THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 38 OF 2020

BEING A BY-LAW TO AMEND BY-LAW 58 OF 13, BEING A BY-LAW OF
THE CORPORATION OF THE TOWN OF GODERICH TO PROVIDE
FOR PROCREMEMENT PROCEDURES AND TO ADOPT THE
ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2005, AS
IT PERTAINS TO PURCHASING POLICIES

WHEREAS Council at the Special Council meeting of October 15, 2019 passed a
motion authorizing tender openings to be opened outside of Council and that a procedure
for tender opening be provided to Council by way of an amendment to a By-Law;

AND WHEREAS an amendment to Procurement By-Law 58 of 2013 is required to
change the policy for opening tender documents.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION
OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

1. That section 5.4 Tenders which currently reads:

5.4.1 Goals
i) To conduct an objective, fair, open, and efficient process for obtaining
competitive bids based on precisely defined requirements for which there
is a clear or single solution.
ii) To accept the lowest bid meeting the requirements specified in the
competition.
iii) The Town will determine the need to pre-qualify bidders.
iv) The Town may notify qualified firms of the tender call to potential bidders
in addition to the general notification process.
v) Tenders will be opened at meetings of the Council.
vi) The lowest qualified tender and tender documents are approved by
resolution of Council subject to satisfactory review re specifications and
contractor performance and subject to satisfactory negotiation of a
contract document, if necessary.
vii) The CAO shall report to the Council recommending on the disposition of a
contract where the lowest bid exceeds the estimated amount and/or where
only one bid is received.
viii) Except where otherwise authorized, no work may commence or
purchase made until a contract is signed and associated documents and
approvals are received.

Be replaced with the following:

5.4.1 Goals
(a) To conduct an objective, fair, open, and efficient process for obtaining
competitive bids based on precisely defined requirements for which
there is a clear or single solution.
(b) The lowest tender is not necessarily accepted.
(c) The Town will determine the need to pre-qualify bidders.
(d) The Town may notify qualified firms of the tender call to potential bidders in addition to the general notification process.

(e) Tenders will be opened at the time and place stated in the Tender Solicitation, and shall be in the presence of a Senior Management Team member or his/her designate responsible for the tender project, one member of Council, and if required the Town’s Engineer or designate and/or Solicitor and a report provided to Council.

(f) The qualified tender and tender documents are approved by resolution of Council subject to satisfactory review regarding specifications and contractor performance and subject to satisfactory negotiation of a contract document, if necessary.

(g) Except where otherwise authorized, no work may commence or purchase made until a contract is signed and associated documents and approvals are received.

2. That By-Law 58 of 2013 be hereby amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18TH DAY OF FEBRUARY, 2020

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MAYOR, John C. Grace

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CLERK, Andrea Fisher