use by the Town. The policy establishes the basic foundation for sound purchasing procedures.

The Town of Crossfield (The “Town”) is committed to the acquisition of goods and services of the appropriate quality and at the best value for the Town, while treating all vendors equitably. The Town is committed to creating and maintaining a high level of confidence in its purchasing of goods and services necessary for the provision of municipal services, by ensuring integrity, transparency, accountability, efficiency and consistency in its purchasing and procurement processes, while acting within its authority under the Municipal Government Act, R.S.A. 2000, cM-26 as amended or repealed and replaced from time to time (MGA), Canadian Free Trade Agreement (CFTA), and the New West Partnership Trade Agreement (NWPTA).

Scope

This policy applies to all procurement and purchasing activities by the Town Employees when directly or indirectly involved in the acquisition of goods, services, construction, professional services, and consulting services for use by the Town.

1.0 DEFINITIONS

- 1.1 **CFTA** means the Canadian Free Trade Agreement, an intergovernmental trade agreement with the objective of reducing and eliminating, to the extent possible, barriers to the free movement of persons, goods, services, and investments within Canada and to establish an open, efficient, and stable domestic market.
- 1.2 **Chief Administrative Officer (CAO)** means the person appointed by Council to carry out the powers, duties and functions of the position of Chief Administrative Officer, or the person appointed by the Chief Administrative Officer to act as his/her designate.
- 1.3 **Chief Financial Officer** means the person responsible for providing financial leadership and direction of the Town.
- 1.4 **Construction** means a construction, deconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement.
- 1.5 **Contract** means a formal legal agreement between two or more parties, usually written, with binding legal and moral implications; usually exchanging Goods and/or Services for money or other considerations.
- 1.6 **Direct Purchase** means a purchase of a Good or Service direct from a supplier without the sourcing of comparative pricing and is typically the method used for small, incidental, low value purchases where the cost of sourcing comparative pricing outweighs the benefit.
- 1.7 **Emergency** means an unforeseeable situation of urgency and the Goods or Services cannot be obtained in time by means of an open Procurement process.
- 1.8 **Employee** means an individual employed by the Town on a permanent, temporary or casual basis.

- 1.9 **Formal Competitive Process** means a competitive process in which the relative value of the Procurement opportunity is such that all interested Vendors must be given equal opportunity to provide the Town with Goods or Services in response to an identified need.
- 1.10 **Goods** means movable property (including the cost of installing, operating, maintaining or manufacturing such movable property) and includes supplies, materials, raw materials, products, equipment and other physical objects of every kind and description whether in solid, liquid, gaseous, or electronic form.
- 1.11 **Informal Competitive Process** means a competitive process intended for low to medium dollar value Procurements in which invited Vendors are given a reasonable and equal opportunity to provide the Town with Goods or Services in response to identifiable needs.
- 1.12 **Invitation to Tender (ITT)** is the initial step in competitive tendering, in which suppliers and contractors are invited to provide offers for supply or service contracts.
- 1.12 **Limited Tendering** means purchasing from a Vendor without a competitive process which may include: sole source, single source, unique supplier, cooperative purchasing, or emergency purchases.
- 1.13 **Local Vendor** means a vendor that maintains permanent business premises within the Town's corporate limits and holds an in-town business licence issued pursuant to Business Licence Bylaw 2019-20 and any successor policies.
- 1.14 **NWTPA** means the New West Trade Partnership Agreement, an agreement between the governments of British Columbia, Alberta, Saskatchewan and Manitoba to form a barrier-free interprovincial market.
- 1.15 **Procurement** means the acquisition by any means, including by purchase, rental, lease or conditional sale of Goods, Services or Construction, but does not include;
- 1.15.1 any form of government assistance such as grants, loans or equity infusion, guarantees of fiscal assistance; or
 - 1.15.2 government provision of goods and services to persons or other government organizations.

- 1.16 **Request for Proposal (RFP)** is a business document that announces and provides details about a project, as well as solicits bids from contractors who will help complete the project.
- 1.17 **Services** means all services including construction.
- 1.18 **Town** means the Town of Crossfield, a Municipal Corporation of the Province of Alberta.
- 1.19 **Vendor** includes but is not limited to, an individual, firm, partnership, or proprietorship, supplier, contractor, architect, consultant, bidder or tenderer.

2.0 GUIDING PRINCIPLES

Open and Fair Competition

- 2.1 The objective of this Policy is to ensure that Goods and Services are acquired through a fair, open, transparent and competitive process that uniformly balances the interests of the taxpayers with the fair and equitable treatment of Vendors.
- 2.2 The policy will promote and maintain the integrity of the Procurement process and protect council, staff and Vendors involved in the process by providing clear direction and accountability.
- 2.3 All Procurement actions by the Town shall be fair and impartial with no impropriety or appearance of impropriety, that all qualified buyers and Vendors have access to the Town's business, and no source is arbitrarily or capriciously excluded, and that there is the maximum amount of competition for the Town's local businesses.
- 2.4 The Town will strive towards open communication with Vendors throughout the Procurement process. This including providing unsuccessful Vendors with feedback and maintaining records on Vendor's performance under Contracts.
- 2.5 All Procurement procedures and practices must be compliant with the NWPTA and other internal or external trade agreements, all legislation, regulations, Town bylaws, and other relevant sources of law.

Best Value

2.6 The Town encourages the consideration of overall best value in the procurement of Goods and Services. The Town will consider and evaluate the relevant financial and non-financial factors prior to commencing competitive processes. The Town shall select the Vendor that offers the best value consistent with the required quality and service. Factors that will be considered in determining the best value should include, but are not limited to:

- Price, including delivery and implementation or set-up costs;
- Operating costs, including maintenance and life cycle costs;
- Salvage value and disposal costs;
- Asset retirement obligation costs;
- Availability and timeliness of delivery;
- Quality, serviceability and warranties;
- Vendor experience, expertise, capacity and capability to meet predefined requirements;
- References regarding past performance from other customers of the vendor and the Town's previous experience with the vendor;
- Value add benefits to the Town
- Contributions to the local economy through supporting businesses and creation of job opportunities;
- Environmental and ethical impacts of producing the goods and services, and the goods and services themselves.

