

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 4-70

BEING A BY-LAW TO DEFINE THE DUTIES AND RESPONSIBILITIES OF THE PURCHASING AGENT; AND TO ESTABLISH, AND DEFINE THE ADMINISTRATION AND FUNCTION OF, A CENTRAL PURCHASING DEPARTMENT.

WHEREAS the Council of The Corporation of the City of North Bay considers it advisable to establish a Central Purchasing Department, and to define the administration and function thereof, and the duties and responsibilities of the Purchasing Agent of the Corporation;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

The word "goods" used herein shall include all supplies, materials, equipment, services, publications, and every other commodity or service purchased or engaged by the City of North Bay, excluding services of employees of the City of North Bay for which salaries are paid by the said City;

The word "City" and the word "Corporation" used herein shall mean The Corporation of the City of North Bay; the word "Council" shall mean the Council of The Corporation of the City of North Bay.

1. The Purchasing Agent shall carry out and perform all duties appropriate to his position, and, without limiting the generality of the foregoing, shall:
 - (a) Have charge of, and be responsible for, a Central Purchasing Department and one or more warehouses for the storing of goods purchased;
 - (b) Arrange for, and be responsible for, the purchase of all goods on behalf of the Corporation;
 - (c) Have sole power, under the direction of the City Treasurer, to purchase, store, and distribute all goods required by the Corporation;
 - (d) Operate and maintain one or more warehouses for the storing of purchased goods, and develop and administer in connection therewith an efficient system of stores control based on perpetual inventory, maintaining therein on a continuous basis such quantities of goods as will fulfil the estimated current needs of the Corporation;

The total value of such stored goods shall not exceed Fifty Thousand Dollars (\$50,000.00);
 - (e) Maintain an accounting system for the warehouse storage operation, which system shall meet the requirements of the City Treasurer and be subject to his audit;
 - (f) Interview all salesmen and, where, necessary, refer them to other departments when technical information is required;
 - (g) Group, correlate, and unify, so far as possible, requirements of the various departments of the Corporation, and, through standardization where practicable, reduce the varieties of goods used by the Corporation to the smallest number consistent with the needs of the departments of the Corporation; to this end he shall consult with the City Engineer and the heads of other departments of the Corporation;

- (h) Obtain from the heads of the departments of the Corporation, estimates of future requirements of such departments so that the quantities of goods which should be contracted for in advance of actual current need can be determined;
 - (i) Be responsible for the issuing of all tender calls and the receiving of all tenders other than those relating to construction contracts;
 - (j) Obtain from the heads of the departments of the Corporation, from time to time, itemized lists of all goods which have been worn out or scrapped, or which are no longer used or have become obsolete. In the event that any of such goods can be used by any other department of the Corporation, he will make same available for use by such other department. Should any of such goods not be so useable, he will arrange for the disposal of same, subject to the approval of Council.
 - (k) Except where a non-competitive commodity is required, make all purchases on a competitive basis, consistent with quality and service; when identical low bids are received for any goods, the successful bidder shall be determined on the basis of his ability to supply said goods promptly as required, and on the Corporation's past experience with said bidder. All other factors being equal, preference will be given, first, to goods of local manufacture, and second, to goods offered by local suppliers.
 - (l) Visit suppliers when necessary to assess the ability of a supplier to meet specifications, and expedite deliveries to the Corporation.
2. Each department of the Corporation shall from time to time supply the Purchasing Agent with such information, specifications, and other material as may be required by him in the discharge of his duties.
 3. Where tenders are required on contracts for construction work or other projects undertaken by the Corporation, the head of the department concerned will be responsible for the preparation of all necessary plans and specifications.
 4. The following provisions shall apply to purchases of goods by the Purchasing Agent:
 - (a) Every purchase of goods shall be covered by a Purchase Order;
 - (b) Each department of the Corporation shall make requisition to the Purchasing Agent for its requirements; each requisition shall be signed by the head of the department concerned or on behalf of the head of the department concerned by some member of his department authorized to sign on his behalf;
 - (c) The Purchasing Agent shall not order goods the purchase of which has not been authorized by Council, except goods required for current needs, the cost of which is provided for in current estimates;
 - (d) Authorization of a capital work by Council constitutes authorization for any purchases necessary to carry out such work;

