

Schedule 1

The Regina Administrative Bylaw, No. 2003-69

Section Reference	Area of Responsibility	Description of Current Provision	Description of Proposed Amendment	Rationale
3, 9, 12, 13, 14, 22, 23, 24.2, 24.4, 25, 25.1, 31, 32, 33, 35, 39, 46, 47	Position title	Chief Financial Officer	The title of Chief Financial Officer is used in the Bylaw but the new title for this position is Executive Director, Financial and Corporate Services.	No longer required. New corporate structure will replace Chief Financial Officer with Executive Director, Finance and Corporate Services.
3	Position title	Chief Legislative Officer	Repealed	No longer used.
23.1, 24.1, 69	Position title	Director of Assessment, Tax and Real Estate	The new title for this position is Director, Assessment and Taxation	To accommodate the new corporate structure.
37.1	Position title	Chief Operating Officer	Repealed	No longer used.
19	Power, Duties and Functions of City Solicitor	Section 19 lists the various clients that the City Solicitor provides advice to and the order of precedence in the event of a conflict.	Section 19 is being amended to remove the reference to the Regina Police Service, the Board of Police Commissioners and the Chief of Police.	These entities now have their own in-house legal counsel.
35, 35.1 and a new 35.11	Revenue Administration	Currently the City enters into agreements where it receives revenue from government grants, advertising, concessions or vending machines in City facilities. In section 35 of the Bylaw, the Administration has been delegated the authority to enter into these agreements where the value of the agreement on an annual basis is \$100,000 or less or where the agreement is awarded pursuant to a competitive process.	The Administration proposes to amend this \$100,000 limit where the agreement is a funding agreement with the provincial or federal government to allow authority for the Administration to enter into the agreement where the value of the agreement on an annual basis is \$500,000 or less.	The \$100,000 limit on this has not been changed since the Bylaw was enacted in 2003. This change is mainly being requested so that the Administration can more quickly apply and enter into grant agreements where the amount of the grant exceeds \$100,000 and the City is under tight timelines for making an application, thereby making it difficult for the City to bring forward a report to Council for approval.

Schedule A – Reserve and Deferred Revenue				
Section Reference	Area of Responsibility	Description of Current Provision	Description of Proposed Amendment	Rationale
8.1, 23.1	Position title	Chief Financial Officer	The title of Chief Financial Officer is used in the Bylaw but the new title for this position is Executive Director, Financial and Corporate Services.	No longer required. New corporate structure will replace Chief Financial Officer with Executive Director, Finance and Corporate Services.
Schedule B – Fees and Charges				
Section Reference	Area of Responsibility	Description of Current Provision	Description of Proposed Amendment	Rationale
3	Position title	Chief Financial Officer	The title of Chief Financial Officer is used in the Bylaw but the new title for this position is Executive Director, Financial and Corporate Services.	No longer required. New corporate structure will replace Chief Financial Officer with Executive Director, Finance and Corporate Services.
Schedule D – The Purchasing Policy				
Section Reference	Area of Responsibility	Description of Current Provision	Description of Proposed Amendment	Rationale
3, 6, 7, 8, 10, 11, 12, 15, 19, 21, 22, 24.1, 25, 29, 33, 34, 41, 49, 50, 57, 59, 63, 67, 69, 70, 71, 74, 76, 77	Position Title	Chief Financial Officer	The title of Chief Financial Officer is used in the Bylaw but the new title for this position is Executive Director, Financial and Corporate Services.	No longer required. New corporate structure will replace Chief Financial Officer with Executive Director, Finance and Corporate Services.
3	Definitions: “acquisition method” “bid”	Existing definition refers to all types of procurement methods.	Procurement method types removed from the definition. Procurement method types removed from the definition.	Removing this wording provides clarity to the process of all procured goods, equipment and services. Removed wording referring to specific procurement

