

HOUSING YORK INC.

BYLAW NO. 1-25

A bylaw to amend Bylaw No. 1-18 Purchasing Bylaw, being a bylaw to provide for the procurement of goods and services by Housing York Inc.

RECITALS

Subsection 116 (1) of the *Business Corporations Act*, R.S.O. 1990, c. B.16, provides that unless the articles, the by-laws or a unanimous shareholder agreement otherwise provide, the directors may, by resolution, make, amend or repeal any by-laws that regulate the business or affairs of a corporation;

On May 15, 2025, the Board of Directors of Housing York Inc. approved a report titled Purchasing Bylaw Update authorizing amendments to Bylaw No. 1-18 Purchasing Bylaw (the "Purchasing Bylaw") to respond to potential economic and fiscal impacts of tariffs;

The Board of Directors of Housing York Inc. enacts as follows:

1. Section 2.1 of the Purchasing Bylaw is amended by inserting the following definition before the definition for "tender":

"tariff" means a duty imposed on a good or service imported into Canada;
2. The Purchasing Bylaw is amended by striking out "\$100,000.00" wherever it appears and substituting in each case with "\$133,800.00".
3. The Purchasing Bylaw is amended by striking out "one hundred thousand dollars" wherever it appears and substituting in each case with "one hundred and thirty-three thousand eight hundred dollars".
4. Section 7.1 (c) is amended by striking out "fifty thousand dollars (\$50,000.00)" wherever it appears and substituting with "seventy thousand dollars (\$70,000.00)".
5. Section 11.1 of the Purchasing Bylaw is repealed and substituted with the following:
 - 11.1 Where any purchase of deliverables has been authorized under this bylaw, the President may, upon being satisfied that a contingency has arisen (except for an additional expenditure arising from an additional tariff), authorize expenditures that exceed the original approved contract amount, provided that any additional expenditure shall not exceed fifteen percent (15%) of the total cost of the contract at the time of award and further

provided that the additional expenditures are required to complete the deliverables set out in the original contract.

6. Section 11 of the Purchasing Bylaw is amended by inserting the following sections after Section 11.2:
 - 11.3 Despite Section 11.1 and subject to a rigorous vetting process to be determined by the President, the President may, on a case-by-case basis, authorize additional expenditures that exceed the originally approved contract amount, provided that:
 - (a) the additional expenditure is required to fulfill the requirements of the contract;
 - (b) the additional expenditure is directly attributable to an increased or new tariff that comes into effect after the time of contract award; and
 - (c) the supplier provides sufficient documentary evidence to substantiate the additional expenditure.
 - 11.4 In conducting the rigorous vetting process described in Section 11.3, the President may consider additional factors, including but not limited to whether the additional expenditure could have reasonably been mitigated.
 - 11.5 A report shall be submitted to the Board on a regular basis to advise of all additional expenditures authorized pursuant to Section 11.3
7. Where this bylaw refers to a schedule, enactment, statute, regulation, or bylaw, it also includes that schedule, enactment, statute, regulation, or bylaw, as amended, supplemented, or replaced from time to time.
8. Except as expressly modified by this bylaw, all provisions of the Purchasing Bylaw, are, and shall continue to be, in force and effect.
9. This bylaw is effective from the date of enactment until it is confirmed, confirmed as amended or rejected by the shareholders or until it ceases to be effective.
10. Where this bylaw is confirmed or confirmed as amended, it continues in effect in the form in which it was so confirmed.

ENACTED AND PASSED by the Board of Directors of Housing York Inc. on May 15, 2025.

Chair

Secretary

CONFIRMED by the sole shareholder of Housing York Inc., The Regional Municipality of York, pursuant to subsection 116 (2) of the *Business Corporations Act*, R.S.O. 1990, c. B.16, on June 26, 2025.

THE REGIONAL MUNICIPALITY OF YORK

Regional Chair