Efficiency

2.7 Purchasing should be conducted in a manner which seeks to maximize the efficiency of the Procurement process, ensuring that all applicable policies and guidelines are satisfied while minimizing the administrative effort or overhead associated with the Procurement process.

Ethical Practices

- 2.8 The Town is committed to acting ethically in its Procurement practices
- 2.9 Employees shall ensure specifications in Procurement competitions are performance based, accurate and clear.
- 2.10 Employees involved in establishing the specifications of needed Goods or Services, or the evaluation of a Procurement competition must remain free of any real or perceived conflicts of interest with any Vendor or potential Vendor.

- 2.11 Employees shall disclose any real or perceived conflicts of interest with a Vendor or potential Vendor as soon as they become aware of the conflict. Such Vendors will not be disqualified due to the existence of a conflict of interest provided that it is properly disclosed at the outset that the conflicted employee is removed from any portion of the Vendor selection process.
- 2.12 The Town may refuse to do business with Vendors who do not act in good faith towards the Town, whether by failing to live up to the terms and conditions of past or current agreements or contracts with the Town.
- 2.13 Council and Employees are prohibited from purchasing items for personal use through any Town publicly funded purchase arrangement.

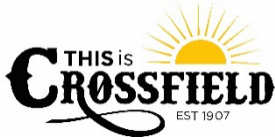
Limited Tender

- 2.14 With the prior written authorization of the Chief Administrative Officer, the Town may acquire Goods or Services through Limited Tender only under the following circumstances:
 - 2.14.1 If, in response to a prior notice, invitation to participate or invitation to tender:
 - a. No tenders were submitted or no suppliers requested participation;
 - b. No tenders were submitted that conform to the essential requirements in the tender documentation;
 - c. No suppliers satisfied the conditions for participation; or
 - d. The tenders submitted were collusive.
 - 2.14.2 If the Good or Service can be supplied only by a particular supplier and no reasonable alternative or substitute Good or Service exists for any of the following reasons:
 - a. The requirement is for a work of art;
 - b. The protection of patents, copyrights or other exclusive rights; or
 - c. Due to an absence of competition for technical reasons.
 - 2.14.3 For the additional deliveries by the original Vendor or its authorized agents, of Good or Services that were not included in the initial Procurement if a change of Vendor for such additional Goods or Services:

- a. Cannot be made for technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial Procurement, or due to conditions under original Vendor warranties; and
 - b. Would cause significant inconvenience or substantial duplication of costs.
 - c. If additional Services that were not included in the initial Contract but that were within the objectives of the original Procurement documentation have, due to unforeseen circumstances, become necessary to complete the Services described therein. However, the total value of Contracts awarded for additional Services may not exceed fifty (50) per cent of the value of the initial contract.
 - d. For purchases made under exceptionally advantageous conditions that only arise in the very short term, such as from unusual disposals, liquidation, bankruptcy or receivership, but not for routine purchases from regular suppliers.
 - e. To the extent that it is strictly necessary if, for reasons of extreme urgency brought about by unforeseeable events, the Good or Service cannot be obtained in time by means of Formal Competitive Process.
- 2.15 In no case shall Limited Tender Procurements be used to avoid competition or discrimination between suppliers.
- 2.16 For each contract awarded in accordance with paragraph 2.14, a report that includes the value and kind of Good or Service procured, and a statement that indicates the circumstances and conditions described in paragraph 2.14 that justified the use of Limited Tendering shall be forwarded to the Chief Financial Officer.

Local Vendors

- 2.17 The Town will engage with local vendors to enhance their understanding of doing business with the Town and how best for Local Vendors to interact with the Town to promote Vendor's services and products. This will include, where reasonable, posting Procurement opportunities on the Town's website and other appropriate communication methods.



- 2.18 The Town may give preference to Local Vendors when the Procurement of Goods or Services is valued at less than the relevant thresholds prescribed in the NWPTA.
- 2.19 Notwithstanding Section 2.17, Procurement decisions shall be decided on the option that represents the best value to the Town as defined in the Best Value Section of this policy.

Emergency Purchases

- 2.20 Emergency purchasing may occur when an unforeseen situation or event occurs which requires serious and immediate attention to safeguard public health, public safety, public property, or the maintenance of essential services.
 - 2.20.1 Failure to adequately plan is not an Emergency.
 - 2.20.2 Emergency purchases are to be completed in an expedited manner, however best value should be considered.

No-Split Procurements

- 2.21 Town Employees shall not split any Procurement or any projects to meet either his/her own signing authority limits or Procurement thresholds as it may be perceived as an attempt to circumvent delegated authority and/or avoid open and transparent competition.

Environmental Considerations

- 2.22 The Town is committed to reducing its environmental impact. Therefore, the Town will integrate environmental performance considerations into as many aspects of the Town's Procurement decision making process as practically possible and reduce the impact of the Town's Procurement practices to the greatest extent practical.

3.0 AUTHORITY AND RESPONSIBILITIES

3.1 Council

Town Council delegates Procurement authority to the Chief Administrative Officer through the budget process and through Council resolutions and bylaws.

3.2 Chief Administrative Officer (CAO)

The CAO or their designee shall oversee the implementation of the Procurement policy, ensuring compliance, and approving purchases within the limits of the Procurement policy. The CAO will delegate Procurement authority to department directors, who may further delegate that authority to appropriate personnel, which shall be conducted in compliance with any established Procurement procedures and practices.

3.3 Chief Financial Officer (CFO)

The CFO shall establish Procurement procedures and practices to provide for the application of this Policy and shall be responsible for implementing and monitoring compliance with the procedures and practices. Procurement practices must protect the financial assets of the Town through an effective, efficient and flexible system of controls that ensure risks are managed prudently without impairing the Town’s ability to acquire the best value in the Goods and Services that it requires to deliver municipal services and achieve the Town’s strategic objectives.

3.4 Departments

Individual departments and sections are responsible for:

- 3.4.1 Identifying specific needs for Goods or Services
- 3.4.2 Acquiring all Goods or Services in compliance with established Procurement procedures and practices.