	<p>“invitation to bid”, “lowest qualified bidder”, “proposal”, “public proposal process”, “request for quotation”, “sole source” “verbal quotation”, “written quotation”</p> <p>“total purchase price”</p> <p>“solicitation document”</p>	<p>Existing definition refers to all types of procurement methods.</p> <p>Existing definitions are all solicitation document types.</p> <p>Existing definition refers to the total price for a particular purchase of goods, equipment or services including shipping, handling, customs and brokerage charges, and all taxes.</p> <p>New</p>	<p>These definitions have been repealed.</p> <p>This has been revised to include the total price will be over the total duration of the contract and also include applicable fees and charges.</p> <p>Describes the procurement methods to solicit bids from vendors.</p>	<p>methods and provided clarity referencing a broader meaning to allow for all solicitation document types.</p> <p>These definitions are incorporated under the new definition “solicitation document” to reference all documents the City is soliciting bids from vendors.</p> <p>This provides better clarity and understanding to the Administration.</p> <p>This definition provides clarity to encompass all procurement methods used the City to solicit bids from vendors.</p>
7. (b)(ii)	Contract Approval and Amendments	Existing section 7 provides guidelines to authorize the Administration to award and approve the entry into a contract for the acquisition of consulting or professional services up to \$500,000.	Increase the \$500,000 limit to \$750,000 or less.	Allows authority for the Administration to enter into consulting and professional services at higher dollar value without needing to first obtain approval from City Council. This change reflects the increased costs of these services since 2003 and will create efficiency within the City around the contract approval process.

8, 8.1, 8.2	Contract Approval and Amendments	Existing Section 8 provides guidelines to authorize the Administration to amend contracts. This includes making amendments by change orders, renewals and extensions, unforeseen work to contracts including professional and consulting services etc. and to increase the total purchase price of the contract that is within the delegated authority.	This section has been revised to expand and clarify the amendments that the Administration will not expand a contract beyond the original contract or to circumvent the need to procure additional goods or services through a competitive process but in the event, a scope expansion is truly warranted such an amendment will be able to be made as non-standard procurement.	Including this additional wording will provide additional controls, authority and clarity around the approval of contract amendments to guard against scope creep and potential trade agreement violations.
15, 17	Vendor and Vendor Lists	Section 15 currently authorizes the City to place a vendor who has performed work of the City poorly or not performed the required work to be removed from consideration for future work for the City.	Section 15. (2), (3), 17 will be repealed. The proposed Bylaw amendments would extend the suspension period from 2 to 3 years for poor performance, non-performance, or for other reasons as identified in the City's Vendor Suspension Protocol.	This is more consistent with other municipalities and identifies that the City use its new Vendor Suspension Protocol in determining the process for identifying poor, non-performance, the procedure, or for other reasons identified in the Protocol for notifying the vendor and the vendor's opportunity to seek reconsideration of the suspension.
24.1	Multiple Year Contracts	Section 24.1 of Schedule D provides authority for contracts that relate to the maintenance or service of an existing or coincidently acquired asset to be extended beyond the 5-year contract limit set out in the Bylaw. This provision was intended to reflect the unique nature of information technology	The proposed Bylaw amendment would extend this exception to the 5-year limit to software license agreements where an annual fee is not required to maintain the licences or where the contract is for subscription-based technology system services and any automatically	Like software installed on City infrastructure that requires maintenance the City is using software in the cloud and that software requires ongoing maintenance and support as well. This provision retains the original provision but adapts it to reflect a modern option for obtaining

		contracts where the City purchases software and then uses the software for an extended period but requires maintenance for the software from the proprietary software manufacturer or reseller past the five-year standard contract term.	renewing terms are subject to termination at the City's discretion at least on an annual basis.	information technology services.
29, 30	Adoption of Standards	Sections 29 and 30 of Schedule D identify that the Chief Financial Officer can develop City standards for certain goods, series and equipment. For example, it is beneficial to use the same type of pump in all the City pump stations because doing so makes it easier to have replacement parts on hand and is easier for City staff to maintain.	The proposed Bylaw amendment adds a new section that clarifies that the initial setting of the City standard for the item must be determined using an open and competitive process that clearly indicates that the process is going to establish a standard for that good, service or piece of equipment.	This provides better clarity and understanding to the Administration how to procure standards and to maintain for future standards.
36	Pre-Qualification of Vendors or Requests for Information	Section 36 describes a request for information or a pre-qualification process will not obligate the City to proceed to the next procurement step.	This proposed Bylaw amendment removes the phrases "formal tender" and "request for proposal" to broaden the procurement methods that the City may use by including wording "subsequent acquisition process".	This provides clarity to the Administration and allows for inclusion of all procurement methods.
New section, 36.1 and 36.2	Supply Arrangements for Recurring Requirements	At present, the City undertakes a public procurement process to set up purchase arrangements for goods, equipment and services that the City uses on a reoccurring basis.	The proposed Bylaw amendment adds new sections that provide details of these frequent or reoccurring arrangements, including the development of pre-approved vendor's list and a qualified vendor's list for such frequent and re-	This provides better clarity and understanding to the Administration to establish procedures and protocols for the establishment, management and use of supply arrangements.

