

The Corporation of the Town of Aurora

By-law Number XXXX-25

Being a By-law to amend By-law Number 6404-22, the Town of Aurora Procurement Policy.

Whereas on February 22, 2022, the Council of The Corporation of the Town of Aurora (the "Town") enacted By-law Number 6404-22, to adopt the Town of Aurora Procurement Policy;

And whereas on February 25, 2025, the Council of the Town passed a resolution pursuant to Council Report No. FIN25-009, to amend By-law Number 6404-22, as outlined in the report;

And whereas the Council of the Town deem it necessary and expedient to amend By-law Number 6404-22;

Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:

1. In Appendix "A" to By-law Number 6404-22, the third bullet in Section 1.2 Principles is hereby deleted and replaced with the following:
 - reciprocal non-discrimination and geographic neutrality with respect to its trading partners in accordance with trade treaty obligations, so long as treaty partners are Acting in Good Faith of Trade Treaties;"
2. In Appendix "A" to By-law Number 6404-22, Section 4.3 Procurement Government Committee is hereby amended by adding the following paragraphs:
 - "(e) the definition in Schedule "A" – Glossary of Terms to determine whether a country is Acting in Good Faith of Trade Treaties pursuant to the definition;
 - (f) Section 6.7.4 of this policy to determine whether a Bid from a Supplier that is located in a country that is not Acting in Good Faith of Trade Treaties can be awarded as being essential for the operations of the Town or in a circumstance where it is determined to be the only viable submitted Bid."
3. In Appendix "A" to By-law Number 6404-22, the first paragraph in Section 6.7.2 Low-Value Procurement is hereby deleted and replaced with the following:

"Where the Procurement Value is below the Low-Value Purchase Threshold and the Deliverables are not covered under an existing Standing Offer or Qualified Supplier Roster, Departments may make Low-Value Procurements without the involvement of Procurement Services. Preference should be given to Canadian Suppliers that use Canadian-made products or Canadian-based services, where possible."
4. In Appendix "A" to By-law Number 6404-22, the first paragraph in Section 6.7.3 Mid-Value Procurement (Invitational Competition) is hereby deleted and replaced with the following:

"A Mid-Value Procurement uses an Invitational Competition, in which Bids are solicited from a minimum of three Suppliers and is the standard method of Procurement when the Procurement Value is between the Low-Value Purchase Threshold and the Open Competition Threshold. Preference should be given to Canadian Suppliers that use Canadian-made products or Canadian-based services, where possible. For Mid-Value Procurements, the Department may acquire the Deliverables by submitting a Purchase Order requisition to be approved by the Manager or Department Head based on the individual's Financial Authority."

5. In Appendix "A" to By-law Number 6404-22, Section 6.7.4 Open Competition is hereby amended by adding the following to end of the section:

"Bids submitted by Suppliers that are located outside of Canada and in countries not Acting in Good Faith of Trade Treaties will not be considered, unless deemed in the discretion of the PGC to be essential for the operation of the Town or if no other viable Bids, as determined in the discretion of the PGC, are submitted."

6. In Appendix "A" to By-law Number 6404-22, the fourth (or last) paragraph in Section 6.8 Non-Standard Procurement is hereby deleted and replaced with the following:

"Under no circumstances will a Non-Standard Procurement be used for the purpose of avoiding competition among Suppliers."

7. In Appendix "A" to By-law Number 6404-22, Schedule "A" – Glossary of Terms is hereby amended by adding the following, in alphabetic order with other terms:

"**"Acting in Good Faith of Trade Treaties"** means that the respective country is honouring the terms of their trade treaty and not applying additional tariffs, as determined in the discretion of the PGC."

8. In Appendix "A" to By-law Number 6404-22, Section 1 (i) in Schedule "B" – Exclusions is hereby deleted and replaced with the following:

"This policy does not apply with respect to competitive Procurement requirements when the Procurement is otherwise exempt from Open Competition requirements under all applicable trade agreements, so long as the Supplier's country is Acting in Good Faith of Trade Treaties, and it is in the best interests of the Town to proceed with a Non-Standard Procurement. In such cases, the Procurement may be conducted as a Non-Standard Procurement. Note: The Department Lead must indicate the specific section(s) of the applicable trade agreements that provide for the exemption and clearly explain why it is in the Town's best interest to proceed with a Non-Standard Procurement rather than an Open Competition."

9. In Appendix "A" to By-law Number 6404-22, Schedule "C" – Procurement Thresholds is hereby deleted and replaced with Schedule "C" – Procurement Thresholds, attached and forming part of this by-law as Schedule "C".

10. In Appendix "A" to By-law Number 6404-22, Table 1 – Table of Authority under Part A. Standard Procurement in Schedule "D" – Threshold and Authorization Schedule is hereby deleted and replaced with Table 1 – Table of Authority as set

out in Schedule "D" – Threshold and Authorization Schedule, attached and forming part of this by-law.

11. In Appendix "A" to By-law Number 6404-22, Table 2 – Table of Authority under Part B. Non-Standard Procurement in Schedule "D" – Threshold and Authorization Schedule is hereby deleted and replaced with Table 2 – Table of Authority as set out in Schedule "D" – Threshold and Authorization Schedule, attached and forming part of this by-law.
12. In Appendix "A" to By-law Number 6404-22, in Schedule "D" – Threshold and Authorization Schedule, Part B. Non-Standard Procurement, Section 1 is hereby amended by deleting paragraph d).

Enacted by Town of Aurora Council this 25th day of February, 2025.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Schedule "C" – Procurement Thresholds

Table 1 – Procurement Thresholds

Low-Value Procurements	Below \$50,000
Mid-Value Procurements (Invitational Competition)	\$50,000 to less than \$100,000
Open Competition	\$100,000 and over

Schedule "D" – Threshold and Authorization Schedule

A. Standard Procurement

Table 1 – Table of Authority

Procurement Method and Threshold	Authorize to Initiate Procurement	Delegated Authority to Award*	Contract Requirement
Order from Existing Standing Offer	Department Head	Division Manager	Use existing contract from standing offer if available Contract approved based on Financial Authority
Roster Competition Less than \$50,000	Department Head	Division Manager	Use existing contract from roster if available Contract approved based on Financial Authority
Roster Competition \$50,000 and over	Department Head	Division Manager and Procurement Manager	Use existing contract from roster if available Contract approved based on Financial Authority
Low-Value Procurement Below \$50,000	Department Head or designate	Division Manager	None required
Mid-Value Procurement (Invitational Competition) \$50,000 to <\$100,000	Department Head	Division Manager	Required for all procurements in a form approved by Legal Services Contract approved based on Financial Authority
Open Competition <\$1M	Department Head	Division Manager and Procurement Manager	Required for all procurements in a form approved by Legal Services Contract approved by Department Head or delegate, in accordance with Financial Authority
Open Competition ≥\$1M	Department Head	Division Manager and Procurement Manager	Required for all procurements in a form approved by Legal Services Contract approved by CAO

B. Non-Standard Procurement

Table 2 – Table of Authority

Procurement Value		Authorize Procurement	Delegated Authority to Procure
< Open Competition Threshold		Department Head	Department Lead
\$100K < \$250K		PGC	Department Head
\$250K and over	for software licenses, maintenance, and related fees (excluding implementation costs) for contracts of up to five years	PGC	Department Head
	for all other procurements	Council	