



**Meeting Date:** February 3, 2021

**Submitted by:** Michael Di Lullo, CAO

**Report No:** CAO-2-2021

**Subject:** Housekeeping Amendments to Procurement Policy

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**Recommendation:**

THAT CAO Report CAO-2-2021 re: Housekeeping Amendments to Procurement Policy be received;

AND THAT By-Law 2020-102 be amended as outlined in Report CAO-2-2021.

**Purpose:**

This purpose of this report is to make housekeeping amendments to the Municipal Procurement Policy.

**Background:**

The Municipality passed an updated procurement policy at the December 20, 2020 Council meeting adopted by By-Law 2020-102. A copy can be found at: <https://pub-middlesexcentre.escribemeetings.com/filestream.ashx?DocumentId=4316>

Since adoption and upon further review, there are two pieces in the policy that require updating being Part T – Prohibited Vendors and Part W – Insurance and Indemnity.

**Analysis:**

Part T – Prohibited Vendors

The Municipality hires personnel in a variety of capacities from full-time to contract to our fire personnel. From time to time, it is reasonable to utilize individuals deemed employers of the Municipality to provide a municipal service recognizing that they have had or are current employees of the Municipality.

As a public organization and to ensure fairness and equity, clause 74 of the policy in Part T will be updated to account for work done within reason and worded as follows:

74. The Municipality shall not acquire goods and services from any of the following:
- a. Municipal Councillors, municipal employees or volunteers.
  - b. any person noted in subsection (a) who maintains a controlling interest in a business involved in a bid request.
  - c. **Clauses a) and b) are subject to review of: the service need, employment relationship with the Municipality and satisfaction of the procurement conditions fulfilled all being conditions taken into consideration as approved by the Director and in consultation with the CAO.**
75. Notwithstanding subsections (a) and (b) the Municipality may, at its request, seek a conflict of interest affidavit from any bidder pursuant to this policy.

#### Part W – Insurance and Indemnity

In consultation with the municipal insurance carrier, the standard insurance premiums were raised to five (5) million however recognizing the type and scope of work may not necessitate the need for vendors who provide service to the municipality to have five (5) million.

As such, clauses 83 and 84 of the policy in Part W will be amended to read as follows:

83. In general the standard insurance minimums are as follows; **however, from time to time, the Municipality reserves the right to increase or reduce the amounts as approved by the CAO and/or the Municipality's insurance provider:**
- d. \$5 million – commercial general liability policy
  - e. \$5 million – owned and non-owned automotive liability policy
  - f. \$1 million – homeowners (e.g. for rental of facilities)
  - g. \$5 million – professional errors and omissions liability (as applicable)
  - h. \$5 million – environmental impairment liability (as applicable)
  - i. The amount of the project cost – Builders Risk (as applicable)
84. Other Insurance Coverage – The Municipality reserves the right to request **different** limits of insurance or other types of policies appropriate to the agreement as the Municipality may reasonably require from time to time **with review of the Municipality's insurance provider.**

#### **Financial Implications:**

N/A

**Strategic Plan:**

This matter aligns with following strategic priority:

- Balanced Growth

This Report aligns with Objective 3.3 – to be active partners in promoting the local economy and enabling business to occur with local stakeholders, where warranted.

**Attachments:**

N/A