



THE REGIONAL MUNICIPALITY OF NIAGARA
PROCUREMENT ADVISORY COMMITTEE
AGENDA

PAC 2-2019

Monday, November 18, 2019

1:00 p.m.

Committee Room 4

Niagara Region Headquarters

1815 Sir Isaac Brock Way, Thorold ON

	Pages
1. <u>CALL TO ORDER</u>	
2. <u>DISCLOSURES OF PECUNIARY INTEREST</u>	
3. <u>PRESENTATIONS</u>	
4. <u>DELEGATIONS</u>	
5. <u>ITEMS FOR CONSIDERATION</u>	
5.1 <u>PAC-C 7-2019</u>	3
2020 Procurement Advisory Committee Meeting Dates	
6. <u>CONSENT ITEMS FOR INFORMATION</u>	
6.1 <u>PAC-C 6-2019</u>	4 - 22
Procurement Work Plan Update 2019 - 2020	
A presentation will precede the discussion of this item.	
6.2 <u>PAC-C 4-2019</u>	23 - 27
Response to Councillor Information Requests	
6.3 <u>PAC-C 5-2019</u>	28 - 30
Procedures – Corporate Identity (Process)	
7. <u>OTHER BUSINESS</u>	

8. **NEXT MEETING**

The next meeting will be held on Monday, March 9, 2020 at 1:00 p.m. in Committee Room 4.

9. **ADJOURNMENT**

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or accessibility@niagararegion.ca (email).

MEMORANDUM

PAC-C 7-2019

Subject: 2020 Procurement Advisory Committee Meeting Dates

Date: November 18, 2019

To: Procurement Advisory Committee

From: Ann-Marie Norio, Regional Clerk

The following is a list of proposed dates in 2020 that have been identified to hold meetings of the Procurement Advisory Committee:

March 9, 2020

June 8, 2020

September 14, 2020

November 16, 2020

A resolution of Committee is required to approve the meeting dates. Suggested wording is as follows:

That the Procurement Advisory Committee meetings, **BE HELD** on Mondays at 1:00 p.m. on the following dates in 2020:

March 9, June 8, September 14 and November 16.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Procurement Work Plan Update

Procurement Advisory Committee: November 18, 2019

Bart Menage, CSCMP, CRM
Director of Procurement and Strategic Acquisitions
Corporate Services

Procurement Modernization

- In the time since PAC re-convened (September 2017) Procurement has (with PAC support) developed and instituted many of the initiatives outlined herein.
- Each has expanded and advanced the modernization of the Regional procurement.
- This presentation offers updates to 2019/20 Work Plan

MODERNIZATION TIMELINE



Accomplishments

2015:
PeopleSoft
Financials
related By-law
amendments
approved by
Council; PAC
established

2016: Amended
By-law comes
into effect ;
aligned with
the Go Live
date for
PeopleSoft
Financials

2016
Procurement
Templates
acquired from
the
Procurement
Office ;
implemented
in 2017

2017: PAC re-
convene to
establish the
2017/18 Work
Plan

2018/19:
Further
updates to
Templates and
By-law to
reflect Trade
Treaty
Legislation
and e-Bidding

WORK PLAN OVERVIEW



2019/2020 Work Plan - Updates

Q2-2019:
Transition to
full e-Bidding;
updating all
templates to
electronic
submission
format.

