

	ISSUE	CURRENT STATE	PROPOSED CHANGE
1	BYLAW STRUCTURE		
1A	By-law Structure: Separating Policy from Procedure	All policy and procedure is contained within the bylaw	<p>This structural change would see Bylaw continuing to set policy framework and introduces a series of procedural documents to complement the policy statements contained in the Bylaw.</p> <p>Any procedural content that is currently in the Bylaw will be moved to a procedural document. There are currently 18 procedural documents in development.</p> <p>Following the structure of the corporate policy framework, the policy content contained in the Bylaw will be approved by Council and the CAO will have delegated authority to approve the procedural documents and updates to same from time to time.</p>
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1B	Vendor Performance Management	Current bylaw addressed supplier performance in s.29; however, its not addressed in a substantive way. Approach to vendor performance management has been more informal and department specific.	A more standardization approach to vendor performance management is proposed through a suite of more developed procedural documents, namely (i) Supplier Code of Conduct; (ii) Supplier Performance Evaluation; (iii) Contract Management; and (iv) Supplier Suspension, which introduce more concrete tools/procedures aimed at better managing vendor performance.

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2	RE-ALIGNING VALUE FOR PROCUREMENT METHODS	Low value <\$10k Informal Quote > \$10K - \$25K (Staff) Formal Quote > \$25K to \$100K (Procurement) Request for Tender >\$100k	<p>Increase low value procurement to \$25k and expand the use of informal quote methodology for Staff from \$25k to \$100k. Formal quotes would be conducted by Procurement between \$100k to the Open Competition Threshold (a concept tied to the Canadian Free Trade Agreement (CFTA) is currently set at \$133,800 for goods and services and \$334,400 for construction is adjusted 'up' every 2 years). Open Competitions (e.g., tenders) will be conducted for bid solicitations above the Open Competition Threshold set by the CFTA.</p> <p>Departments will continue to be responsible for completing informal quotes and the procurement department will continue to manage all formal quote processes as well as Bid Solicitations above the open competition threshold.</p>
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3	APPROVAL AND DOCUMENT EXECUTION THRESHOLDS		
3A	General Re-alignment	Attached as Schedule "B" to the current Procurement By-law	<p>As a result of the updates to the procurement methodologies (see item 2, above) Schedule "B", which is tied to the procurement methodologies and their respective limits, requires a general re-alignment.</p> <p>Additionally, the current bylaw does not consider the associate director or deputy CAO roles. Accordingly, a number of approval authorities in Schedule "B" to have been updated to account for the introduction of theses authorities with the effective of pushing down (by one level) some of the current approval requirements.</p>

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3B	Council Approval for competitive awards >\$5M	Competitive awards over \$5M go to Council for approval post-bid solicitation	<p>Remove the requirement for Council approval post-bid solicitation for competitive awards >\$ 5M for 'routine' procurements and replace with a reporting requirement. Notably, there a requirement to still go to Council where portions of the bylaw are being waived and/or staff seeks to award other than in accordance with process set out in the RFx (e.g., bypass low bid) or if there isn't budget.</p> <p>Essentially, this change permits staff to proceed to award a contract (of any value) provided that the procurement has been completed in accordance with the Bylaw.</p>
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4	CONTRACT VALUE/SCOPE INCREASES	The current by-law does not address this matter	<p>We propose to introduce new language that expressly addresses the addition of scope and/or contract increases to a contract. Specifically, provided that (i) there is project budget availability; and (ii) the requisite approval authority is satisfied that the proposed 'new' or 'additional' scope is necessary and logically flows from and/or is in furtherance of the initial scope of the Contract, a more streamlined contract amendment approval regime would apply.</p> <p>The effect of this change is to attach appropriate approval authority having regard to the level of risk associated with the change, as shown in <u>Appendix 2</u>. In the case of contract amendments meeting the requisite criteria, rather than seeking approval for any increase in excess of \$1 million dollars, staff would be required to report back to Council on a rolled basis for all contract increase(s) where the cumulative value of the increase(s) exceed \$1 million dollars at regular reporting intervals. Importantly, any additions not meeting the criteria above will continue to follow the current single source approval mechanism.</p>

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5	SCHEDULE "A" EXEMPTIONS	Schedule "A" of current Procurement By-law. Deliverables set out in Schedule "A" can be procured under the authority of the bylaw without adhering to the procurement methods and reporting requirements. Authorities for execution follow the single source authorities.	Additional items have been added to Schedule "A" – including (i) insurance; (ii) indigenous consultation; (iii) a number of specialized community services where the Region is acting a service manager (childcare centre funding, homelessness services...etc.).
6	SOCIAL PROCUREMENT	Not expressly addressed in the current by-law.	To include general enabling statement, but substantively this will be addressed in a stand-alone separate policy once Council direction is provided.