4.0 PURCHASING

- 4.1 Employees may only make an expenditure that is included in the current year’s budget or approved by resolution of Council.
- 4.2 Summary of Procurement process based on value:

Construction Values	Goods & Services Value	Process
\$0-\$19,999	\$0-\$19,999	Direct Purchase
\$20,000-\$199,999	\$20,000-\$74,999	Informal Competitive Process
\$200,000 or greater	\$75,000 or greater	Formal Competitive Process

4.3 The requirement for an open competition may not apply to the purchase of:

4.3.1 Utility Contracts;

4.3.2 Contracts or agreements pertaining to Employee compensation, reimbursement, training or education;

4.3.3 Purchase or sale of land;

4.3.4 Matters of a confidential nature which may result in harm if published in an open procurement;

4.3.5 Development agreements excluding Construction;

4.3.6 Investments;

4.3.7 Legal services;

4.3.8 Provincial or federal funding agreements and grants;

4.3.9 Corporate or individual council or Employee membership

4.3.10 Various rights of use, easements, encroachments and crossing agreements;

4.3.11 Low value and procurement card purchases.

4.4 Notwithstanding the exception clauses in 4.3 or any exception outlined within agreements or legislation, Employees should ensure that the Town is achieving good value for all purchases.

5.0 CONTRACTS

5.1 All agreements entered by the Town with any Vendor for the Procurement of Goods or Services valued at greater than \$74,999 must be evidenced by a written contract signed by the CAO or their designee.

6.0 CONFIDENTIALITY OF INFORMATION

6.1 The Town is committed to the protection of confidential information from unauthorized access or disclosure in compliance with the Town's obligations and duties under the *Freedom of Information and Protection of Privacy Act*, as amended.

6.2 Employees should not disclose to any unauthorized party any information concerning any Vendor or potential Vendor or any information pertaining to the nature or cost of the Vendor's or potential Vendor's offer to supply or actual supply of Goods or Services to the Town.

7.0 DELEGATION OF PURCHASING AUTHORITY

- 7.1 Council shall approve all annual Operating Budgets, Capital Budget, and long-term Capital Plans for the Town.
- 7.2 The CAO is delegated purchasing authority to purchase, and approve the purchase of, Goods or Services within the limits of a council approved budget on behalf of the Town.
- 7.3 As per the Town’s Chief Administrative Officer Bylaw, and the Municipal Government Act, purchasing authority may be delegated by the CAO to directors, department managers, and other Employees at their discretion. Purchasing authority may also be revoked by the CAO at his or her discretion due to:
 - 7.3.1 Repetitive non-compliance;
 - 7.3.2 Lack of due diligence.
- 7.4 Any Employee granted purchasing authority must ensure that all applicable policies and procedures are followed and the budget approval for the purchase of Goods or Services is in place. Employees must ensure they have control over the budget and that the budget dollars are available during the entire period of Procurement.
- 7.5 Summary of purchasing authority limits:

Position	Purchasing Authority Limits
Council	Approval of budget
CAO	Limited as per budget
Director/CFO/Department Manager	Approved divisional budgets Individual Procurement to \$200,000
Supervisor/Foreman/Fire Chief	Individual Procurement to \$10,000

8.0 POLICY REVIEW

- 8.1 This policy will be reviewed within four years of being implemented and updated as necessary to reflect changes in legislation, market conditions, or operational requirements. Changes will be submitted to Council for approval.



PROCUREMENT PROCEDURE MANUAL

Date Approved by CAO: March 4, 2025

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Future Review Date: March 2028

References: Procurement Policy C 301-25



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1.0 Purpose of this Manual

The Town is committed to the acquisition of Goods and Services of the appropriate quality and at the best value for the Town while treating all Vendors equitably. The Town is committed to creating and maintaining a high level of confidence in its Procurement of Goods and Services, by ensuring integrity, transparency, accountability, efficiency and consistency in its Procurement process, while recognizing the vast impact Procurement has on the environment and acting within its authority under the *Municipal Government Act*, the *Canadian Free Trade Agreement (CFTA)* and the *New West Partnership Trade Agreement (NWPTA)*.

It is important that in the expenditure of public funds the Town maximizes the benefit to the Town and therefore the public. All Town Employees shall pursue Procurement practices which promote the principles of economy, efficiency, effectiveness, equity and environmental responsibility.

The purpose of this Manual is to define roles, levels of responsibility, accountability and general processes to govern Procurement activities of the Town in accordance with the Procurement Policy.

2.0 Procurement Ethics

In all Procurement activities, Town Employees shall embrace high ethical standards, exercise sound judgment and be guided in their conduct by the Code of Conduct Policy HR06 and any successor policies.

2.1 Business Relations with Vendors

It is the responsibility of all Employees involved in Procurement activity to establish a relationship of mutual confidence between the Town and its Vendors, within the confines of applicable policy and law. Employees shall:

- ensure competition is open and fair;
- ensure specifications are generic, accurate and clear;
- employ consistent buying practices; and
- remain free of obligation to any Vendor.

2.2 Conflict of Interest

Employees are to exercise caution when dealing with Vendors or potential Vendors where there is the possibility or perception of a Conflict of Interest, either through a

direct or indirect relationship of any kind. Such Vendor will not be disqualified due to the existence of a Conflict of Interest provided that it is identified, recorded and acknowledged at the outset and proper precautions have been exercised to limit any such Conflict of Interest.

2.3 Equity

In all dealings with Vendors, Employees must ensure that neither advantage nor disadvantage be created. All Vendors must be treated fairly and equally.

2.4 Confidentiality

Subject to the *Freedom of Information and Protection of Privacy Act* (FOIPP), information regarding budget and cost estimates and any other information which may create an unfair advantage shall remain confidential and shall not be released to the public or a single potential Vendor. Further, the Town is committed to ensuring that:

- a) subject to the requirement for a public opening as set out in this Manual, any and all information provided by a potential Vendor during either the Informal or Formal Competitive Bidding Process remain confidential pending Bid analysis and award;
- b) pricing and costs of competing Vendors and the names of Vendors shall not be released prior to award, or prior to public opening;
- c) information made available to potential Vendors shall be limited to the list of potential Vendors and total Contract price; and
- d) information made available to a potential Vendor must be made available to all potential Vendors.

