



Contract Management Policy



ARTICLE 1 – OBJECTIVES

The contract management policy is designed to provide measures to ensure fair competition among those wishing to contract with the Town.

The contract management policy is implementing the following measures in order to:

- ensure that any bidder or bidder’s representative did not communicate or attempt to communicate with a selection committee member in order to influence the call for tenders for which a tender was presented;
- promote compliance with the laws designed to prevent bid-rigging;
- ensure compliance with the *Lobbying Transparency and Ethics Act* and *Lobbyists’ Code of Conduct* adopted under that Act;
- prevent intimidation, influence-peddling and corruption;
- prevent conflict of interest situations;
- prevent any other situation likely to compromise the impartiality or objectivity of the call for tenders process and the management of the resulting contract;
- provide a framework for any decision authorizing the modification of a contract.

ARTICLE 2 – SET OF MEASURES

2.1. Measures ensuring that no bidder or bidder’s representative has communicated or attempted to communicate with any member of the selection committee in an effort to influence them on a call for tenders for which they submitted a bid:

- 2.1.1. For each call for tenders, a tender call officer must be identified and given the mandate to provide administrative and technical information concerning the tender call.
- 2.1.2. It is provided in any tender call document that any bidder, or potential bidder, must refer only to this officer to obtain any clarification regarding the call for tender, and that this officer’s coordinates must appear on the call for tender documents.
- 2.1.3. Any bidder shall submit with his bid a statement that neither he nor any representative has communicated, or tried to communicate, with any member of the selection committee in order to exert influence. Failure to provide this solemn affirmation will result in the automatic rejection of the bid.

2.2. Measures to promote compliance with laws designed to prevent bid-rigging:

- 2.2.1. Inform and raise awareness of employees and council members concerning standards of confidentiality.
- 2.2.2. Ensure training of employees and council members concerning standards of confidentiality.
- 2.2.3. A provision concerning anti-competitive practices must be included in the tender call document.



2.3. Measures to ensure compliance with the *Lobbying Transparency and Ethics Act* and *Lobbyists' Code of Conduct* made under that Act:

- 2.3.1. Any bidder shall submit with his tender a statement certifying that he, and any representative or employee, respected the *Lobbying Transparency and Ethics Act* concerning the said tender. Failure to provide this solemn affirmation will result in the automatic rejection of his bid.
- 2.3.2. The Director General must attend a training program on the said Act and ensure that elected members and administrative personnel are aware of the *Lobbying Act*.

2.4 Measures aimed at preventing acts of intimidation, influence-peddling or corruption:

- 2.4.1. Limit group site visits to a minimum, and try to provide comprehensive plans and specifications.
- 2.4.2. Include a clause in the tender invitation stipulating that any bidder must submit with his bid a statement that neither he nor any collaborator or employee used intimidation, influence-peddling or corruption with regards to the present contract.

2.5. Measures aimed at preventing conflicts of interest:

- 2.5.1 Each member of the selection committee must provide a solemn declaration that he will judge the offers in accordance with the rules of ethics and in an impartial manner.
- 2.5.2. Delegate the power to form the selection committee to the Director General.

2.6. Measures aimed at preventing any other situation that could compromise the impartiality or objectivity of the tender call process and the management of the resulting contract:

- 2.6.1. For each call for tenders, a tender call officer is identified and given the mandate to supply any administrative or technical information concerning the tender call to potential bidders.
- 2.6.2. As only the tender call officer may be contacted for information about a tender, any bidder shall submit with his bid a statement that neither he nor any representative has communicated, or tried to communicate, with any member of the municipal organisation in order to influence or obtain information. Failure to provide this statement will result in the automatic rejection of his bid.

2.7. Measures aimed at regulating any decision to authorize the amending of a contract:

- 2.7.1. Any guideline change must be authorised by the Town's Director General. The Director may authorise guideline changes for a maximum of 10% of the cost of the contract. Any excess over the 10% established cost must be authorised by Council resolution.
- 2.7.2. Weekly site meetings will be held during the execution of the work in order to monitor contract performance.



2.8. Performance review

2.8.1. The Town has the right to refuse any tender from any contractor or supplier who, during the two years prior to tender opening date, had an unsatisfactory performance evaluation.

2.9 Bidding scale

2.9.1. In accordance to the applicable laws in effect in the Province of Québec.