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Town of Aurora
Information Report
No. FIN24-008

Subject: 2023 Q4 Procurement Report

Prepared by: Anna Ruberto, Manager, Procurement

Department: Finance

Date: February 20, 2024

In accordance with the Procedure By-law, any Member of Council may request that this Information Report be placed on an upcoming General Committee or Council meeting agenda for discussion.

Executive Summary

This report presents procurement information for Q4 of 2023 as per the Town's Procurement By-law reporting requirements including:

- Three competitive bid contracts exceeded \$250,000 during this reporting period
- Six non-standard procurement contracts were awarded
- There were no awarded open competition contracts identified as using the Green Procurement

Background

An award to suppliers can occur when there is sufficient budget as approved by Council during the budget process. The authorization to initiate the procurement is by the department head and the delegated authority to award is the Division Manager and the Procurement Manager. There is a purchase order (PO) and legal contract when the award is over \$50,000. Contracts less than \$1,000,000 are executed by the department head and contracts over \$1,000,000 require the approval of the Chief Administrative Officer (CAO). Pursuant to section 9.3 of the Procurement By-law, the Procurement Manager shall prepare a quarterly summary information report to Council outlining all awarded open competition contracts.

A Non-Standard Procurement may be used for the procurement of goods, services, or construction under specific circumstances. The methods include acquiring deliverables

directly from a particular supplier without conducting a competitive process when an invitational competition or an open competition would normally be required and soliciting bids from a limited number of suppliers without conducting an open pre-qualification process when an open competition would normally be required.

The Procurement By-law Section B – Exclusions provide the circumstances in which non-standard procurements are permissible. A non-standard procurement may be used when there is only one source that is able to meet the requirements of the procurement, which may be due to their unique ability or skill, possession of proprietary technology, copyright, patent, or other intellectual property. Additional approved criteria include when there is more than one supplier available however, a certain supplier needs to be retained for reasons of standardization or compatibility with existing products or where a contract is required due to a contract termination or expiry, for a short interim period to meet immediate recurring business requirements.

Non-standard procurements require approval of the CAO up to \$100,000 and the Procurement Governance Committee (PGC) between \$100,000 to \$250,000. Over \$250,000 there is a requirement for Council approval to authorize the procurement. For the procurement of software licenses, maintenance and pay related fees (excluding implementation costs), for contracts of up to five years and over \$250,000, the PGC is authorized to procure. The contract issuance and execution requirements follow the same thresholds as standard open competition procurements.

Sections 9.3 of the Procurement By-law requires the Procurement Manager to prepare a quarterly summary information report to Council outlining all awarded non-standard Procurements not requiring Council approval. This report excludes emergency procurements which have separate reporting requirements and low and mid value procurements under \$50,000.

All procurement thresholds and items in this report exclude the harmonized sales tax.

Analysis

Three competitive bid contracts exceeded \$250,000 during this reporting period

From October to December of 2023, there were three awards made over \$250,000, for total award amount of \$3,848,527.89.

Table 1
Q4 2023 Competitive Bid Contracts Awarded Over \$250,000

Procurement Number & Description	Department & Division	Supplier Name	Amount (Excl. HST)
2023-49-PDS-ENG Devlin Place Stream Rehabilitation	Planning and Development Services - Engineering	Sierra Excavating Enterprises Inc.	\$ 1,949,515.97
2023-56-PDS-ENG Willow Farm Stream Rehabilitation	Planning and Development Services - Engineering	560789 Ontario Limited C/O R&M Construction	\$ 1,489,833.92
23-REQ-000071 Plow Truck	Operational Services - Fleet	Donald Currie Trucks Inc.	\$ 409,178.00

Six non-standard procurement contracts were awarded

There were six non-standard procurements awarded by for a total award amount of \$731,620.35. There were two for Community Services – one for Culture and one for Facilities, three for Finance – Information Technology and one for Operational Services – Parks.

