

Report to Council

Report Title: Purchasing and Procurement Review

Prepared By: Trish Serratore, Chief Financial Officer, Fiona Hamilton, Clerk, and Sonya Watson, Chief Administrative Officer

Department: Finance

Date: January 12, 2021

Report Number: FIN2021-02 **File Number:** C11FIN, F11

Attachments:

Recommendation:

That the Council of the Municipality of Brockton hereby accepts Report Number FIN2021-02 – Purchasing and Procurement Review, prepared by Trish Serratore, Chief Financial Officer, Fiona Hamilton, Clerk and Sonya Watson, Chief Administrative Officer, for information purposes and further accepts the Purchasing and Procurement Review Report prepared by LXM Law LLP and directs staff to bring forward a by-law to accept the recommended Policy as presented.

Report:

Background:

The Municipality of Brockton received funds from the Province Ontario to hire an external consultant to complete a review of the Purchasing and Procurement Policy, including a review of e-bidding platforms through the Municipal Modernization Funding.

On October 27th, 2020, Council accept the RFP from LXM Law LLP. (“LXM”) to complete a Purchasing and Procurement Review with a Final Report presented to Council with their recommendations.

Since then, LXM has consulted with numerous stakeholders, including Council, staff, other municipalities and presented a report with a modernized Policy that will help reduce costs, ensure compliance with legislative and trade treaty requirements, stream line administrative processes and ensure a fair, transparent and competitive procurement process for stakeholders.

Analysis:

The Report outlines a number of improvement areas to ensure our Purchasing and Procurement Policy is compliant with the legislative and trade treaty requirements including the 2017 Canadian Free Trade Agreement and Canada EU Trade Agreement. LXM completed an extensive review of the Municipalities

current Policy, processes and procedures. As well, LXM also reviewed the governance best practices and legal landscape for the municipal procurement and completed a comparison of our peer municipalities. Most of those municipalities have not completed such a comprehensive review of their policies and there is an opportunity for Brockton to be a leader in our procurement practices which is an increasingly litigious area for municipalities.

Staff have dedicated an extensive amount of time reviewing the past policy as well as the revamped recommended policy as presented and advised by LXM. Staff felt that with the number of changes that were needed, a new policy would be less confusing than making numerous changes to the existing policy. The next stage will be implementation of the recommendations from LXM, including training for staff and Council on the updated policy, procedure guide and standard templates which will be created and rolled out by LXM in the next few months.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

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| • Do the recommendations help move the Municipality closer to its Vision? | N/A |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | N/A |
| • Do the recommendations contribute to Environmental Integrity? | N/A |
| • Do the recommendations contribute to the Social Equity? | N/A |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

\$7,000 has been included in the 2021 Budget for training on the new policy and internal procedures and process. At this time staff are unaware if the implementation funding will be available, but it is expected and staff will continue to connect with the Ministry and apply for any funding that comes available to ensure appropriate implementation and supports for purchasing and procurement are in place.

Respectfully Submitted by:


Trish Serratore, Chief Financial Officer


Fiona Hamilton, Clerk


Sonya Watson, Chief Administrative Officer