Q3-2019
Structure for
use of
Negotiated
RFP: process
consideration,
templates and
procedures

Q4-2019:
Transition to
full
electronic
submission
for all
Procurement
types

Q4-2019
Reporting
format
including
development
of Quarterly
Spend
Analytics

Q4-2019 /
Q1-2020:
Final
proposed
amendments
to
Procurement
By-law

E-BIDDING: TRANSITION

- Fourteen (14) electronic bidding procurement projects (events) have been initiated.
- Largely lower risk, quotations and with no requirements for digital bonding.
- Positive results
 - Reduction in bid irregularities and non-compliant bids;
 - Staff Efficiencies – no data re-entry, export to Excel;
 - Easier access to bids; submit their bid from anywhere;
 - No physical delivery of their bids; and
 - Reduced environmental impact of paper based tendering
- Next Steps: Transition to more complex procurements

TEMPLATES

- All templates have been updated to the latest versions from the Procurement Office
- Quotations, Tenders and Proposals templates converted for use on eBidding projects
- Templates provided to Bids and Tenders to be set up in our eBidding portal
- Remaining templates will be transitioned on an as needed basis

PROCUREMENT BY-LAW

- Procurement Office engaged to review the current Procurement By-law to identify areas of potential improvement and provide recommendations for update.
- Staff will be proposing that the current By-law be repealed and replaced by a new proposed By-law which duly considers their observations including:

PROCUREMENT BY-LAW

- Streamlining the By-law's focus on more appropriate high-level governance matters, such as:
 - governing principles;
 - core roles and responsibilities of the Region's Council, officers and employees;
 - delegations of authority for procurement approvals and contracting activities;
 - management of procurement-related information and records; and
 - compliance and monitoring.
- Removing overly detailed and prescriptive wording;
- Moving the procedural content into a separate supporting procedures and protocols document;
- Replacing the descriptive different types of procurement document "formats" (e.g. RFP, RFT, RFQ, etc.) with core "methods" like invitational or open competitions.

NEGOTIATED RFP – In Flight Projects

- Concurrent: Collection, Haulage of Garbage, Recyclables and Organics
- Consecutive
 - Operation of Early ON Child and Family Centres;
 - Social Housing ASD;
 - Niagara Homelessness Service System Funding Service Priority (6 separate RFP's: Emergency Shelters, Assertive Outreach, Prevention, Transitional Housing, Housing First and Home for Good)
 - Consecutive (Future Project) Procurement for Proposed Divestiture of the Municipal Recycling Facility.

REPORTING: COMMITTED PO VALUES

- While the quarterly spend analytics reporting is still in development, Procurement is reporting Niagara Region procurement information to Municipal Benchmarking Network Canada (MBN)
- Niagara Region's reporting of Procurement measures from 2017 to date are outlined in the following table.

Categories	2017	2018	2019 (Sept)
Annual Number - Tenders	52	60	68
Annual Number - Proposals	55	72	53
Annual Number - Quotations	54	54	45
Average number of bids per call	4	3.5	3.8
Categories	2017	2018	2019 (Sept)
Annual Dollar Value - Tenders	\$ 57,738,724.00	\$ 94,742,302.00	\$ 48,772,259.00
Annual Dollar Value - Proposals	\$ 26,832,976.00	\$ 14,730,756.00	\$ 6,917,410.00
Annual Dollar Value - Quotations	\$ 2,521,371.00	\$ 2,366,656.00	\$ 1,464,051.00
Categories	2017	2018	2019 (Sept)
Annual Number of Purchase Orders	18410	18829	13421
Annual Dollar Value - All Purchase Orders	\$ 279,362,461.00	\$ 297,529,008.00	\$ 247,526,985.00

Subject: Procurement Work Plan Update 2019-2020

Report to: Procurement Advisory Committee

Report date: Monday, November 18, 2019

Recommendations

That Report PAC-C 6-2019 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide information on Procurement related initiatives to ensure this Committee remains continually informed.
- This report specifically provides the Procurement Advisory Committee (PAC) with status updates on all 2019-2020 Procurement Work Plan items previously approved by the PAC on March 11, 2019.
- Procurement practices has undergone a number of significant changes in the past four years, and Procurement continually seeks out opportunities for new initiatives which improves service delivery, efficiencies, effectiveness and outcomes.
- The Work Plan will guide the activities of staff, but can be amended from time to time by the Committee.

Financial Considerations

Procurement and its related activities are critical in maintaining taxpayer affordability.