Table 2
Q4 2023 Non-Standard Procurement Contracts Awarded

Awarded Contracts	Amount (Excl. HST)
<p>By-law Reference: Additional Deliveries - A Change of Supplier cannot be made for economic or technical reasons, software licenses / maintenance / services, or installations procured under the initial procurement</p>	
<p>Finance – Information Technology 23-REQ-000232 Supplier: YTN Telecom Network Inc. O/A YorkNet Description: Dark Fiber Network YorkNet is a York Region-owned corporation that builds and operates a high-speed, dark fibre network across the Region to create equitable access to high-speed internet and is continuing this work for Town buildings.</p>	\$ 167,896.00
<p>By-law Reference: Additional Deliveries - Change of Supplier cannot be made because this would cause significant inconvenience or substantial duplication of costs for the Town.</p>	
<p>Operational Services – Parks 23-REQ-000189 Supplier: Mark Setter Associates Description: Wildlife Park Phase 2 Consulting services to complete the detailed design and tender package for the Wildlife Park phase 2.</p>	\$ 55,800.00
<p>By-law Reference: Technical Reasons - It can be demonstrated that the goods or services can be supplied only by a particular supplier and no alternative or substitute exists for the following reason: There is an absence of competition for technical reasons.</p>	
<p>Community Services – Culture 23-REQ-000175 Supplier: Spacesaver Solutions Inc. Description: High Density Storage and Art Racks Relocating, de-installation and re-installation of the existing museum high density storage unit and purchasing additional storage carriages/art racks.</p>	\$ 89,489.00

Awarded Contracts	Amount (Excl. HST)
Community Services – Facilities 23-REQ-000248 Supplier: CIMCO Refrigeration Description: Compressor Replacement and Upgrade Ice Rink Controller The standardization of service as all Town ice plants uses CIMCO equipment.	\$ 121,065.00
Finance – Information Technology 23-REQ-000233 Supplier: ESRI Canada Limited Description: Software, License and Support Agreement ArcGIS software licenses (to store, map, analyze and interpret geographic information) and maintenance of the Town’s Geographic Information System (GIS) technology.	\$ 221,490.00
Finance – Information Technology 23-REQ-000249 Supplier: Hewlett Packard Enterprise Canada Co. Description: Support And Maintenance for Server Equipment Support services for Town servers.	\$ 75,880.35

Advisory Committee Review

None

Legal Considerations

Pursuant to section 9.3 of the Procurement By-law, as amended, the Procurement Manager shall prepare a quarterly report of awarded procurements exceeding \$250,000 and non-standard purchases not requiring Council approval. This report satisfies these provisions.

Financial Implications

The value of awarded procurements, which exceed \$250,000 represent a financial obligation to the Town of \$3,848,527.89. Additionally, the above list of awarded Non-Standard Procurements represent a financial obligation to the Town of \$731,620.35.

Communications Considerations

The Town will inform the public about the details contained in this report by making it available on the Town's website.

Climate Change Considerations

The Green Procurement Policy (GPP) was approved by Council on February 22, 2022. Town staff are responsible for ensuring that their procurements address the green procurement objectives in a manner consistent with the Green Procurement Policy. Procurements may be considered eligible for green procurement when the Town has identified environmental standards for the good or service and/ when the budget for the good or service being procured identifies it as a green initiative. Town staff may also consider green procurement for other purchases. The reporting requirements of the GPP are within Section 3.4 and requires the quarterly report to Council include a summary of the Town's green procurement over \$50,000. There were no open competition procurements identified within Q4 2023 as using this policy.

Link to Strategic Plan

Regular reporting to Council on the Town's awarded contracts contributes to achieving the Strategic Plan guiding principle of "Leadership in Corporate Management" and improves transparency and accountability to the community.

Alternative(s) to the Recommendation

None.

Conclusions

The Procurement By-law and Green Procurement Policy requirements to provide a quarterly procurement report summarizing awards over \$250,000; non-standard procurements not requiring Council approval and procurements over \$50,000 with green procurement initiatives, has been fulfilled.

Attachments

None.

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on February 1, 2024

Approvals

Approved by Rachel Wainwright-van Kessel, CPA, CMA, Director, Finance

Approved by Doug Nadorozny, Chief Administrative Officer