

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCUREMENT ADVISORY COMMITTEE
OPEN SESSION**

**PAC 1-2019
Monday, March 11, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Gale, Heit, Insinna Rigby, Whalen, Zalepa

Absent/Regrets: Edgar

Staff: T. Byrne, Manager, Purchasing Services, H. Chamberlain, Director, Financial Management and Planning / Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, B. Menage, Director, Procurement & Strategic Acquisitions, J. Mulligan, Manager, Strategic Sourcing, A.-M. Norio, Regional Clerk

Others Present: J. Armstrong, Armstrong Strategy Group

1. CALL TO ORDER

Ann-Marie Norio, Regional Clerk called the meeting to order at 1:01 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. SELECTION OF COMMITTEE CHAIR AND VICE CHAIR

3.1 Call for Nominations for Committee Chair

Ann-Marie Norio, Regional Clerk, called for nominations for the position of Chair of the Procurement Advisory Committee for the 2019-2020 term.

Moved by Councillor Gale
Seconded by Councillor Rigby

That Councillor Whalen **BE NOMINATED** as Chair of the Procurement Advisory Committee for a two-year term (2019-2020).

3.2 Motion to Close Nominations for Committee Chair

Ann-Marie Norio, Regional Clerk, called a second and third time for nominations for the position of Procurement Committee Chair.

There being no further nominations it was:

Moved by Councillor Rigby

Seconded by Councillor Insinna

That nominations for the position of Chair of the Procurement Advisory Committee for the 2019-2020 term, **BE CLOSED**.

Carried

3.3 Voting for Position of Committee Chair

There being only one nominee for the position of Committee Chair, the Regional Clerk announced that Councillor Whalen would be the Procurement Advisory Committee Chair for a two-year term (2019-2020).

3.4 Call for Nominations for Committee Vice-Chair

Ann-Marie Norio, Regional Clerk, called for nominations for the position of Vice Chair of the Procurement Advisory Committee for the 2019-2020 term.

Moved by Councillor Rigby

Seconded by Councillor Whalen

That Councillor Insinna **BE NOMINATED** as Vice Chair of the Procurement Advisory Committee for a two-year term (2019-2020).

3.5 Motion to Close Nominations for Committee Vice-Chair

Ann-Marie Norio, Regional Clerk, called a second and third time for nominations for the position of Procurement Advisory Committee Vice Chair.

There being no further nominations it was:

Moved by Councillor Zalepa

Seconded by Councillor Gale

That nominations for the position of Vice Chair of the Procurement Advisory Committee for the 2019-2020 term, **BE CLOSED**.

Carried

3.6 Voting for Position of Committee Vice-Chair

There being only one nominee for the position of Committee Vice Chair, the Regional Clerk announced that Councillor Insinna would be the Procurement Advisory Committee Vice Chair for a two-year term (2019-2020).

4. **PRESENTATIONS**

4.1 Procurement Modernization: Timeline and Accomplishments

Bart Menage, Director, Procurement & Strategic Acquisitions, provided information respecting Procurement Modernization: Timeline and Accomplishments. Topics of the presentation included:

- Procurement Modernization
- Accomplishments
- 2019/2020 Work Plan
- Templates
- Negotiated Request for Proposal
- E-Bidding: Final Transition
- Reporting
- Procurement By-law
- Summary

A copy of the presentation is attached to these minutes.

Moved by Councillor Rigby
Seconded by Councillor Insinna

That staff **BE DIRECTED** to provide a report outlining procedures to examine the legitimacy of corporate identity for future providers for implementation in the procurement procedures.

Carried

Councillor Information Request(s):

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

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

5. **DELEGATIONS**

There were no delegations.

6. **ITEMS FOR CONSIDERATION**

6.1 **PAC-C 1-2019**

Proposed Amendments to Procurement Advisory Committee Terms of Reference

Moved by Councillor Rigby
Seconded by Councillor Gale

That this Committee **RECOMMENDS** to the Corporate Services Committee:

That Report PAC-C 1-2019, dated March 11, 2019, respecting Proposed Amendments to the Procurement Advisory Committee Terms of Reference, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Committee **APPROVE** the proposed amendments to the Terms of Reference for the Procurement Advisory Committee as outlined in Appendix 1 of Report PAC-C 1-2019.

Carried

6.2 **PAC-C 2-2019**

Proposed Procurement Work Plan 2019-2020

Moved by Councillor Rigby
Seconded by Councillor Gale

That this Committee **RECOMMENDS** to the Corporate Services Committee:

That Report PAC-C 2-2019, dated March 11, 2019, respecting Proposed Procurement 2019-2020 Work Plan, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Committee **APPROVE** the proposed 2019-2020 Work Plan for the Committee; and

2. That the Committee **DIRECT** staff to report back on topics selected by the Committee for further investigation.

Carried

Councillor Information Request(s):

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

6.3 PAC-C 3-2019

2019 Meeting Schedule

Moved by Councillor Rigby
Seconded by Councillor Gale

That Correspondence Item PAC-C 3-2019, dated March 11, 2019, respecting Procurement Advisory Committee 2019 Meeting Schedule, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Procurement Advisory Committee meetings **BE HELD** at 1:00 p.m. on the following dates in 2019:

June 10, September 9 and November 11.