Analysis

On March 11, 2019 the Procurement Advisory Committee (PAC) received and approved the 2019-2020 Procurement Work Plan (PAC-C 2-2019) which identified a number of areas that would be the focus for Procurement for the next twelve months. This report provides PAC with an update on the status of those Work Plan items.

The Work Plan is grounded in the guiding principles of sustainability by assessing the strategies, resources and technology required to facilitate innovation, continuous improvement and governance. This latest rendition of the Work Plan effectively builds on previous successes including the achievement of previously approved action items.

Procurement is confident that the achievement of the initiatives identified herein represent a continuation of this modernization process which will further serve to strengthen the Niagara Regions' procurement function. The ongoing review,

consideration and development of policies, procedures, processes and technologies will further improve the processes by which goods, services and construction are procured.

Procurement remains committed to reduce procurement cycle times, drive savings efficiencies via streamlined and technology-enabled processes and that, coupled with corporate savings achieved through strategic sourcing and leveraging spend ensure that value for money outcomes will effectively contribute to the Region's long-term sustainability.

Given the aforementioned, Procurement is providing status updates to the following key Work Plan items

1. E-Bidding Phase II: Continued migration to electronic bidding including a gradual implementation path based on each procurement type; one which provides consideration to lessons learned with full transition to electronic submissions by the end of 2019. *Timeline – Q4 2019*

As part of the proposed gradual implementation, Procurement confirms that to date, fourteen (14) electronic bidding procurement projects (events) have been initiated. These procurement have been largely lower risk, quotations and with no requirements for digital bonding. The results to date have been very positive and reflective of previously reported benefits including:

- The reduction or elimination of the occurrences of bid irregularities and non-compliant bids related to math errors or missed unit prices;
- Staff are able to download electronically submitted pricing without having to re-enter the data (minimized need to evaluate and validate bids);
- Bidders have easier access to bids; able to submit their bid from anywhere;
- Not required to physically deliver their bids into the procurement office; and
- Reduces the overall environmental impact of paper based tendering processes

Procurement will now transition to more complex procurements including those which require digital bonding/surety, Construction Tenders, Requests for Proposal and those which leverage the Niagara Peninsula Standard Contract Document (NPSCD).

2. Procurement Templates: In support of Work Plan item 1, a continued conversion of all templates to a format which is conducive to e-Bidding. *Timeline – Q2 2019*

Templates for Quotations, Tenders and Proposals have been successfully converted to an e-Bidding format and are available for utilization. These templates were prioritized as these are the processes which are predominantly employed for the majority of formal procurements. Remaining templates will be converted on an as needed basis.

3. Procurement By-law: With the recently approved Procurement By-law amendments (February 2109), Procurement will consider further changes to the Procurement By-law including consultation and planning with industry, peers and stakeholders; internal (staff) and external (GNCC, NPPC and NCA etc.) *Timeline – Ongoing with complete by Q4 2019/Q1-2020*

In August 2019, Niagara Region engaged the Procurement Office (TPO), an external legal firm based in Toronto to conduct a review of the current Procurement By-law to identify areas of potential improvement and provide recommendations for update. The deliverables for this assignment was received by Niagara Region in September.

While the current version of the By-law sought to subtly amend the 2015 version, it is Staff's intention that the current version would be repealed and replaced by a new proposed By-law which duly considers these observations and recommendations, specifically that the By-law be simplified by:

- Reducing the procedural content and improving the readability by tightening up the defined terms and using more natural language;
- Streamlining the By-law's focus on more appropriate high-level governance matters, such as:
 - governing principles;
 - core roles and responsibilities of the Region's Council, officers and employees;
 - delegations of authority for procurement approvals and contracting activities;
 - management of procurement-related information and records; and
 - compliance and monitoring.
- Removing overly detailed and prescriptive wording with respect to the various formats that may be used to conduct a procurement process;
- Moving the procedural content from the By-law into a separate supporting procedures and protocols document;
- Replacing the descriptive different types of procurement document "formats" (e.g. RFP, RFT, RFQ, etc.) with core "methods" like invitational or open competitions.
- Moving these descriptive procurement document formats to a procedural and protocol document, along with guidelines for selecting the appropriate format for a particular procurement and preparing the procurement document.
- Considering the use of core methods of procurement which are: low value purchases; ordering from an existing supply arrangement (e.g. qualified supplier

roster, standing offer); invitational competition (inviting selected suppliers to submit bids; open competition (publicly posted solicitation); and non-competitive procurement (sole or single source contacting).

- Considering amendments to and the removal of some specific provisions and terminology that may be potentially problematic.

4. Negotiated RFP: With the recently approved Procurement By-law amendments (February 2019) introducing this process; finalize templates and procedures. *Timeline – Q3 2019*

Procurement is currently utilizing Negotiated RFP for the following projects:

Concurrent

- Collection, Haulage of Garbage, Recyclables and Organics

Consecutive

- Operation of Early ON Child and Family Centres;
- Social Housing ASD;
- Niagara Homelessness Service System Funding Service Priority (6 separate RFP's: Emergency Shelters, Assertive Outreach, Prevention, Transitional Housing, Housing First and Home for Good)
- Consecutive (Future Project) Procurement for Proposed Divestiture of the Municipal Recycling Facility.

5. Ongoing developing of quarterly spend analytical reports to identify opportunities, drive savings and compliance. *Timeline – Q4 2019*

While the quarterly spend analytics reporting is still in development, Procurement is reporting Niagara Region procurement information to Municipal Benchmarking Network Canada (MBN)

MBN Canada is a partnership between Canadian municipalities who believe in the power of measurement to inspire continuous improvement in the delivery of services to their communities. In 2018, there were 17 Member Municipalities, representing 6 Provinces and 36 Services Areas reporting statistics on over 670 measures.

Niagara Region's reporting of Procurement measures from 2017 to date are outlined in the following table.

Categories	2017	2018	2019 (Sept)
Annual Number - Tenders	52	60	68
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Alternatives Reviewed

While no additional Work Plan items are being proposed for 2019, Procurement will provide further status updates and Work Plan carry over including new Work Plan items at the first Procurement Advisory Committee in 2020.

Relationship to Council Strategic Priorities

While Procurement & Strategic Acquisitions and its related activities align with many of Council's 2019-2022 Strategic Priorities, the Procurement Work Plan perhaps best aligns with Sustainable and Engaging Government, specifically objective 4.1: High Quality, Efficient and Coordinate Core Services which promote an organizational culture that values continuous improvement, collaboration, and innovation.

Other Pertinent Reports

- PAC-C 2-2019: Proposed Procurement 2019-2020 Work Plan.

Prepared by:

Bart Menage, CSCMP, CRM
Director, Procurement & Strategic
Acquisitions
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting, Chief Administrative Officer

Appendices

N/A

MEMORANDUM

PAC-C 4-2019

Subject: Response to Councillor Information Requests (PAC)

Date: November 18, 2019

To: Procurement Advisory Committee

From: Bart Menage, Director, Procurement & Strategic Acquisitions

This memo provides responses to Councillor Information Requests communicated at the March 11, 2019 Procurement Advisory Committee Open Session, specifically the following PAC 1-2019 minute items:

Minute Item 4.1: Presentation - Procurement Modernization

- a) Provide information respecting the policy and/or procedure regarding when a fairness advisor is to be engaged. Councillor Gale.**

By-law and Past Practice

Procurement By-law 02-2016 as amended on February 28, 2019 defines a “Fairness Monitor” as an independent third party to observe all or part of a Bid Solicitation process and provide related feedback on fairness issues. Within the overarching objectives of the By-law, specifically item 1(b), it states that the Region ensure that the objectivity and integrity in the procurement process are maintained.