2.5 Sustainability

All Employees engaged in Procurement activities are charged with sourcing Goods and Services that are environmentally and ethically preferred wherever practical and economically feasible, without significantly affecting the intended use of the Goods and/or Services. Procurement specifications are to be reviewed and tailored to ensure that, wherever practical and economically feasible, environmentally and ethically preferred Goods and Services are favoured.

Evaluation Criteria should include such factors as: durability; reusability; level of post-consumer waste and/or recyclable content; and recognized third party eco/ethical certification.

3.0 Roles and Responsibilities

The Town's corporate Procurement model is based on the application of centralized management of Procurement through policy and procedure and primarily decentralized purchasing activity conducted by individual Departments. This model allows Departments to apply their unique skills in decentralized purchasing activities while ensuring the Town applies an overall uniform approach to its Procurement and maintains a high level of confidence in its Procurement process.

3.1 Departments and Individual Employees

Departments and individual Employees exercising Procurement authority are responsible for ensuring that all Procurement activities are carried out in accordance with the Procurement Policy, this Manual and all other applicable policies, procedures, guidelines and legal requirements. Specifically, this includes, but is not limited to:

- ensuring efficient, effective, economic and prudent use of public funds in Procurement activities;
- identifying specific needs for Goods and Services;
- planning appropriately for the Procurement of budgeted Goods and Services;
- consulting with the Chief Financial Officer to identify centralized, pooled or cooperative Procurement opportunities;
- defining requirements and drafting clear, complete, non-biased, performance-based specifications for Procurement opportunities;
- maximizing competition in Procurement activities;
- completing the Procurement cycle (i.e. attending the public tender opening, completing the evaluation, awarding the contract, issuing the Purchase Order or Contract, justifying the award, managing the contract); and
- ensuring all Procurement processes are appropriately and completely documented for records retention purposes.

4.0 Procurement Authority

Unless otherwise approved by Council, all Procurement of Goods and Services must be approved in the annual budget. Formal approval of the budget constitutes approval for Town administration to proceed with the Procurement process. The ability to incur the actual expenditures is delegated to the CAO in accordance with the Procurement Policy. The CAO shall have no dollar limit as long as an item is within an approved budget. The CAO hereby delegates Procurement authority to Town Employees as follows:

Position	Procurement Authority Limit
Director/CFO/Department Manager	Approved divisional budgets; Individual Procurement to \$200,000
Supervisor/Foreman/Fire Chief and *Designated Employees	Individual Procurement to \$10,000

An individual who has been delegated Procurement authority may sign any Procurement document or Contract, within the limits of their delegated Procurement authority, necessary to complete the Procurement and must ensure that the expenditure is within the approved budget. All Employees with delegated Procurement authority are accountable for ensuring that their Procurement activities comply with the Procurement Policy, this Manual and all other applicable policies, procedures, guidelines and legal requirements.

*A list of all Designated Employees and their delegated Procurement authority will be kept on file with the Chief Financial Officer. Directors delegating Procurement authority are required to submit and keep up to date the list of Designated Employees.

5.0 The Procurement Process

Procurement activities, regardless of the nature or value of the Goods or Services being acquired, involve the Town in legally binding relationships with Vendors. It is essential that Employees ensure that consistent ethical business practices are followed and that appropriate documentation is created to reflect the nature and substance of the relationship being established.

Procurement methods reflect the relative value of the Goods or Services being acquired. Procurements are to be conducted in accordance with the following thresholds and processes:

Construction Values*	Goods & Services Values*	Procurement Process
\$0 - \$19,999	\$0 - \$19,999	Direct Purchase
\$20,000 - \$199,999	\$20,000 - \$74,999	Informal Competitive Process
\$200,000 or greater	\$75,000 or greater	Formal Competitive Process

*The Procurement Values above refer to invoice cost exclusive of taxes.

No Procurement is to be divided in order to avoid the requirements of the Procurement Policy, this Manual, or the Town's obligations pursuant to the *Canadian Free Trade Agreement* (CFTA) or *New West Partnership Trade Agreement* (NWPTA).

Where Goods or Services of a similar nature are to be provided on a recurring basis by one or more Vendors, whether over a specified period, a calendar year, or a season, the procurement of these Goods or Services shall follow the same process as applicable to Goods or Services with a total Procurement Value equal to the estimated cost of all such items to be supplied throughout the duration of the contract, the calendar year, or the season, as applicable. The appropriate procedure above will be utilized according to the total dollar value.

5.1 Direct Purchase

- Direct Purchase is reserved for low value/incidental purchases and is intended to expedite the acquisition of Goods and Services and reduce administrative costs.
- Direct Purchases may be made using a Purchasing Card or properly authorized Purchase Order.
- Employees using Direct Purchase must be able to demonstrate that fair market value was achieved in the Procurement.
- Cardholders are responsible for reconciling their Purchasing Card as per the Corporate Credit Card Policy.
- Employees issuing Purchase Orders are responsible for forwarding all completed Purchase Orders, packing slips, and other documentation to accounts payable for processing.

5.2 Informal Competition

- A competitive process intended for low to medium dollar value Procurements in which invited Vendors are given a reasonable and equal opportunity to provide the Town with Goods and/or Services in response to identifiable needs.
- A minimum of 3 quotes must be obtained from Vendors able to supply the Goods or Services, without formal advertising.
- Quotes may be by telephone (documented), fax, email or written proposal in response to a Request for Quotation depending on the nature and complexity of the Procurement opportunity. The Chief Financial Officer is to be consulted to determine which form of quote is appropriate in the circumstances.
- All information provided to Vendors is to be identical.
- The initiating Employee may, in consultation with the Chief Financial Officer, elect to follow the Formal Competition process if deemed appropriate.
- The initiating Employee shall be responsible for conducting this Procurement process, including but not limited to: drafting specifications; completing any

Procurement forms; receiving and evaluating Quotes; issuing the Purchase Order or Contract (Contract review in consultation with Legislative & Administrative Services and/or the Chief Financial Officer); forwarding completed documents to Legislative & Administrative Services for filing.

