

# The Regional Municipality of York

Committee of the Whole  
Finance and Administration  
June 15, 2023

Report of the Commissioner of Finance

## Contract Awards and Amendments Requiring Council Approval

### 1. Recommendations

1. Council authorize the award of new non-standard procurements, extensions, and increases, as per Attachment 1 and Private Attachment 1.
2. Council authorize Commissioners and Department Heads, or their designates, to execute the contracts and amendments approved in this report.

### 2. Summary

Pursuant to Section 18 of the Procurement Bylaw 2021-103 ('the Bylaw'), this report seeks Council approval to authorize new non-standard procurements, extensions, and increases.

Key Points:

- This report consolidates 63 new non-standard purchases, extensions, and increases requested across four Regional departments, with a total value of \$15,190,346
- All requests within this report have been validated by the Procurement Office to ensure they meet the required criteria to be procured as new non-standard procurements, extensions, and increases
- All requests within this report have been validated by Commissioners/Department Heads to ensure that the requests align with departmental business and budget objectives
- Legal Services has confirmed the specific circumstances outlined in this report where non-standard procurements are permissible under the applicable procurement trade treaties
- Private Attachment 1 to this report will be considered in private session as the items within it are related to the security of Regional property, pursuant to Section 239(2) (a) of the *Municipal Act*, 2001

### 3. Background

#### **This report format provides a holistic approach to the approval of non-standard procurements by Council**

This report format facilitates a more consistent, coordinated, and compliance-focused approach to approving non-standard procurements, as it ensures regular reporting, greater transparency and visibility, increased compliance and oversight with the Bylaw and related policies, and improved departmental planning of procurements.

In 2023, this report will be submitted in March, June, and November.

#### **The Bylaw specifies procurement activities requiring Council approval**

Pursuant to Section 18 of the Bylaw, the following circumstances require Council approval prior to authorization:

- An extension or renewal of a contract would result in an aggregate term of greater than five (5) years
- A term contract where the contract does not provide for a renewal option, or all renewal options have been exercised
- A non-standard procurement where the total cost exceeds \$500,000

### 4. Analysis

#### **In specific circumstances, provisions of applicable trade treaties allow for deliverables to be purchased through non-standard procurements**

A non-standard procurement is the procurement of deliverables using a method other than the one normally required for the type and value of the deliverables. In specific circumstances, trade treaties permit the use of non-standard procurement methods, including purchasing directly without competition, or through limited competitions.

The requests within this report align with permissible reasonings for non-standard procurements, as prescribed by applicable trade treaties, including but not limited, to the following circumstances:

- Where deliverables can only be supplied by a particular supplier, as no reasonable alternative or substitute exists due to compatibility with existing deliverables
- Where existing deliverables must be maintained by the manufacturer or their representative(s) for warranty purposes
- For additional deliverables, where a change of supplier cannot be made for economic or technical reasons, as changing the supplier would cause significant inconvenience or substantial duplication of costs, including scenarios where changing the supplier

would result in new requirements for interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement

### **To ensure the best value for the Region, staff conduct value-for-money analysis**

Where non-standard procurements are used, staff conduct value-for-money exercises to ensure these methods represent the best value for the Region. Staff are encouraged to test and research the market before the completion of a contract term to ensure up-to-date awareness and understanding of prices for the required deliverables. Staff can also conduct Requests for Information (RFI) or Expressions of Interest (EOI) to gather additional information from potential suppliers for the required deliverables.

Where contract extensions are negotiated, the cost is validated to be in alignment with departmental budgets, market prices, and inflation values.

## **5. Financial**

The estimated cost to award or extend and increase the deliverables requested in this report is outlined in Table 1. The requested values within this report factor in annual cost adjustments and forecasted changes in user, business, and operational requirements.

The required funding for these requests is included in the requesting department's 2023 budget and will be included in future budgets. Where there is Provincial or Federal funding available for the requests in this report, this funding will be used to offset the requested total contract value of individual projects, as approved by Council in the annual budget process.