While this is effectively achieved via Procurement’s diligent oversight and guidance throughout the procurement process, the By-law also delegates autonomy to Procurement to engage in the services of Fairness Monitoring Services (Section 4 (b) (x) as and when required.

In recent history, Niagara Region has only engaged Fairness Advisory Services on two occasions; the 2017 Insurance and Risk Management RFP and the 2018 Potential Divestiture of the Municipal Recycling Facility. In both instances, Council was advised of staff’s intention to engage a Fairness Advisor and approval was sought and received in advance of that competitive process.

Process to Engage Fairness Advisory services

In a November 30, 2016 Report (CSD 73-2016), then Acting Commissioner of Corporate Services in consultation with Procurement proposed that where Fairness Monitoring was deemed a requirement, the following procurement selection process would be employed.

- i. Upon identification of the need for Fairness Monitor services by either staff or where directed by Council, Procurement would undertake a Request for Proposal process which leveraged the Provincial Vendor of Record (VOR) program for Management Consulting Services (OPS and Non-OPS) which was in effect through December 31, 2017.
- ii. A minimum of five (5) firms from the Provincial VOR for Fairness Commissioner Services would be invited to respond and all submissions received would be evaluated in accordance with the weighted matrix which was appended to that 2016 Council report. Pursuant to that evaluation process, Staff would present a recommendation to award to the highest scoring proponent.

While the aforementioned process was employed for the Insurance & Risk Management project, the VOR had expired when the Region undertook the 2018 Municipal Recycling Facility project. Given the very specific and specialized requirements, the Region elected to instead undertake its own open and competitive process. While the decision to engage in these services remains at the discretion of Staff and Council and within the delegated authority of Procurement & Strategic Acquisitions, there are general scenarios where employing a Fairness Advisory Services would be a prudent undertaking. These would include:

- Complex and/or high profile and/or high value projects;
- New/innovative procurement processes like the Negotiated RFP where due diligence is critically important;
- When public interest demands a higher than normal level of objective scrutiny;
- When the anticipated goods or services being acquired or the process itself could be viewed as contentious or the results potentially subject to challenge by the Bidding community;
- When there may be a perceived conflict of interest or unfair advantage for a vendor (i.e. likelihood of an incumbent vendor bidding);
- Where sensitive information is involved in the procurement; and
- When this latest process has evolved from a previously unsuccessful procurement process; or
- any significant outsourcing effort where former staff could be representing potential bidders

Of note, in the time since, the Provincial VOR has been re-established with an initial four year term through June 15, 2022 and a one year extension option. If Fairness Advisory services were deemed necessary for future projects meeting the criteria above, then Procurement could (based on the aforementioned) elect to either facilitate our own process or leverage this new Vendor of Record.

Provide information respecting the purchasing and execution authority limits of staff. Councillor Gale

In a March 16, 2019 communication to all Councillors on the Procurement Advisory Committee, the latest Council approved amendments to the Procurement By-law 02-2016 (as amended on February 28, 2019) were provided including the information respecting the purchasing and execution authority limits of staff. (Schedule B, pages 37 through 40 of the PDF By-law).

Minute Item 6.2: PAC-C 2-2019 – Proposed Procurement Work Plan

b) Request feedback from across the corporation on potential improvements to the procurement scorecard. Councillor Zalepa.

Pursuant to further correspondence with Councillor Zalepa which affirmed that the request specifically related to better understanding how the Region can improve their ability to acquire high quality service or products. Quoting from and with reference to an NIGP: The Institute for Public Procurement position paper on the concepts and practices to obtain Best Value in Government Procurement

“Best Value Procurement (BVP) is both a concept and a set of recommended practices. Procurement professionals must be aware of BVP concepts, have a thorough understanding of the recommended methods and practices for achieving best value, and have the ability to effectively evaluate and apply the most appropriate approach to each procurement.”¹

There is no “one size fits all approach” because best value has many differing attributes, each specific to the nature of that which is being acquired. Applying an approach which relies solely on low bid or one singular contracting method for all acquisitions effectively results in less than ideal outcomes in terms of value. Value is achieved by continually applying the principles of Best Value Procurement (BVP) concepts to all Procurements from larger, more complex projects to those where minimum standards are clearly achievable and enforceable (award to the lowest bidder). In doing so, we effectively maximize the value added to the procurement process, the resulting outcomes, thereby increasing the likelihood of achieving desirable results.