5.3 Formal Competition

- A competitive process in which the relative value of the Procurement opportunity is such that all interested Vendors must be given equal opportunity to provide the Town with Goods or Services in response to an identified need.
- Opportunities shall be posted electronically to the Alberta Purchasing Connection (APC), by the initiating Director.
- The selection of the appropriate method of Procurement (i.e., Pre-Qualification, Request for Quotation, Request for Proposal, Invitation to Tender, etc.) is to be determined on a case-by-case basis by the initiating Director, in consultation with the Chief Financial Officer, based on the nature of the Procurement opportunity and level of risk exposure.
- The initiating Director will review the Procurement documents and work with the initiating Employee to finalize the documents for posting.
- The initiating Employee shall be responsible for conducting this Procurement process, including but not limited to: drafting specifications; completing any Procurement forms; receiving and evaluating Bids; issuing the Contract (Contract review in consultation with Legislative & Administrative Services and/or the Chief Financial Officer) and forwarding completed documents to Legislative and Administrative Services for filing.

5.3.1 Request for Quotation

- Appropriate for low and medium value Procurements for known Goods or Services;
- Requirements and technical specifications are detailed and provided in the document;
- Unless otherwise specifically stated in the Procurement documents, it is a legally binding document between the Town and all potential Vendors, in accordance with the terms and conditions attached to the Procurement documents and which forms the awarded Contract;
- Lowest priced response that best meets the specifications will be accepted unless Evaluation Criteria are used in which case the highest ranked Bid will be accepted.

5.3.2 Invitation to Tender

- Commonly used for major Construction projects and other high value Procurements;
- Used when the Town knows what to do and how to do it;
- Used primarily when price or cost is the sole award factor; however, it may also be used when criteria other than price are the deciding factor;
- Contains very detailed requirements and technical specifications;
- Terms and conditions are considered mandatory requirements that must be met;
- A legally binding document between the Town and all potential Vendors, in accordance with the terms and conditions attached to the Procurement documents and which forms the awarded Contract;
- Intended to accept the lowest priced, compliant bid without negotiations;
- Should be used when a tight market requires security from the potential Vendors.

5.3.3 Request for Proposal

- Appropriate where a need is identified, but how it will be achieved is unknown at the outset;
- Allows Vendors to propose solutions or methods to arrive at an end product or solution
- Provides Vendors with an opportunity to bid on Goods and/or Services using their unique skills;
- Specifications are general in nature;
- Vendor selection is based on Evaluation Criteria other than only price;
- The Town may negotiate specific terms and conditions of the Contract with the selected Vendor following the closing of Bids;
- Used when the Town wants to take advantage of the flexibility that the Request for Proposals offers with negotiation options;
- Is not legally binding on either party until the Contract is executed.

5.4 Prequalification

Prequalification reduces legal risks, as qualification takes place without worrying about possible contract lawsuits from disqualified Vendors. It cuts the workload by reducing the number of Vendors at an early stage. At the same time, it enforces the New West Partnership Trade Agreement requirements for open and fair competition, having it available to all Vendors.

Prequalification is recommended when:

- a) the complexity of the Procurement requires better knowledge about the potential Vendors that may compete;
- b) a large number of responses are expected and the Town's intention is to short-list and approach only short-listed Vendors; and
- c) the Town does not have sufficient information about the Vendors market.

Prequalification can take the form of an Expression of Interest, Request for Information or Request for Qualification. If the Town intends to proceed with the Procurement opportunity, Prequalification must be followed by either the Informal Competition or Formal Competition process, as applicable.

The Chief Financial Officer should be consulted to determine whether Prequalification is appropriate for a particular Procurement opportunity.

5.5 Third-Party Engineering and/or Architectural Tenders

- The industry standard processes shall be followed for procurement activities requiring the use of a third-party Engineering and/or Architectural firm;
- The third-party firm acts on behalf of the Town and shall be aware of the Town's policies and procedures and obligations under trade agreements and procurement legislation.

5.6 Failure to complete Procurement process

Should the selected Procurement process fail to attract any compliant responses, the Town shall cancel the competition to determine the best course of action such as; obtaining additional funding approved by Council, changing the scope of the Procurement, adjusting the time of year for the job completion or based on information from multiple Vendors feedback, a new Procurement process shall be initiated.

A Procurement process which fails does not relieve the Town of its duty of fairness, transparency, ethical Procurement practices, trade agreement or legal obligations.

6.0 Specifications

Preparation of the requirements, technical specifications or scope of work for the Goods or Services is the responsibility of the initiating Employee. Specifications must be written in the broadest possible terms, avoiding all reference to manufacturers or brand names. Reference to manufacturers or brand names may be used for the purpose of indicating quality, character and compatibility only and must not denote preference. Specifications should include, but not be limited to: environmentally sound products, post-consumer content, quality, performance, availability of parts or service and any other characteristics as necessary.

Employees must fully consider the "purpose" of the Goods and Services when developing the requirements for the Goods and Services.

Specifications developed or determined by a third-party engineering, architectural or other similar firm may specify a particular manufacturer or brand due to established benchmarks or other performance standards required. Specific manufacturer or brand may also be specified to maintain a suitable standard throughout the Town's infrastructure network.

Specifications shall contain:

- clear and complete requirements of the Goods or Services;
- minimum standards expected of potential Vendors;
- requirements that will permit fair and equitable evaluation to select the successful Vendor;
- legal requirements that will protect the Town by ensuring suitability and acceptability of potential and actual offerings of potential Vendors including financial security and insurance requirements;
- all mandatory standards that are required of the Goods or Services; and
- desirable technical standards that are preferred of the Goods or Services.

The acceptability of Alternate or Equivalent Goods and/or Services should be identified where possible. It must be very clear to all Vendors that the specifications establish minimum requirements only. If substitutions or equivalencies are not acceptable, a statement to this effect must be included in the specifications.