- (e) The Purchasing Agent is authorized to order goods to the amount of Five Hundred Dollars (\$500.00) from such supplier and upon such terms and conditions as he shall deem advisable;
 - (f) The Purchasing Agent is authorized to order goods to an amount exceeding Five Hundred Dollars (\$500.00) and less than Two Thousand and Five Hundred Dollars (\$2,500.00) from such supplier and upon such terms and conditions as he shall deem advisable, subject to his first obtaining at least three (3) quotations for such goods whenever practicable;
 - (g) The Purchasing Agent shall not order goods to an amount exceeding Two Thousand and Five Hundred Dollars (\$2,500.00) without requesting and obtaining sealed tenders for such goods unless specifically authorized so to do by a Resolution of Council;
5. The following procedure shall be followed in respect of tenders, and reporting thereon:
- (a) Tenders shall be opened in the presence of at least two (2) witnesses, one of whom shall be a member of Council; any other person may attend;
 - (b) Requests for tenders shall state that tenders will be received not later than twelve o'clock noon on a specified day; and tenders shall be opened at two o'clock in the afternoon of the same day;
 - (c) The Purchasing Agent and the head of the department concerned shall report in writing on such tenders with their recommendation as to which, if any, should be accepted. Such report shall be addressed to the City Clerk, who will forward it to Council;
 - (d) Tenders shall not be accepted except upon the authority of Council;
 - (e) The Purchasing Agent shall deliver to the Clerk of the Corporation copies of all tender calls on the date of issue thereof.
6. All requests by an employee of the Corporation for prices, catalogues, demonstrations, or other material or services provided by prospective vendors, must be made to the Purchasing Agent and not to such prospective vendors.
7. No goods shall be purchased on behalf of the Corporation except through the Purchasing Agent.
8. Any local Board or Commission of the City may request Council to make the services of the Purchasing Agent available to such Board or Commission. If such services are provided, they shall be governed by the terms, stipulations and procedures set forth herein, with the word "Board" or "Commission" substituted for the word "department" wherever the latter appears.
9. Notwithstanding the provisions of this by-law:
- (a) Emergency purchases of goods may be made directly by a department head where the immediate purchase of goods is essential to prevent disruption of the work in any department, danger to life, or damage to property; provided however, that where such goods are so purchased the department head shall on the immediately following working day, submit to the Purchasing Agent an emergency requisition for such goods;

- (b) The Purchasing Agent in co-operation with department heads shall have authority to arrange for and to issue purchase requisitions to selected suppliers on a month to month basis, provided detailed confirming Purchase Orders are issued monthly covering the goods so purchased.
10. (1) Notwithstanding the provisions of any other By-law, the Treasurer is authorized to pay for any goods purchased by the Purchasing Agent upon receipt of:
- (a) A materials receipt form signed by an authorized employee of the Corporation other than the Purchasing Agent acknowledging receipt of the goods on behalf of the Corporation; and
 - (b) A priced copy of the Purchase Order, signed by the Purchasing Agent or his delegate. In cases where it is impracticable to establish prices on Purchase Orders, or where the price on the invoice differs from the Purchase Order, the Purchasing Agent, or his delegate, shall approve the invoice for payment;
 - (c) Provisions (a) and (b) shall not apply to utility invoices consisting of charges for the supply of water, electricity, gas and telephone equipment rental.
- (2) The Treasurer is further authorized to pay for work performed or materials supplied in accordance with any formal contract entered into by Council upon receipt of a progress certificate or other evidence that the work has been performed or the materials supplied, as the case may be, signed by the City Engineer or his delegate; or by such other department head as may be directly responsible for the performance of such contract; provided, however, that all final payment certificates shall be subject to formal approval of Council prior to payment thereof.
- (3) In the case of contracts for construction or the supply of materials or services falling within the scope of The Mechanics' Lien Act, the Treasurer shall not make any payment or partial payment without the written approval of the City Solicitor.

Any by-law or parts of by-laws in conflict with the provisions of this by-law shall be deemed to be and they are hereby repealed.

This by-law shall take effect as of and from the date of final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 9TH DAY OF JUNE, 1969.

READ A SECOND TIME IN OPEN COUNCIL THIS 13TH DAY OF JANUARY, 1970.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 13TH DAY OF JANUARY, 1970.

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MAYOR

E.E. Armstrong
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CITY CLERK