At Niagara Region, this starts with the continued practice of Staff assessing all projects through the lens of best value and properly analyzing the attributes and outcomes which provide the greatest overall benefit. Then, Procurement in consultation with Staff can

¹ NIGP: The Institute for Public Procurement, 2013 Position Paper on Best Value in Government Procurement, concepts and practices.

ensure that the measure by which a procurement strategy is determined for these projects not only aligns with its complexity but also that the evaluation process (scorecard) employed is purposely structured to focus on the key attributes which achieve best value outcomes.

For staff, the stages which guide their projects toward best value include

- i. Identify the possibilities: list all possible solutions, pros and cons of each, research the market, consult with colleagues and collaborate with stakeholders;
- ii. Identify relevant factors specific to the acquisition; and
- iii. Assign values or “weights” to the chosen factors and create selection criteria.

While value can be simply described as a comparison of costs and benefits, Niagara Region must continue to compare and weigh all potential benefits derived from the attainment of a projects deliverables against the costs to do so (acquisition, operation and ultimately disposal). Current practice is that during this assessment, consideration is also given to identifying and considering the status quo in addition to the comparative costs of differing alternatives which equally address needs, function and purpose.

“Value could be defined as a combination of “what” is important and “how much” it is important. As for the “what,” typical procurement considerations affecting value could include:

- Consistency, reliability, and responsiveness from the market;
- Costs identified through a life-cycle cost analysis;
- Reduction of risks such as schedule delays; costs added through change orders; degradation of performance or service from an outsourced provider; potential legal or financial risks; the need for Niagara Regional oversight of program delivery; the amount of needed contract administration effort; or the likelihood of successful/unsuccessful contract performance; and
- Environmentally preferable aspects (more efficient scheduling leading to less shipping impact, lower toxic materials content, less environmentally harmful manufacturing, less harmful end of life disposal, etc.).”²

Aside for the typical considerations which characterize best value like comparisons between strengths and weaknesses, pros and cons and risks and rewards, others include costs related to resourcing, acquisition, transition, operational, training and disposal. Other best value concepts could include: Performance-Based Contracting; Total Cost of Ownership (TCO); Design-Build; Construction Manager at Risk; Public-Private Partnerships; Industry Standards; the Procurement Process Map; recognizing value of each procurement phase and ongoing dialogue for continuous improvement.

² NIGP: The Institute for Public Procurement, 2013 Position Paper on Best Value in Government Procurement, concepts and practices.

Staff and Procurement staff specifically will continue to grow and develop in their understanding of these the practices and methodologies and remain committed to the continued adherence to a focus on the key principles which drive best value through all procurement process. Best value remains the target, always.

Respectfully submitted and signed by

Bart Menage, CSCMP, CRM
Director, Procurement & Strategic Acquisitions

Subject: Procedures – Corporate Identity (Process)

Report to: Procurement Advisory Committee

Report date: Monday, November 18, 2019

Recommendations

That Report PAC-C 5-2019 **BE RECEIVED** for information.

Key Facts

- This report provides response to a Councillor Information Request (CIR) at the March 11, 2019 Procurement Advisory Committee which directed staff to provide a report outlining procedures to examine the legitimacy of corporate identity for future providers for implementation in the procurement procedures.
- Staff have interpreted this CIR as being a request as to how/when we verify that corporate entities are active/valid, and further, the committee is seeking assurances that Staff do make appropriate enquiries to confirm the validity of corporations prior to entering into agreements with them.