Tendered projects shall permit alternatives via addendums developed or determined by a third-party engineering, architectural or other similar entity's approval.

7.0 Advertising and Notifying Potential Vendors

Every effort must be made to ensure the Town's requirements are known to the broadest market possible and to all potential Vendors in the acquisition of Goods and/or Services. The Town is committed to the following practices:

- All Procurement opportunities over \$74,999 (Goods and Services) and \$199,999 (Construction) shall be posted on the Alberta Purchasing Connection (APC) or any successor Government of Alberta Procurement advertising websites;
- If required by the initiating Employee, other advertising options may include: the Town of Crossfield website, regional newspapers and professional associations.

8.0 Bid Opening (Formal Competition)

- a) All Bids received in an Invitation to Tender shall be subject to public opening;
- b) The time, location and conditions of the public opening shall be made known in advance and shall be contained in the Procurement documents provided to potential Vendors;
- c) Only the name of the Vendor and the total cost or price in the Bid is to be released during a public opening;
- d) All Vendors are to be instructed that there will be no award at the public opening and all Bids will be subject to further review and analysis prior to award;
- e) All other aspects of the Bids are to remain confidential prior to award;
- f) Two Town representatives are required to attend all public openings for the purpose of reading aloud the Bids received and recording the results. The third-party engineering, architectural or other similar entity may serve as one of the representatives at openings.

9.0 Acceptance or Rejection of Irregular Bids (Formal Competition)

The Town, in exercising its discretion to waive a minor or non-substantial irregularity in a Bid, shall follow the guidelines provided below:

	IRREGULARITY	RESPONSE
1	Late Bids (submitted after closing time on the tender closing day)	Automatic rejection, do not open the Bid
2	Unsealed Bids	Automatic rejection, do not open the Bid
3	Bid not completed in non-erasable medium and not signed in ink	Automatic rejection
4	Incomplete Bids - partial Bids - all items not bid upon	Automatic rejection except where the tender form clearly states that an award may be made for individual items or where, in the opinion of the initiating Director, the irregularity is trivial or insignificant.
5	Qualified Bids (condition or restriction on the Bid)	Automatic rejection except where the change is requested by the Town, or where, in the opinion of the initiating Director, the change is trivial or insignificant.

6	Financial security, where requested, not submitted or insufficient (Bid Bond, Surety or other)	Automatic rejection
7	Bid not properly executed (signature or seal)	Automatic rejection
8	Mathematical errors	May be accepted if corrected in the checking/review procedure. Unit prices shall be used to correct extensions.
9	Corporate seal or signature of authorized agents of bonding company missing	Automatic rejection
10	Bids received on documents other than those provided in the Tender	Automatic rejection unless, in the opinion of the initiating Director, the matter is trivial or insignificant.
11	Erasures, overwriting, corrections, or strikeouts not initialed:	
a)	Changes which are minor (i.e. address, clerical error)	May be accepted, time limit given to initial change
b)	Unit prices have been changed but not initialed and the Bid totals are consistent with the price as amended	May be accepted, time limit given to initial change
c)	Unit prices have been changed but not initialed and the Bid totals are not consistent with the prices as amended	Automatic rejection
12	Minor clerical errors	May be accepted, time limit given to correct and initial
13	Other minor irregularities	The initiating Director shall have the authority to waive irregularities deemed to be minor and immaterial, using a consistent approach to fair practices.

10.0 Best Value

All factors need to be fully considered in determining best value. These include but are not limited to:

- life cycle costs, i.e. the total cost from time of acquisition of the Goods through to disposal;

- method of purchase/payment; with the intent that the most appropriate method be used for the value of the Procurement to reduce internal processing across all Departments;
- payment terms on large dollar purchases or Contracts may be aggressively negotiated for additional discounts or payment installments/terms;
- freight cost must be considered in each transaction;
- delivery of Goods directly to the job site or workplace should be encouraged to reduce internal handling, warehouse and inventory;
- applicable taxes shall not be included in cost comparisons; and
- purchases outside of Canada are subject to duty, customs/brokerage charges, freight and exchange on the dollar, all of which are required to be included in cost comparisons.

11.0 Award Considerations

For Procurements that do not have Evaluation Criteria established, the lowest Bid meeting specifications will normally be accepted subject to the specific wording in the Procurement documents. If other than the low Bid is recommended by the initiating Employee, written justification must be submitted to the Chief Financial Officer prior to award. Normally, the only reasons acceptable for selecting other than the lowest Bid are where:

- a) the lowest Bid does not meet specifications materially;
- b) the Vendor submitting the lowest Bid cannot deliver within the time required; or
- c) acceptance of the lowest Bid would result in a higher overall or end cost.

Where the recommended Vendor is other than the lowest acceptable Vendor, the award for the Procurement must be approved by the Director of the initiating Department.

When price is not the sole awarding factor, evaluation and Vendor selection shall be based on Evaluation Criteria which must be identified and included in the Procurement documents provided to potential Vendors. The Evaluation Criteria shall be assigned weighting for analysis of Bids.

As per the Town's Procurement Policy, factors which will be considered in evaluating submissions may include:

- Price
- Operating costs
- Salvage value and disposal costs
- Asset retirement obligation costs
- Delivery time and transportation costs
- Quality and warranties
- Support and service availability
- Vendor experience and expertise
- Environmental Sustainability
- Contributions to local economy

The Evaluation Criteria may also include, but is not limited to:

- a) Project Understanding: the degree of response to the published terms of reference will be of major importance in scoring this criterion. Vendors showing creativity and innovative approaches will score higher;
- b) Project Experience: previous experience on similar projects is an important selection criterion;
- c) Staff Allocation: experience of staff allocated and the assignment to specific project components will form the basis of this criterion;
- d) Estimated Time Required for Project: the importance of this criterion will vary with the particular project;
- e) Sustainability: how sustainable is the Vendor's proposed solution (both environmental and ethical impacts)
- f) Litigation: is the Vendor currently in litigation with the Town;
- g) Amount of Work Completed for the Town in the Past: the Town strives to provide for more or less of an equitable distribution of available Town business among qualified Vendors;
- h) Past Performance of Town Contracts: The quality and performance of previous Contracts, Goods or Services.

