



Guardian of Public Trust

September 21, 2021

**BRIEFING NOTE:**

Purpose: Action  Information

TO: Chair and Members of Governance Committee

FROM: Bonnie Riddell, Policy & Research Analyst

**SUBJECT:** Policy Revision - #5.5.3 – Contracting & Procurement

**BRIEFING INTENT:**

- To make the necessary policy revision to EPC's Contracting & procurement policy to align with changes to the City of Edmonton's Administration Bylaw
- 

**BACKGROUND:**

- On August 30, 2021, City Council approved changes to the City's Administrative Bylaw (#19858).
- Specifically, they made changes to section 52.2 which previously had the following requirement:

*REPORTING 52.2 The Chief of Police must, at least once semi-annually, report to Standing Committee all procurement agreements arising from non-competitive procurement processes where the value of the agreement exceeds \$75,000.*

- The revisions to this requirement are as follows:

*Section 52.2 is amended by deleting and replacing "semi-annually" with "annually" and "\$75,000" with "\$250,000".*

- The EPC policy on contracting and procurement was amended accordingly.

**Recommendations:**

- 1) That the Governance Committee forwards policy # 5.5.3 – Contracting & Procurement to the next Commission meeting for approval.

(Attachments)

<b>Effective:</b> Nov. 30, 2007	<b>Revised:</b> September 17, 2015 April 16, 2020 July 22, 2021
<b>Repealed:</b>	

### 5.5.3 CONTRACTING AND PROCUREMENT

---

The Edmonton Police Commission (“Commission”) may approve any procurement agreement related to the powers, duties, or functions of the Commission or the Edmonton Police Service (“Service”) where the expenditure is included within the total budget established by Edmonton City Council (“Council”).

#### **Definitions:**

**CONTRACT:** means a written accord wherein the parties to the accord exchange mutually enforceable promises for consideration with the intention to create legally binding obligations.

**POLITICALLY SENSITIVE PROCUREMENTS:** means that the media and/or public has or is expected to take an interest in the procurement

**PROCUREMENT:** means the acquisition of goods, services, construction, or intellectual property rights from a supplier, but does not include the acquisition of land

**SINGLE SOURCE:** means a non-competitive procurement process in which suppliers do not compete for the option to enter into a contract with the Commission or Service due to a business decision to use a single source of supply when other sources exist within the market for the desired good, service, construction, or intellectual property right

**SOLE SOURCE:** means a non-competitive procurement process in which suppliers do not compete for the option to enter into a contract with the Commission or Service because there is only one source of supply for the good, service, construction, or intellectual property available to the Commission or Service within the market

#### **Guidelines:**

1. The Commission may only approve procurement agreements that comply with applicable trade agreements. All procurements shall be conducted in a manner that is open, fair, and transparent.

2. The Commission may delegate the authority to approve procurement agreements to the Chief of Police (“Chief”), including the authority allowing the Chief to further delegate.
3. The Service will bring information reports (verbal or written) to the Commission on all politically sensitive procurements prior to the procurement being sent out or as soon as the sensitive nature of the procurement is identified.
4. The Commission will further determine if any of the politically sensitive reports received need to be presented to Council.
5. The Service will bring information reports on all competitive tenders over 10 million dollars to the Commission.
6. In general, there is an expectation that contracts over the applicable Trade Agreement thresholds awarded by the Commission and/or the Service will be the result of a public tender and a competitive procurement process unless they fall within clause 6 below.
7. In unique and specialized circumstances sole source and single source non-competitive contracts may be awarded. Non-competitive procurement processes should be used only in situations where there are substantial business reasons that outweigh the use of a competitive procurement process. All non-competitive procurement processes should be accompanied by sufficient documentation to establish that only one supplier can meet the requirements of the procurement.
8. The Service will bring reports for approval to the Commission on all non-competitive procurements with a value over \$500,000.
9. The Chief of Police must, at least once **annually**, report to Standing Committee all procurement agreements arising from non-competitive procurement processes where the value of the agreement exceeds **\$250,000**.
10. All contracts entered into by the Commission and the Service will conform to the City of Edmonton bylaws, policies, and procedures.
11. All Commission procurement activities not related to the Service or Service activities shall be actively managed by the Executive Director using the process outlined in *Appendix F – Contracting and Procurement Procedures*.

**Procedures:**

1. Detailed procedures relating to procurement and contracting for the Commission will be outlined in an appendix to the Commission’s policy manual.

2. Detailed procedures relating to procurement and contracting for the Service will be outlined in their purchasing handbook.

**References:**

1. *City of Edmonton Bylaw 16620 – City Administration Bylaw*
2. *City of Edmonton Bylaw 14040 – Edmonton Police Commission Bylaw*
3. *City of Edmonton Directive A1465B – Procurement*
4. *City of Edmonton Directive A1205A – Contract Management*
5. *EPC Policy Manual - Appendix F – Procurement and Contracting Procedures*
6. *EPS Purchasing Handbook 2018 – Materials Management Branch*

**THE CITY OF EDMONTON**  
**BYLAW 19858**  
**CITY ADMINISTRATION BYLAW Amendment No. #3**

Edmonton City Council enacts:

1. Bylaw 16620, City Administration Bylaw, is amended by this bylaw.
2. Section 9(b) is deleted and replaced with:
  - (b) approve policies, procedures, standards, manuals, and guidelines applicable to the operation and administration of the City and its employees;
3. Section 10(1) is deleted and replaced with:

**SIGNATURES**                      10    (1)    The City Manager may, acting alone, sign agreements, cheques, and other negotiable instruments on behalf of the City.

4. Section 11(2) is amended by deleting and replacing “semi-annually” with “annually”.
5. Section 11(2)(a) is amended by deleting and replacing “\$75,000” with “\$250,000”.
6. Section 11(2)(b) is amended by deleting and replacing “\$500,000” with “\$1,000,000”.
7. Section 13 is deleted and replaced with:

**BUDGET**                              13                      The City Manager may authorize budget adjustments:  
**ADJUSTMENTS**

- (a) that do not exceed \$5,000,000 per adjustment between existing programs or projects within and between the approved capital and operating budgets; or
- (b) that do not exceed \$1,000,000 per adjustment to create a new program or project funded by reallocation of funds within and between the approved capital or operating budgets or through a transfer from a reserve designated for a purpose consistent with the program or project,

provided that the adjustment does not result in an increase to the net requirement from the tax levy.

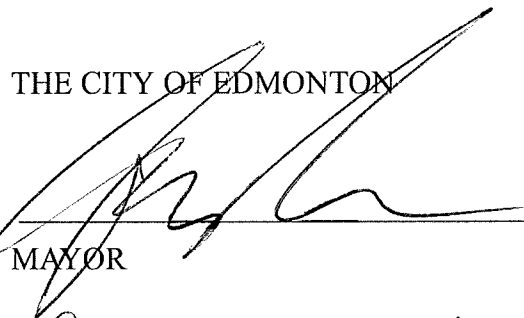
15. Section 52.2 is amended by deleting and replacing “semi-annually” with “annually” and “\$75,000” with “\$250,000”.

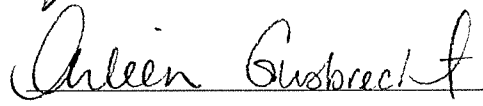
Read a first time this 30th day of August, A.D. 2021;

Read a second time this 30th day of August, A.D. 2021;

Read a third time this 30th day of August, A.D. 2021;

SIGNED AND PASSED this 30th day of August, A.D. 2021.

THE CITY OF EDMONTON  
  
MAYOR

  
CITY CLERK