Financial Considerations

At the time our account was opened with our current provider “ecore – powered by Oncorp” (formerly Dye and Durham), funds were deposited to be used for the purpose of conducting Corporate Searches. The posted current rate for a standard search for an Ontario corporation is \$14.75 + HST plus an additional \$8.00 Government Fee which is not taxed. A monthly reconciliation is done by Legal staff to replenish the amount used each month, and the cost of each search is allocated to the appropriate department requesting the search. The total YTD remittance paid to ecore from January 1 to August 31, 2019 is \$2494.92

Analysis

Ecore ([eCore Website for searches](#)) is a full service provider where Staff in Legal and Court Services can perform corporate searches for provincial, federal, business names, etc. Federal searches can also be conducted for free on Industry Canada’s website ([Government of Canada website for searches](#)), however this website does not provide the same detail.

Niagara Region performs either a “corporate search” (for corporations) or a “business name search” (for other entities such as sole proprietorships, partnerships, operating names etc.). The nature of the search may also depend on the jurisdiction the entity is

registered in e.g. Ontario or otherwise in Canada. While Niagara Region has presumably been utilizing Corporate Search Services for longer, Staff have confirmed that our current arrangement with ecore to provide these services has been in place since December 2007. Any and all requests are managed through Legal. The search provider is essentially providing information based on filings with the applicable Ministry etc. The potential challenge is if the entity is not up to date, the information Niagara Region obtains from the search may not be up to date either.

Legal Services conducts Corporate Searches for all formally procured processes when contracts with successful bidders require review and approval by Legal prior to execution by Niagara Region. Currently searches are not performed when formal agreements are not required, such as payments to a single source vendor or payments made by way of a Purchase Order.

All formal and informal processes initiated by Niagara Region utilize either the procurement templates obtained from the Procurement Office or Niagara Peninsula Standard Contract Document (NPSCD) and require Bidders to provide their full legal name and return address. Individuals signing the commitment forms are required to confirm that they have the authority to bind the company. With the NPSCD documents, they must also confirm that if they are a Corporation, and the corporate seal must be affixed under the signature of a duly authorized officer or officers of the Corporation. If they are not a Corporation or a Partnership, the Bidder must sign in the presence of a witness who must also sign. If the Bidder is a Partnership, each member of the Partnership must sign in the presence of a witness who must also sign.

The current process is to consult a listing to see if a corporate search has been carried out within the past 12 month period, and if so, an updated search is not required and Staff utilize that search result for the contract award. If no search has been done in the past, or the search is more than a year old, then Staff coordinate with Legal and Court Services to request that a new search be undertaken and provide the requisite project ID/accounting info as these costs are expensed to the project.

Procurement has confirmed that Bids and Tenders, (Niagara Region's web portal for posting procurement opportunities) does require suppliers to provide their legal company name when they create an account. Bids and Tenders does not validate these names against any government records, hence why Niagara Region's practice of conducting Corporate Searches remains a necessary requirement. Should Niagara Region identify a Supplier that has failed to provide their legal name, we are able to request that the supplier provide this updated information to Bids and Tenders.

Alternatives Reviewed

Staff have identified other providers of like services which could be considered however Staff would recommend further investigation into these options to confirm that the same

services are being offered prior to proposing any changes to our provider for Corporate Searches.

Relationship to Council Strategic Priorities

While Procurement & Strategic Acquisitions and its related activities align with many of Council's 2019-2022 Strategic Priorities, this report best aligns with Sustainable and Engaging Government, specifically objective 4.1: High Quality, Efficient and Coordinate Core Services which promote an organizational culture that values continuous improvement, collaboration, and innovation.

Other Pertinent Reports

N/A

Prepared by:

Bart Menage, CSCMP, CRM
Director, Procurement & Strategic
Acquisitions
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting, Chief Administrative Officer

Appendices

N/A