Carried

9. **NEXT MEETING**

The next meeting will be held on Monday, June 10, 2019 at 1:00 p.m. in the Council Chamber.

10. **ADJOURNMENT**

There being no further business, the meeting adjourned at 2:32 p.m.

Councillor Whalen
Committee Chair

Ann-Marie Norio
Regional Clerk

Procurement Modernization

Timeline and Accomplishments – Procurement
Advisory Committee: March 11, 2019

Bart Menage, CSCMP, CRM
Director of Procurement and Strategic Acquisitions
Enterprise Resource Management Services

Procurement Modernization

- In 2017, Procurement embarked on a process to further expand the transformation and modernization of the procurement function at Niagara Region which was built on previously completed achievements.
- This presentation summarizes both the achievements but more importantly, it identifies and details how the future actions outlined in the 2019/20 Work Plan will effectively build on those foundational pieces and bring Procurement closer to best in class for today and beyond.

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

2019/2020 Work Plan

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

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

Q4-2019:
Final 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

WORK PLAN OVERVIEW



TEMPLATES

- Acquired in 2016 from The Procurement Office, an external legal firm which specializes in public sector procurement.
- These templates, in use since 2017 have ensured greater consistency across bid documents
- Procurement will transition all 11 templates to an e-Bidding format (3-RFP's, 2-RFT's, 2-RFPQ's, 3-RFQ's and 1-RFEOI)
- Benefits include:
 - Greater consistency across all procurements;
 - Risk mitigation via latest trends / legal review
 - Aligned with the requirements of the Procurement By-law

NEGOTIATED RFP

- Use was ratified by Council on March 22, 2018; By-law amendments in February 2019 (CSD 12-2019).
- Finalize structure for use of Negotiated RFP: process, considerations, templates and procedures
- Procurement will ensure that when employed, this approach would be the most effective and conducive strategy to achieve best value based on varying criteria including complexity and risk.
- Benefits include:
 - a lower risk legal framework
 - Flexibility and transparency in the process
 - Higher level of engagement with Bidders
 - Greater opportunity to maximize procurement results

E-BIDDING: FINAL TRANSITION

- Use was ratified by Council on March 22, 2018; By-law amendments in February 2019 (CSD 12-2019).
- Initial transition to Bids and Tenders on July 3, 2018
- Benefits include:
 - Provides the tools to develop more effective submission and evaluation processes which will improve process efficiency for both parties including a reduced bidder risk of non-compliance;
 - e-Bidding portal including availability of electronic bid documents will allow for easier access to opportunities, reduced administration, electronic submissions and trade treaty compliance
 - Results available in real time, exportable to tabulated view for side by side comparison of unit prices or lump sum
 - Eliminate the need for bidders to personally deliver or courier their bids into Niagara Region

REPORTING: COMMITTED PO VALUES

- Review and Analysis of data by type, by vendor etc.,
- Procurement Quarterly Dashboard Report
- Utilize improved data quality to build a comprehensive view to identify opportunities:
 - Work collaboratively with Clients to leverage spend across business units.
 - Streamline and centralize procurement process and other administrative efficiencies.
 - Manage risk and maverick spending to ensure compliance.
 - Benchmark against internally established KPI's

PROCUREMENT BY-LAW

- The Commissioner of Enterprise Resource Management Services/Treasurer shall review the effectiveness of this By-law at least every five (5) years and report to Council as necessary.
- Aside from accountability and efficiency benefits that flow from having procurement policies in place, there are several other important reasons to establish, review and amend these policies regularly including:
 - maintaining the integrity and protecting stakeholder interests in the procurement process
 - providing context for addressing the current key issues related to procurement
 - mitigate legal risk associated with utilizing practices not set out in (or anticipated by) the procurement policy
 - ensure the overall framework for proper and effective procurement processes meet operational needs
 - ensuring effective financial control including delegated authority

PROCUREMENT BY-LAW

- Consideration during the review process will include:
 - A complete review of the current By-law
 - Comparison to other municipalities of similar size and structure
 - What process will be used, refine the goals for each including circumstances for their use
 - Review and evaluated the effectiveness of the processes
 - Determine the sections that have not been effective or have presented challenges
 - Determine what revision to current requirements are required and what new requirements should be introduced
 - Meetings with stakeholders to examine and discuss all the clauses/sections of the current By-law
 - Assessment of By-law versus procedural manual

SUMMARY

The plan including this latest rendition of action items remains solidly grounded and focused on a continued migration to a best in class procurement organization via the consideration, adoption and implementation of leading practices and innovation in public sector procurement.