

Contract Management Policy

Measures for Maintaining a Healthy Competition

Section 1 -

Measures to ensure that any bidder or any of its representatives did not contact or attempt to communicate in order to influence it, with one member of the selection committee with respect to the solicitation for which he submitted a bid.

- a) The council delegates to the Director General the authority to establish any selection committee necessary to receive, evaluate and draw conclusions for all contracts in excess of \$100,000.00 excluding contracts for professional services for exclusive use. These contracts are subject to the specifications of the municipal code. The identity of the members of the committee must remain confidential until the termination of the contract.
- b) Any council member or Councillor, every employee and agent thereof shall maintain, at all times, confidentiality of the identity of members of any selection committee.
- c) Upon any tender requiring the creation of a selection committee, the tender documents should contain provisions to the following effects:
 - 1) A bidder shall submit with its bid a statement that neither he nor any of its representatives have contacted or attempted to communicate in order to exert influence, with a member of the selection committee.
 - 2) If a bidder or a representative communicates or attempts to communicate in order to influence it, with one member of the selection committee, its bid will be automatically rejected.

Section 2 -

Measures Promoting Compliance with the Applicable Laws aimed at Combating against Bid Rigging

- a) Every bidder must submit with its bid a statement that its bid was prepared and submitted without collusion, communication, agreement or arrangement with any other bidder or person to agree on prices or to influence price submitted.
- b) Must be inserted in the bidding documents a provision that if a bidder has engaged in collusion, communicated or entered into an agreement or arrangement with any other bidder or competitor to influence or determine the price submitted, the bid will be automatically rejected.
- c) Any available information concerning a call for tenders must be accessible in a fair and consistent manner to all potential bidders. Specifically, the Director General shall ensure that the documents which have been prepared by a consultant for the town and contain technical information must be accessible to all potential bidders.

Section 3 -

Measures to Ensure Compliance with the Law on Transparency and Ethics of Lobbying and the Code of Ethics for Lobbyists adopted pursuant to this Act

- a) Any council member or employee to make sure anyone who communicates with him for the purpose of obtaining a contract that it has registered with lobbyists under the Lobbying Transparency and Ethics of Lobbying.
- b) All bidders must submit with its bid a statement that neither he nor any of its representatives have engaged in a communication of influence for the purpose of obtaining the contract, or, if such communication has been influenced instead, joining its bid a statement to the effect that this communication was made after any registration required under the Act the Registrar of Lobbyists has been made.

Section 4 -

Measures designed to prevent the Acts of Intimidation, Corruption or Influence Traffic

- a) The municipality shall, in the case of tenders invited in writing, favour invitations from different companies when possible. The identity of the persons so invited may not be made public only at the opening of bids.
- b) Every bidder must submit with its bid a statement that neither he nor any of its associates or employees have engaged in intimidation, influence peddling and corruption.
- c) Any solicitation must state that if a person has engaged in one or other of the acts mentioned in the preceding paragraph, the submission thereof shall be automatically rejected.
- d) Any tender must provide that in the event that bids are higher than the market rate, municipal organization reserves the right to accept or reject any bid.

Section 5 -

Measures designed to prevent Conflict of Interests

- a) Any person participating in the preparation, execution or followed by a call for tenders or contract, as well as the secretary and the members of a selection committee if any, are to declare any conflict of interest and any potential conflict of interest situation.
- b) No person in conflict of interest may participate in the development, execution or monitoring of a call for tender or a contract.
- c) Every bidder shall attach to its submission a statement attesting that there is no relationship that creates or is likely to create a conflict of interest by virtue of its relationship with a board member or public official.

Section 6 -

Measures designed to prevent any situation that could compromise the impartiality and objectivity in the process of Submission Request and Management of the Resulting Contract

- a) For purposes of any tender is identified an official of the tender which is mandated to provide any information about the tender and is expected to call for any document bids that any bidder or potential bidder should contact the sole responsibility for any clarification regarding the tender.
- b) Upon any tender, it is forbidden for any member of the Council and any employee of the municipality to respond to any request for clarification with respect to any tender other than the applicant referring to the person responsible.
- c) However, this exclusion does not apply to persons who participated in the development of technical specifications or cost estimates for a project, insofar as the documents that were prepared, including the detailed breakdown of costs, are provided to all potential bidders.

Section 7 -

Steps to supervise any decision which would allow the Amendment of a Contract

- a) The municipality shall provide in the tenders to hold meetings on site regularly during the execution of works in order to ensure the monitoring of execution of the contract.
- b) The municipality must pay particular attention to the preparation of the specification to avoid opening the door to cost overruns.
- c) Due to unforeseen circumstances and if it becomes necessary to change a development agreement, the following rules must be respected:
 - 1) The amendment must be incidental to the contract and does not change its nature.
 - 2) The change must be authorized by resolution of the Council.
- d) This provision is not to preclude that a contract may be concluded on an urgent basis. In a case of force majeure such as to endanger the life or health of the population or to seriously deteriorate municipal equipment, the Mayor can override these rules and award the contract necessary to remedy the situation.

Section 8 -

Entry into Force.

The Municipality of Shawville will make its policy available at all times by publishing it on the website on which it posts the statement and hyperlink required under the second paragraph of article 961.4.