



## Purchasing

### Governance

#### Purpose

Brantford Public Library is committed to acquire goods and services through a competitive process that results in the most effective net cost, appropriate quality and from a responsible source in a manner which abides by the City of Brantford's Purchasing Policy CORPORATE-012. Unless an exemption is created by the Library Board, staff will follow the City Purchasing Policy. This policy will highlight sections of the City Purchasing Policy which apply to the Library.

#### Principles

The Ontario Municipal Act requires of every Public Library Board that it have a policy with respect to its procurement of goods and services. This Policy is intended to fulfill that requirement.

In acquiring goods and services for the Library, the Board requires processes to ensure that they will receive the goods and services with integrity, fairness, equality, and transparency through efficient means that produce the lowest overall cost for the taxpayer.

The City of Brantford has determined as a matter of policy that the lowest overall cost for the taxpayer is most often received when competitive acquisition processes are used. For that reason, competitive acquisition will be the general rule and will be departed from only in accordance with specific exceptions set forth in this policy.

The Brantford Public Library's Purchasing Policy is guided by the City of Brantford's Purchasing Policy.

#### Goals of the Policy

The goals of the Purchasing Policy are as follows:

- To ensure openness, accountability and transparency while protecting the financial best interest of the Library;
- To encourage competitive bidding for the acquisition and disposal of goods and services where practicable;
- To ensure fair treatment and respectful business practice to all bidders;
- To obtain efficiencies where possible by maximizing buying power through economies of scale and participating in cooperative buying groups.

# Policy

## Purchasing Process Overview

The City Procurement Policy outlines and creates a robust infrastructure at the City of Brantford for the Library to leverage. The Library creates “**large value**” requests and submits them to the City to process, eliminating the need for a separate procurement department at the Library while keeping us in alignment with the City of Brantford’s procurement division.

## Delegation

The CEO/Chief Librarian shall appoint a Purchasing Officer to carry out this Policy and be responsible for the development and maintenance of procedures dealing with acquisition, tendering, disposal of goods/equipment and inventory control. These procedures will have the input of concerned departments including the City of Brantford Legal Department, and when necessary, be approved by the Library Board. In particular, the Purchasing Officer shall be responsible for:

- The acquisition of goods, services and construction, which includes leasing and rentals (excluding Library Materials for collections development).
- The standardization of goods/services wherever possible.
- The promotion and development of generic specifications that encourage competition and limit sole sourcing.
- The administration of the tendering process.
- The development of co-operative purchasing plans with other publicly funded agencies and levels of government where deemed beneficial to the Library.
- The disposal of goods, equipment, materials and salvage, which have been declared surplus, in accordance with approved procedures.

The CEO/Chief Librarian shall appoint managers to be responsible for Library Material Acquisitions; purchases shall be made in accordance with the Policy.

Contracts may only be awarded when this Policy and established procedures for the acquisition of goods and services have been followed. Whenever possible, contracts should be developed and approved by the City of Brantford, Legal Department.

It is understood that authorized designates, when deemed appropriate, have approval to sign.

## General Ability of the Library Board to Overrule Procedural Requirements

- The Library Board may overrule any requirement of this Policy on a transaction-specific basis by way of a Library Board resolution.
- The elimination of any requirement of this Policy on a general or continuing basis must be approved through a resolution which amends this Policy.

## Executions of Contracts and Documents

The execution of contracts and documents in connection with the acquisition of goods and services by the Library shall be in accordance with the requirements of the following table.

**Execution of Contracts and Documents**

Amount	Who can sign
Less than \$5,000	CEO/Chief Librarian, Corporate Services Administrator, Manager, Supervisor, Coordinator
\$5,000 to \$99,999	CEO, Corporate Services Administrator, Manager
Greater than \$100,000	CEO, Corporate Services Administrator, or Manager with resolution from Library Board

**Summary of Methods (SCHEDULE 1)**

Procurement Method	Procurement Value	Who administers the Procurement Process	Delegated Signing Authority
Low Value Procurement	<ul style="list-style-type: none"> <li>Does not exceed \$25,000</li> </ul>	<ul style="list-style-type: none"> <li>Department</li> <li>Library Purchasing Officer</li> <li>City Purchasing Division may assist, if requested</li> </ul>	<ul style="list-style-type: none"> <li>Manager of applicable department with applicable delegated signing authority.</li> </ul>
Invitational Competition	<ul style="list-style-type: none"> <li>Does not exceed \$100,000</li> <li>The following are <b>not permitted:</b> <ul style="list-style-type: none"> <li>Multi-year terms</li> <li>Options to renew / extend</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Department</li> <li>Library Purchasing Officer</li> <li>City Purchasing Division may assist, if requested</li> </ul>	<ul style="list-style-type: none"> <li>Manager of applicable department with applicable delegated signing authority.</li> </ul>
Open Competition	<ul style="list-style-type: none"> <li>Greater than \$100,000</li> </ul>	<ul style="list-style-type: none"> <li>City of Brantford Purchasing Division</li> </ul>	<ul style="list-style-type: none"> <li>Manager(s) with applicable delegated signing authority authorized through resolution of the library board.</li> </ul>
Non-Standard Procurement	<ul style="list-style-type: none"> <li>Does not exceed \$100,000</li> </ul>	<ul style="list-style-type: none"> <li>Department</li> <li>Library Purchasing officer in consultation with the City Manager of Purchasing or Director of</li> </ul>	<ul style="list-style-type: none"> <li>Manager(s) with applicable delegated signing authority authorized through resolution of the library board.</li> </ul>

