

POLICY MANAGEMENT CONTRACT

PRESENTATION

This "contract management policy is adopted pursuant to Section 938.1.2 of the Municipal Code.

Under this provision, a municipality must adopt a contract management policy applicable to municipal contracts and providing for measures to ensure healthy competition between persons contracting or seeking contracts with the municipality. The measures should aim at seven (7) issues of concern clearly stated in this statutory provision. These topics must contain a minimum of two specific measures.

It should be noted that this policy is not intended to replace, modify or enhance any legislative or judicial rule applicable in respect of granting and management of municipal contracts.

MEASURES FOR MAINTAINING A HEALTHY COMPETITION

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 Board delegates to the Director-General the authority to establish any committee of selection necessary to receive, evaluate tenders received and draw conclusions.

b) The selection committee, unless otherwise named, consists of the entire council and is composed of 7 members.

c) Any board member, every employee and agent thereof shall maintain, at all times, confidentiality of the identity of members of any selection committee.

d) Upon any tender requiring the creation of a selection committee, the tender documents should contain provisions to the following effects:

- A bidder shall submit with its bid a statement that neither he nor any of its representatives has contacted or attempted to communicate in order to exert influence, with one member of the selection committee.

- 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.

2. Measures to promote compliance with applicable laws designed to fight against bid-rigging

a) All bidders 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 submit 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.

3. Measures to ensure compliance with the Lobbying Transparency and Ethics in Lobbying and Lobbyists' Code of Conduct made under that Act

a) Any board 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 has 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.

4. Measures aimed at preventing acts of intimidation, influence peddling and corruption

a) The municipality shall, in the case of tenders invited in writing, in favor possible invitation from different companies. The identity of the persons so invited may not be made public only at the opening of bids.

b) All bidders must submit with its bid a statement that neither he nor any of its associates or employees has 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.

5. Measures aimed at preventing conflicts of interest

a) Any person involved in the development, implementation or monitoring of a tender or a contract, and the secretary and members of a selection committee if applicable, must declare any conflict of interest or conflict of interest potential.

b) No conflict of interest can not participate in the development, implementation or monitoring of a tender or contract.

c) All bidders must submit with its bid a statement that no sparking or link may cause a conflict of interest because of its ties with a member of the board or official.

6. Measures designed to prevent any situation that could compromise the impartiality and objectivity of the solicitation and contract management resulting

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 board 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

.

7. Measures to regulate the taking of any decision to authorize the amendment of a contract.

a) The municipality shall, in any contract, establish procedures governing leave to amend any of the contract and provide that such modification is possible only if it is ancillary to the contract and does not change nature.

b) The municipality shall provide in the tender documents hold regular site meetings during the execution of work in order to monitor contract performance.