			occurring purchases through a public procurement process and at the frequency now prescribed by the trade treaties.	
40	General Acquisition Process	Section 40 sets out the scope of the Purchasing Policy and identifies the exception to the application to the Purchasing Policy for sole sources and direct appointments.	<p>40 (a) and (b) have been repealed.</p> <p>The proposed Bylaw amendments delete references to “sole sources” and “direct appointments”.</p>	“Sole source” and “direct appointment” now fall under the new process for dealing with non-standard procurement options, which must only be undertaken in situations provided for in the trade treaties or for procurements under \$75,000.
40, 41	General Procurement Process	<p>Section 40 sets out the scope of the Purchasing Policy</p> <p>Section 41 sets out the dollar values for low, medium and high.</p>	<p>The proposed Bylaw amendment delete references to terms no longer used to reflect the new language and processes that are set out in revised provisions in Schedule D, the Purchasing Policy. The amendments update the language to refer to Part III as General Procurement Process</p> <p>The low value is now under \$7500, the medium is between \$7501 and \$75,000 and the high is over \$75,000 and adds the requirement of applicable trade treaties as a factor to consider when determining the appropriate acquisition method.</p>	<p>This provides better clarity, understanding and guidelines to the Administration regarding the acquisition process.</p> <p>This proposed change will provide greater flexibility for procurement under \$7500 but provide more structure for procurements between \$7500 and \$75,000 which in turn will ensure improved transparency and fairness.</p> <p>Aligning these values to thresholds within the trade treaties will create efficiencies for the City.</p>

New section 41.1	General Procurement Process	Not applicable	New section 41.1 clarifies that the acquisition process shall be conducted in accordance with the policies and procedures established pursuant to the Bylaw	Section 42 discussed the need for the documents to be in accordance with the Bylaw and this new section will expand that requirement to apply to processes as well.
43 to 47	Acquisition Methods	Sections 43 to 47 described the City's standard procurement process.	Repeal section 43 to 47	No longer required. The proposed Bylaw amendment will replace Acquisition Methods to Standard Acquisition Methods with the new language for the City's Standard Procurement method.
New sections 43, 44, 45	Standard Acquisition Methods	Not applicable.	The proposed Bylaw amendments will add new sections that describe the various types of standard acquisition methods such as purchase cards, blank purchasing agreements, rosters of pre-approved vendors, verbal and written quotations, direct appointment of consultants where such appointments meet the requirements in of the Purchasing Policy, limited invitational competitive procurement using solicitation documents provided to a minimum of three vendors, and conducting open competitive procurement processes using a publicly posted solicitation document. The details of when to use each method will be set out in policies,	The trade treaties, as well as the type of good, equipment or service, along with the value and risk associated with the procurement will guide which acquisition method the City will use and provide clarity to the Administration of the various standard acquisitions available.

			procedures and protocols which are approved by the Executive Director, Financial and Corporate Services.	
Section 48 to 50	Sole Source Acquisitions	<p>Sections 48 to 50 provide the details regarding when the City can use a sole source to procure goods, equipment and services. These provisions generally limit sole sources to where the good, equipment or service are \$5000 or less or:</p> <ul style="list-style-type: none"> • an emergency; • there is only a single vendor due to proprietary rights; • the City has adopted a City standard (which was done through a public process); • the commodity is subject to a fluctuating price; • the purchase is from another government agency, school or library; or • other exceptions that may be available under applicable trade treaties. 	<p>The proposed amendments to sections 48 to 50 balance operational convenience and efficiency with ensuring transparency and best value for money for the City.</p> <p>The proposed Bylaw amendments will set out the requirements for a “non-standard acquisition methods” where the City purchases the goods, equipment or service from a single vendor.</p> <p>These direct purchases will be for goods, equipment or services under \$7,500, where the risk or value is relatively low to medium or the reasons for not competitively procuring the item comply with the exceptions for public procurement in the trade treaties, namely:</p> <ul style="list-style-type: none"> • an emergency; • there is only a single vendor due to proprietary rights; • the City has adopted a City standard (which was done 	<p>The City’s consultation with staff indicated the low value of \$5000 created considerable inefficiency. The \$5000 is below the permitted threshold of \$75,000 in the trade treaties.</p> <p>In addition, the clarification and details around non-standard acquisition methods will broaden the ability of the Administration to use innovative procurement processes and tools based on each specific project and increases the City’s ability to explore innovative products and services while ensuring best value for public money. Non-standard procurements will be the exception for low dollar and low risk procurements or where an exception to a public procurement process occurs in a trade treaty.</p>