		Purchasing prior to an award.	
Non-Standard Procurement	<ul style="list-style-type: none"> <li>• \$100,000 or greater</li> </ul>	<ul style="list-style-type: none"> <li>• Department</li> <li>• Library Purchasing Officer in consultation with the City Manager of Purchasing or Director of Purchasing prior to an award.</li> </ul>	<ul style="list-style-type: none"> <li>• Manager(s) with applicable delegated signing authority authorized through resolution of the library board.</li> </ul>
Renewal: renewal agreement for continued provisions of Deliverables	<ul style="list-style-type: none"> <li>• Must be triggering a right to renew in an existing agreement.</li> <li>• On such terms and means as determined by the Library Purchasing officer in consideration of the terms of the original agreement.</li> <li>• In instances where the agreement is a shared agreement with the City, on such terms and means as determined by the City Manager of Purchasing or City Director of Purchasing in consideration of the terms of the original agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• Library Purchasing Officer in consultation with the applicable department.</li> <li>• In instances where the agreement is a shared agreement with the City, the City Purchasing Division in consultation with the applicable Library Department.</li> </ul>	<ul style="list-style-type: none"> <li>• Manager of applicable department with applicable delegated signing authority.</li> </ul>
Extension: extension of an agreement for Deliverables	<ul style="list-style-type: none"> <li>• Library Board approval required.</li> <li>• In instances where the agreement is a shared agreement with the City, City Council Approval is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Library Purchasing Officer in consultation with the applicable department.</li> <li>• In instances where the agreement is a shared agreement with the City, the</li> </ul>	<ul style="list-style-type: none"> <li>• Manager with applicable delegated signing authority authorized through resolution of the Library Board.</li> </ul>

		City Purchasing Division in consultation with the applicable Library Department.	
Amendments re: vendor assignment and succession: any agreement or other documentation needed to recognize and accept any change in the name or business structure of a Supplier, such as changes resulting from the Supplier merging with another party	<ul style="list-style-type: none"> <li>Any value, regardless of Contract price</li> </ul>	<ul style="list-style-type: none"> <li>Purchasing Division in consultation with Department and with Legal Services</li> </ul>	<ul style="list-style-type: none"> <li>Staff member of applicable department with applicable delegated signing authority, plus the Coordinator or Manager of Purchasing, Director of Purchasing, or City Treasurer, as authorized.</li> </ul>
Any other amendment: any agreement to change the terms of the original agreement that is not an Option to Buy, renewal or extension agreement and not through a change order process as permitted in the original agreement	<ul style="list-style-type: none"> <li>As determined by the Manager of Purchasing or Director of Purchasing in consideration of the terms of the original agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Purchasing Division in consultation with the applicable Department.</li> </ul>	<ul style="list-style-type: none"> <li>Staff member of the applicable department with applicable delegated signing authority plus Coordinator or Manager of Purchasing, Director of Purchasing, or City Treasurer, as authorized.</li> </ul>
Change Order: any agreement change to the terms of the original agreement such as change in scope, timeline or price, and which is through the change order process permitted in the original agreement	<ul style="list-style-type: none"> <li>In accordance with the original agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Library purchasing officer in consultation with the applicable department.</li> <li>In instances where the agreement is a shared agreement with the City, the City Purchasing Division in consultation with the applicable Library Department.</li> </ul>	<ul style="list-style-type: none"> <li>Manager of applicable department with applicable delegated signing authority</li> </ul>

Disposal of Surplus Goods	<ul style="list-style-type: none"> <li>In accordance with City Procurement Policy section 2.15.</li> </ul>	<ul style="list-style-type: none"> <li>Corporate Services Administrator, in consultation with Department staff.</li> </ul>	<ul style="list-style-type: none"> <li>Manager with applicable delegated signing authority authorized through resolution of the Library Board.</li> </ul>
Option to Buy	<ul style="list-style-type: none"> <li>In accordance with the terms of the original agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Purchasing Division in consultation with department unless otherwise authorized by the Manager of Purchasing or Director of Purchasing.</li> </ul>	<ul style="list-style-type: none"> <li>Staff member of the applicable department with applicable delegated signing authority plus the Coordinator or Manager of Purchasing, Director of Purchasing, or City Treasurer, as authorized</li> </ul>

