



# Hamlet of Cambridge Bay By-Laws

<b>By-Law Name:</b>	Contracts
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<b>By-Law Number:</b>	158
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## Description

A By-Law of the Municipal Corporation of the Hamlet of Cambridge Bay in the Nunavut Territory, to provide for the making of contracts, pursuant to the provisions of the Hamlets Act, R.S.N.W.T, c. H-1, s. 130.

## By-Law

AS it is in the public interest to establish procedures for the making of contracts,

AND AS it is desirable to provide incentives to local and northern businesses,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF CAMBRIDGE BAY, at a duly assembled meeting, enacts as follows:

1. This by-law may be cited as the "Contract Procedures By-law".
2. In this by-law:
  - a) "Council" means the council of the Hamlet of Cambridge Bay;
  - b) "Hamlet" means the municipal corporation of Cambridge Bay;
  - c) "Mayor" means the mayor of the Hamlet of Cambridge Bay;
  - d) "Municipal Contract" means a written agreement or contract, under which a business or person is contracted to provide goods, services or constructions to, for or on behalf of the municipal corporation;
  - e) "SAO" means the senior administrative officer of the Hamlet; and
  - f) "Schedule" means a schedule attached to and forming part of this by-law.

3. No person shall make a municipal contract on behalf of the Hamlet except in accordance with this by-law and its accompanying schedules.
4. Every municipal contract made on behalf of the Hamlet must cite, and must conform to, the Local Preference Policy, adopted by resolution of Council.
5. (1) Subject to subsection (2), the Mayor and the SAO, where so authorized by resolution of Council, May, on behalf of the Hamlet, enter into municipal contracts, by signing documents and taking other actions as necessary.
- (2) Where either or both the Mayor and the SAO are absent or otherwise unable to sign a municipal contract, the Council may, by resolution, authorize that the contract documents be signed by another member of Council on behalf of the Mayor and another officer of the municipal corporation authorized to sign on behalf of the SAO.

<b>Date of First Reading</b>	(Day)	(Month)	(Year)	2001
<b>Date of Second Reading</b>	(Day)	(Month)	(Year)	2001
_____ <b>Mayor</b> <span style="margin-left: 200px;">_____</span> <b>Senior Administrative Officer</b>				
<b>Date of Third Reading and Passed</b>	(Day)	(Month)	(Year)	2001
_____ <b>Mayor</b> <span style="margin-left: 200px;">_____</span> <b>Senior Administrative Officer</b>				



## Hamlet of Cambridge Bay NU.

### BY-LAW No. 158 – Schedule 1

#### CONTRACTS

##### Municipal Contracts & Tenders

#### 1. Purpose

The purpose of this Schedule is to establish procedures to be followed in tendering for municipal services, managing ongoing municipal contracts, ensuring that equal opportunity is given to all who tender bids, subject to the Local Preference Policy, and protecting the public interest.

#### 2. Definitions

In this Schedule:

- |    |                           |                                                                                                                                                                                            |
|----|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | "Municipal contract"      | means a written agreement or contract, under which a business or other person is contracted to provide goods, services or constructions to, for or on behalf of the municipal corporation; |
| b) | "Qualified Bidder"        | means a business or other person meeting the qualifications set out in the Tender Documents;                                                                                               |
| c) | "Resident Local Business" | means a business licensed to operate as a Resident Local Business under the Business License By-law;                                                                                       |
| d) | "Rules of Tender,"        | means the rules for submitting bids and other aspects of a Tender set out in the Tender Documents;                                                                                         |
| e) | "Tender"                  | means a competition for a contract with the municipal corporation, in which businesses or other persons submit bids according to the Rules of Tender;                                      |
| f) | "Tender Call"             | means the making of a public announcement or the issuing of invitations to submit bids on a Tender;                                                                                        |
| g) | "Tender Closing"          | refers to the time and date, specified in the Tender Documents, after which further bids will not be accepted;                                                                             |

- h) "Tender Documents" means documents provided to businesses or other persons wishing to submit bids on a Tender;
- i) "Tender Opening" refers to the time, specified in the Tender Documents, at which all bids are to be opened;

**Types of Tenders**

- 1. Public Tender: A Tender open to any Qualified Bidder;
- 2. Closed Tender: A Tender open to any Qualified Bidder, which is a Resident Local Business;
- 3. Invitational Tender: A Tender open only to those Qualified Bidders invited to submit bids;

**3. Tender Calls**

- (1) Subject to subsection (2), Tender shall let every municipal contract with an estimated value of more than \$10,000.00.
  - (2) Where, in the opinion of Council, it is in the public interest; a Municipal Contract of any value may be let by or without Tender.
- 4. The Council shall determine, on the basis of information provided by the SAO, whether a contract shall be let by Public Tender, Closed Tender or Invitational Tender.
  - 5. Where Council determines that a contract is to be let by Tender, the SAO shall prepare Tender Documents in accordance with Council's direction, this by-law and the Local Preference Policy.
  - 6. Council shall give direction to the SAO regarding:
    - a) The type of Tender;
    - b) The time and date of Tender Call;
    - c) The time and date of Tender Closing;
    - d) The time and date of Tender Opening;
    - e) (If applicable), the names of businesses to whom invitations are to be sent;
    - f) The amount or percentage of a bid bond to be provided with any bid submitted; and
    - g) Any other specifications to be included in the Tender Documents.

7. The Tender Documents shall set out the details referred to in paragraphs (a) to (g) of section 6, as applicable, and shall also include the following:
  - a) The details of the goods, services or constructions required under the Municipal Contract;
  - b) The time period within which the goods, services or constructions are to be supplied;
  - c) The criteria by which bids will be judged;
  - d) The qualifications the bidder is required to show;
  - e) The Rules of Tender, both general and specific to the Tender in question; and
  - f) A copy of the Local Preference Policy.