			<p>through a public process);</p> <ul style="list-style-type: none"> • the commodity is subject to a fluctuating price; • the purchase is from another government agency, school or library; and • or other exceptions that may be available under applicable trade treaties. <p>News sections will specify that non-standard procurements will only be available for low to medium dollar value, low risk procurements as determined by the Executive Director, Financial and Corporate Services and where such applicable trade treaty exceptions apply.</p>	
57, 58, 59, 60, 61	Direct Appointment Process for Consulting and Professional Services	<p>New proposed Bylaw.</p> <p>Sections 57 to 61 provide the criteria for when the City can directly appoint a consulting or professional service. Consulting and Professional Services are defined in the Bylaw and are restricted to architects, engineers, designers, planners, accountants, auditors,</p>	<p>Repeal section 59, 60, 61</p> <p>The proposed Bylaw amendments to section 57 change the direct appointment limit to \$75,000 or less to make the dollar amount consistent with the dollar limits in the trade treaties. Therefore, procurements over \$75,000 will need to proceed through</p>	<p>This provides clarification and details around non-standard acquisition methods to broaden the ability of the Administration to use innovative procurement processes and tools based on each specific project and increases the City's ability to explore innovative products and services while ensuring best value for public money.</p>

		appraisers, lawyers, management software and financial consultants. The current wording only allows for the direct appointment of a consultant for appointments up to \$50,000 or less or where there is only one consultant determined capable of providing the required services.	the standard acquisition method which will require some form of public procurement process. If there is only one consultant determined to be capable of providing the required services, then such a procurement will then be done in accordance with the non-standard acquisition method requirements set out above. The proposed Bylaw amendments will delete section 59 as the description on how to do a direct appointment of a consulting or professional service is now already covered in the new provisions on how to conduct a non-standard acquisition method. The limitation on services will not apply to legal services.	These rules will not apply to legal services because legal services are explicitly exempt from public procurement requirements in the applicable trade treaties.
62, 63, 64, 65	Invitation Process & Public Notification Process	Sections 62 to 65 set out the processes of doing a variety of public procurements.	Repeal sections 62 to 65.	No longer required. New Bylaw amendment will replace Invitation Process and Public Notification Process with Competitive Process for Consulting and Professional Services.
New section 62	Competitive Process for Consulting and Professional Services	Not applicable.	The proposed Bylaw amendments will add a new section that provides the criteria for a direct appointment of a consulting or professional service for under \$75,000 that will	With the proposed amendments there is no group of procurements between the direct appointment of a consulting and professional service up

			<p>require an invitational procurement process or a competitive procurement process, unless the procurement is of low risk to medium risk or can meet an exception in the trade treaties such as:</p> <ul style="list-style-type: none"> • an emergency; • there is only a single vendor due to proprietary rights; • the City has adopted a City standard (which was done through a public process); • the commodity is subject to a fluctuating price; • the purchase is from another government agency, school or library; and • or other exceptions that may be available under applicable trade treaties <p>as identified in the non-standard procurement section (section 50).</p>	<p>to \$50,000 and the \$75,000 limit set in the trade treaties.</p> <p>As described above, there will be a direct appointment of consulting and professional services up to \$75,000 which is in line with the trade treaties. Consulting and professional services more than \$75,000 will be procured through the public procurement processes identified as standard procurement methods.</p>
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Schedule E – Signing Authorities				
Section Reference	Area of Responsibility	Description of Current Provision	Description of Proposed Amendment	Rationale
2	Position title and signing authority	Chief Financial Officer has the authority to sign purchase orders	The title of Chief Financial Officer is used in the Bylaw but the new title for this position is Executive Director, Financial and Corporate Services and the Executive Director, Financial and Corporate Services will be authorized to sign change orders, in addition to purchase orders.	No longer required. New corporate structure will replace Chief Financial Officer with Executive Director, Finance and Corporate Services. In addition, with upcoming changes to the form of some contract documents it will be necessary for the efficient management of a contract for the Executive Director, Financial and Corporate Services to sign change orders for a contract. These changes will be restricted to changes permitted with the Bylaw.