### Contracts Which Must be Awarded by the Library Board

Despite the contents of SCHEDULE 1 or any other requirements of this Policy and the City Policy, the following Contracts shall be awarded by the Library Board and not staff:

- (a) Contracts for the Procurement of Deliverables which have a term greater than 5 years and a day (including rights of extension and renewal), unless otherwise approved by the **Manager of Purchasing**
- (b) Contracts which have not received funding either through adoption of the annual City budget or other decisions of Council or the Library Board;
- (c) Non-Standard procurements equal to or greater than \$100,000; or
- (d) As directed by the CEO/Chief Librarian or Purchasing Officer.

### Cooperative Procurement and Group Purchasing Organizations

The Library may participate in Cooperative Procurement, GPOs, or joint purchasing initiatives with other entities where such initiatives are determined by the Purchasing Officer to be in the best interests of the Library, and where the Purchasing Officer has determined that such initiative was undertaken in accordance with the spirit of this and the City Purchasing Policy and in compliance with applicable laws. If the Library participates in such cooperative or joint purchasing initiatives, the Library may adhere to the policies of the entity conducting the purchasing process, provided that such policies comply in spirit with this Policy and with generally applicable legal requirements.

### Exemptions

In acquiring the following goods and services, the library shall not be required to follow the procedures and methods described in this Policy:

## **1. Transaction specific exceptions approved by Library Board**

Transaction-specific exceptions approved by the Library Board from time to time through resolution, it being the intention that any new exceptions of general or continuing application will be approved by resolution as additions to this Policy.

## **2. Employer's General Expenses**

- a. Delivarables as the result of insurance claims
- b. Payments pursuant to agreements approved by the Library Board
- c. Temporary staffing agencies and services
- d. Maintenance fees for software and computer hardware including additional or upgraded modules, features, licenses and related software. Renewal and expansion of cloud and subscription-based solutions.

## **3. Professional and Special Services**

- a. Specialized financial services and advice
- b. Legal and ancillary services, including expert witnesses, consultants, and valuators for matters actually in litigation or which may reasonably expected to be in litigation
- c. Entertainers for programs and special events

## **4. Utilities**

- a. Water
- b. Sewer
- c. Natural Gas
- d. Electricity
- e. Postage

## **5. Real Property Interests**

- a. All real estate transactions

### **Disposal of Surplus Goods and Equipment**

Except where otherwise required by the Library Board for specific varieties of goods or equipment, surplus goods shall be disposed of by the Purchasing Officer in accordance with this Policy.

Surplus goods shall be disposed of by any one of the following methods, ranked in order of preference as follows:

- i. Traded in as part of a replacement purchase;
- ii. Sold by a competitive public offering process or auction;
- iii. Offered or donated to other public or non-profit agencies; or

- iv. Disposal of the goods by transportation to the City's landfill site, recycling site or other appropriate disposal facility.

## **Persons with Disabilities**

In acquiring goods and services for the library, library staff shall consider and have regard to disability accessibility issues as they may reasonably pertain to such acquisitions of goods and services and shall comply with the requirements of the Library's Accessibility Plan and the City of Brantford's Facility Accessibility Design Standards ("FADS"). All new and renovated City owned facilities shall be designed to meet or exceed the City of Brantford's FADS and comply with legislation concerning people with disabilities.

Contracts for the acquisition of goods and services shall include the following elements:

- i. that the Vendor shall comply with the Accessibility for Ontarians with Disabilities Act (AODA) standards for Customer Service (O. Reg. 429/07) and the Integrated Accessibility Standards (O. Reg. 191/11) and their relation to the Human Rights Code;
- ii. that the Vendor shall ensure that its employees are trained on providing accessible customer services. Any training or training resources must conform to the legislated requirements under the Act; and
- iii. that the Vendor shall maintain records of the training, including dates when training was provided, the number of employees who received training and individual training records. Where requested by the Library, the person, business or organization shall provide written proof, as well as any documentation regarding training policies, practices and procedures, to the Library.

## **Review of Policy**

Given that this Policy is guided by the City of Brantford's Purchasing Policy, any approved changes to the City's Policy will prompt a review of this Policy. Changes to the City's Policy will not automatically apply to the Brantford Public Library, however, unless or until they are formally approved by the Brantford Public Library Board. Library management will endeavor to bring policy updates to the attention of the Library Board in timely manner following City changes.

## **History**

**Supersedes:** Not applicable

**Background documents, related policies:** [City of Brantford Purchasing Policy Number CORPORATE-012](#)

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**Author:** Corporate Services Administrator

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