12.0 Notification of Successful Vendor

The successful Vendor shall be notified by the initiating Department as soon as possible after evaluation and selection.

A Contract or Purchase Order must be issued to confirm the award.

13.0 Unsuccessful Vendor Notification/Debriefing

Upon completion and award of all Procurements where a Request for Quotation, Request for Proposal or Invitation to Tender has been used, the unsuccessful Vendors in the competition are to be notified that a successful Vendor has been selected. Copies of submitted Bids will not be provided.

An unsuccessful Vendor may file a complaint with the Town for any alleged wrongdoing in the Informal or Formal Competition process or recommendation of award. The Town is committed to the highest standards of integrity with respect to dealing with Vendor complaints and any complaint will be handled with fairness and equity for all participants in a Procurement competition. All Vendor complaints are to be referred to the Chief Financial Officer for review. The Chief Financial Officer may review the complaint or

may refer it to Chief Administrative Officer for review and determination, in consultation with the Town Solicitor, where necessary.

14.0 Emergencies and Other Exceptions to Competition (Limited Tendering)

The Town requires that Procurement be done on a competitive basis. Further, the Town must strictly comply with trade legislation. However, a competitive Procurement process is not required or even possible in all Procurements. Procurement without competition may only occur if one or more of the following conditions apply and a process of negotiation is undertaken to obtain the best value in the circumstances for the Town:

- Low value/incidental Procurements subject to Direct Purchase (i.e. \$19,999 or less);
- Emergency: A Limited Tender acquisition is appropriate where the lack of immediate action could jeopardize Town operations or the safety or health of the Town's people or property. In each case, the authorizing person is required to report the emergency purchase, in writing to the Chief Administrative Officer, to with a copy to the Chief Financial Officer.
- Limited Tender acquisition where Goods or Services are only available from one Vendor by reason of:
 - a) a statutory or market based monopoly;
 - b) scarcity of supply in the market;
 - c) existence of exclusive rights (i.e. patent, copyright or license); or
 - d) need to avoid violating warranties or guarantees.
- If, in response to a prior notice, no Vendors requested participation, or submissions did not satisfy the conditions for participation;
- Limited circumstances when additional deliveries by the original Vendor for Goods or Services that were not included in the initial procurement;
- Purchases made under exceptionally advantageous conditions that only arise in the very short term;

Limited Tender acquisitions are not permitted because there is a preference for a particular brand or Vendor. The Chief Administrative Officer shall be notified immediately of any intended Limited Tendering Procurements and a written report (Appendix "B") detailing the circumstances shall be provided to the Chief Financial Officer.

- Exempt Procurements:
 - a) from philanthropic institutions, prison labour or persons with disabilities;

- b) from a public body or a non-profit organization;
- c) of health services and social services;
- d) of services provided by lawyers and notaries;
- e) of goods intended for resale to the public;
- f) when the Procurement is of a confidential or privileged nature and disclosure through an open bidding process could reasonably be expected to compromise confidentiality, cause economic disruption or be contrary to the public interest; or
- g) in the absence of a receipt of any bids in response to the Formal Competition process.

15.0 Excess, Surplus, Obsolete or Salvageable Goods

The Town will dispose of surplus assets in a manner that is open and transparent and that ensures integrity, fairness, economy and protection of the environment. The Director is to notify the Chief Financial Officer of all excess, surplus, obsolete or salvageable Goods that are no longer of use to the Department as they become available for disposal. The Chief Financial Officer will then recommend a method of disposal or complete the disposal process.

Methods of disposal include without limitation: donation to non-profit or charitable organization, direct negotiation with Vendor, sealed bids or public tender, sale by public auction or consignment, trade-in, or transfer to another Department.

Town Employees shall have equal opportunity to purchase excess, surplus, obsolete or salvageable Goods through the selected competitive disposal methods. Direct sale of excess, surplus, obsolete or salvageable Goods to Town Employees should not be considered.

16.0 General

This Manual defines roles, levels of responsibility, accountability and general processes to govern Procurement activities of the Town in accordance with the Procurement Policy. This Manual is not, however, an exhaustive, step-by-step procedure guide for every Procurement activity. All Employees with delegated Procurement authority are accountable for ensuring that their Procurement activities are in compliance with the Procurement Policy, this Manual and all other applicable policies, procedures, guidelines and legal requirements. Employees are expected to keep up to date with proper Procurement practices and work closely with the Chief Financial Officer to ensure the integrity of the Town's Procurement process.

APPENDIX "A"

DEFINITIONS

Alternate Goods or Services: means a choice between two Goods or Services. The same Evaluation Criteria must be used to assess each Good or Service;

Bid: means for the purposes of this document only, a Tender, Proposal, Quotation, an offer or submission received from a Vendor in respect to an Invitation to Tender, Request for Proposal, Request for Quotation, or other form of solicitation;

Chief Administrative Officer: means the person appointed to the position of Chief Administrative Officer;

Chief Financial Officer: means the designated person who provides support to those who have the authority to purchase Goods and/or Services;

Conflict of Interest: means a situation where the independence or impartiality of an Employee's decisions or actions are impaired or may reasonably be expected to be impaired because of outside employment, political, business or family interests;

Construction: means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement;

Contract: means a formal legal agreement between two or more parties, usually written, with binding legal and moral implications; usually exchanging Goods and/or Services for money or other considerations;

Council: means the Municipal Council of the Town;

Department: means any department of the Town;

Director: means the individual accountable for a specific portion of departmental operations of a Department of the Town and who reports to the Chief Administrative Officer;

Designated Employee: means a Town Employee that is delegated authority by the Chief Administrative Officer or Director and is authorized under this Manual to undertake Procurement activities;

Emergency: means an unforeseeable situation of urgency and the Goods or Services cannot be obtained in time by means of an open Procurement process;

Employee: means an individual employed by the Town on a permanent, temporary or casual basis;

Equivalent Goods or Services: means having the same quality, the same performance or providing the same benefit. The same Evaluation Criteria must be used to assess each Good or Service;