**Table 1**  
**Overall Summary of Requests**

<b>Department and Stream</b>	<b>Number of Requests</b>	<b>Value of Requests (\$)</b>
<b>Community and Health Services</b>	<b>33</b>	<b>3,994,506</b>
<b>Stream 2:</b> Extensions and increases resulting in a total contract term over five (5) years	22	2,421,545
<b>Stream 3:</b> Extensions and increases for contracts that do not provide renewal options, or where all renewal options have been exercised	2	25,962
<b>Stream 4:</b> Extensions and increases for existing non-standard procurements over \$100,000	9	1,547,000

Department and Stream	Number of Requests	Value of Requests (\$)
<b>Corporate Services</b>	<b>8</b>	<b>3,371,000</b>
<b>Stream 2:</b> Extensions and increases resulting in a total contract term over five (5) years	7	3,221,000
<b>Stream 4:</b> Extensions and increases for existing non-standard procurements over \$100,000	1	150,000
<b>Office of the Chief Administrative Officer</b>	<b>1</b>	<b>22,000</b>
<b>Stream 2:</b> Extensions and increases resulting in a total contract term over five (5) years	1	22,000
<b>Public Works</b>	<b>21</b>	<b>7,802,839</b>
<b>Stream 1:</b> New direct purchases over \$500,000	5	7,129,764
<b>Stream 2:</b> Extensions and increases resulting in a total contract term over five (5) years	15	627,575
<b>Stream 3:</b> Extensions and increases for contracts that do not provide renewal options, or where all renewal options have been exercised	1	45,500
<b>Streams Summary</b>	<b>63</b>	<b>15,190,346</b>
<b>Stream 1:</b> New direct purchases over \$500,000	5	7,129,764
<b>Stream 2:</b> Extensions and increases resulting in a total contract term over five (5) years	45	6,292,120
<b>Stream 3:</b> Extensions and increases for contracts that do not provide renewal options, or where all renewal options have been exercised	3	71,462
<b>Stream 4:</b> Extensions and increases for existing non-standard procurements over \$100,000	10	1,697,000

**The following outlines additional context for departmental requests, at the branch level**

Tables 2 through 5 present an overview of departmental requests at the branch level.

Full request details can be found in Attachment 1 and Private Attachment 1 where applicable.

**Table 2  
Community and Health Services**

Branch	Number of Requests	Value of Requests (\$)
Housing Services	1	140,000
Paramedic and Seniors Services	23	2,356,150
Public Health	7	1,458,000
Social Services	2	40,357
<b>TOTAL</b>	<b>33</b>	<b>3,994,506</b>

The requests brought forward from Community and Health Services are related to bloodwork and specimen collection/testing, dentistry and denturist services, diagnostic imaging services, hairdressing services, medical equipment and supplies, nutritional and therapeutic services, optometry services, physician services, program delivery services, software and associated maintenance services, training services, vehicle branding services, and water testing services.

**Table 3  
Corporate Services**

Branch	Number of Requests	Value of Requests (\$)
Corporate Communications	1	20,000
Data, Analytics and Visualization Services	2	170,000
Information Technology Services	4	3,181,000
Property Services	1	-
<b>TOTAL</b>	<b>8</b>	<b>3,371,000</b>

The requests brought forward from Corporate Services are related to public Wi-Fi, software and associated maintenance services, and systems furniture.

**Table 4**  
**The Office of the Chief Administrative Officer**

Branch	Number of Requests	Value of Requests (\$)
People, Equity and Culture	1	20,000
<b>TOTAL</b>	<b>1</b>	<b>20,000</b>

The request brought forward from The Office of the Chief Administrative Officer is related to training services.

**Table 5**  
**Public Works**

Branch	Number of Requests	Value of Requests (\$)
Business Planning and Operations Support	2	605,000
Business Planning and Technology	11	195,575
Capital Planning and Delivery	1	559,764
Sustainability, Communications and Innovation	1	71,500
Operations, Maintenance and Monitoring	6	6,371,000
<b>TOTAL</b>	<b>21</b>	<b>7,802,839</b>

The requests brought forward from Public Works are related to engineering consulting services, replacement equipment, parts and associated installation services, and software and associated maintenance services.

## **6. Local Impact**

Should Council approval not be granted for the requested deliverables, front line services may be negatively impacted.

## **7. Conclusion**

Council authorization is requested for the award of new non-standard procurements, extensions, and increases, as per Attachment 1 and Private Attachment 1 where applicable.

The requests within this report are critical to ensure business continuity of programs and a consistent and stable business environment, enabling the delivery of Regional business objectives.

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For more information on this report, please contact Fadi Samara, Director, Procurement Office at 1-877-464-9675 ext. 71650. Accessible formats or communication supports are available upon request.



Recommended by:

**Laura Mirabella**  
Commissioner of Finance and Regional Treasurer



Approved for Submission:

**Bruce Macgregor**  
Chief Administrative Officer

May 24, 2023

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Attachment 1 - Contract Awards and Amendments for Council Approval  
Private Attachment 1 - Contract Awards and Amendments for Council Approval