Evaluation Criteria: means criteria set out in the Procurement documents which are to be used to evaluate a bid;

Expression of Interest: means a request by the Town to determine the interest of potential Vendors to provide Goods and/or Services;

FOB Destination (Free on Board): Purchaser takes ownership of Goods or Services when it is received at the destination dock rather than the supplier's dock;

Goods: means moveable property (including the cost of installing, operating, maintaining or manufacturing such moveable property) and includes supplies, materials, raw materials, products, equipment and other physical objects of every kind and description whether in solid, liquid, gaseous or electronic form;

Invitation to Tender: means an invitation to submit a tender;

Limited Tendering: means purchasing from a Vendor without a competitive process which may include: sole source, single source, unique supplier, cooperative purchasing, or emergency purchases;

Manual: means the Town's Procurement Manual;

Prequalification: means the process of short listing potential Vendors;

Procurement: means the acquisition by any means, including by purchase, rental, lease or conditional sale, of Goods and/or Services, but does not include:

- a. any form of government assistance such as grants, loans, equity infusion, guarantee or fiscal incentives;
- b. government provisions of Goods and/or Services to persons or other government organization;

Procurement Value: means the estimated total financial commitment resulting from a Procurement (G.S.T. excluded), not taking into account optional renewals when the compulsory part of the Contract is of at least one year's duration;

Purchase Order: means a legal document which is the Town's commitment to the Vendor for the purchase of Goods and/or Services at an agreed upon price, terms, conditions and delivery date. This definition shall also include change orders. It is also the Vendor's authority to ship and charge for Goods and/or Services specified in the Purchase Order;

Purchasing Card: means a charge card approved by the Town that can be used by authorized Employees to acquire low dollar value items as outlined in the applicable policies and procedures for the purchasing card;

Quotation: means a Vendor's submission in response to a Request for Quotation;

Request for Information: means a request issued by the Town wherein further information regarding Vendors, Goods and/or Services is requested for Prequalification assessment;

Request for Proposal: means a request issued by the Town wherein a Proposal sought;

Request for Qualifications: means a request issued by the Town wherein the qualifications, experience and background of a Vendor is sought for the purpose of a Prequalification, in order to screen and short list potential Vendors;

Request for Quotation: means a Procurement request issued by the Town wherein a Quotation is sought;

Services: means all services, including Construction;

Sole Sourcing: means awarding a Procurement opportunity to a Vendor without competition because that Vendor is predetermined to be the only source capable of providing the Goods and/or Services;

Solicitor: the firm/individual contracted by the Town to provide legal services to the Town;

Supplier: includes, but is not limited to, an individual, firm, partnership or proprietorship, vendor, contractor, consultant, bidder or tenderer providing any type of goods or services;

Tender: means an offer in writing to provide specified Goods and/or Services at a certain price, in response to an Invitation to Tender;

Town: means the Town of Crossfield, in the Province of Alberta;

Vendor: includes, but is not limited to, an individual, firm, partnership or proprietorship, supplier, contractor, architect, consultant, bidder, or tenderer.

APPENDIX "B"

LIMITED TENDER ISSUANCE FORM

SECTION 1 – Tender Information

Tender Reference Number	
Tender Title:	
Date of Issuance:	
Issuing Employee:	

SECTION 2 – Reason for Limited Tendering

Provide a detailed explanation of the specific circumstances that led to the decision to use limited tendering for this procurement.

Circumstance(s) for Limited Tendering (Check all that apply):

- Emergency situation** (e.g., urgent need for goods/services, unforeseeable event)
 - **Details:** [Explain the nature of the emergency and why limited tendering was necessary.]

- Only one supplier available** (e.g., only one capable supplier can provide the required goods/services)
 - **Details:** [Explain why only one supplier is able to meet the procurement requirements.]

- Specialized nature of goods/services** (e.g., only a few suppliers have the technical or specialized capability)
 - **Details:** [Explain why the goods or services are of a specialized nature, and list the limited suppliers.]

- Exclusive rights** (e.g., supplier holds exclusive distribution rights or intellectual property)
 - **Details:** [Provide justification for why exclusive rights apply in this case.]

- Continuity of service** (e.g., to maintain service continuity where the original supplier is required for compatibility or support)
 - **Details:** [Explain why it is necessary to retain the current supplier to ensure continuity of service or compatibility with existing systems.]

- Contract renewal or extension** (e.g., for a short-term renewal or extension of an existing contract where the scope is unchanged)
 - **Details:** [Explain why the contract is being extended or renewed without a competitive tendering process.]

- Other reason(s)** (Specify other reasons for limited tendering)
 - **Details:** [Explain any other circumstances not listed above.]

SECTION 3: Justification for Limited Tendering

Provide a detailed justification for why limited tendering is the most appropriate and effective approach for this procurement. This should address how limited tendering aligns with procurement policies, cost-effectiveness, and transparency.

SECTION 4 – Details of the Supplier(s) Invited

Provide the name(s) of the supplier(s) that were invited to submit a proposal and any relevant details about their selection.

Supplier(s) Name	Reason(s) for selecting the supplier(s) (<i>criteria used to select the supplier(s) for this limited tender process</i>)

SECTION 5 – Tender Timeline

Tender Issue Date	
Tender Submission Deadline	
Tender Opening Date	
Evaluation and Award Date	

SECTION 6: Confirmation of Compliance with Procurement Procedures

Confirm that limited tendering was conducted in accordance with relevant procurement policies and guidelines.

Procurement Guidelines Referenced: [Insert relevant procurement policy or procedures]

Compliance Confirmed: Yes No

Explanation (if applicable): [Provide any necessary explanation if compliance was not fully met.]

SECTION 7: Authorizing Signatures

Signatures from the authorized personnel confirming the decision to proceed with limited tendering.

Chief Administrative Officer Name: [Insert name]

- **Signature:** _____
- **Date:** _____

Chief Financial Officer Name: [Insert name]

- **Signature:** _____
- **Date:** _____

SECTION 8: Additional Notes/Comments

Use this space to provide any additional relevant information or clarifications regarding the limited tendering process.