

Hamlet of Gjoa Haven, NT

BY-LAW NUMBER 76

A by-law of the Municipal Corporation of the Hamlet of Gjoa Haven in the Northwest Territories to provide for the making of contracts, pursuant to the provisions of the Hamlets Act, R.S.N.W.T., c. H-1, s. 130.

AS it is desirable to provide incentives to local and northern businesses.

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF GJOA HAVEN, at a duly assembled meeting, enacts as follows:

1. This by-law may be cited as the "Contract Procedures By-law".
2. In this by-law:
 - (a) "Council" means the Council of the Hamlet;
 - (b) "Hamlet" means the municipal corporation of Gjoa Haven;
 - (c) "Mayor" means the mayor of the Hamlet;
 - (d) "municipal contract" means a written contract or agreement for the supply of goods, services or construction to or on behalf of the Hamlet;
 - (e) "SAO" means the senior administrative officer of the Hamlet; and
 - (f) "Schedule" means a schedule attached to and forming part of this by-law.
3. No person shall make a municipal contract on behalf of the Hamlet except in accordance with this by-law.
4. Every municipal contract made on behalf of the Hamlet must cite, and must conform to, the Local Preference Policy, adopted by resolution of Council.

5. (1) Subject to subsection (2), the Mayor and the SAO, where so authorized by resolution of Council, may, on behalf of the Hamlet, enter into municipal contracts, by signing documents and taking other actions as necessary.
- (2) Where either or both the Mayor and the SAO are absent or otherwise unable to sign a municipal contract, the Council may, by resolution, authorize that the contract documents be signed by another member of Council on behalf of the Mayor and another officer of the municipal corporation authorized to sign on behalf of the SAO.

Read a first time this 4 day of March, 1997

Read a second time this 4 day of March, 1997

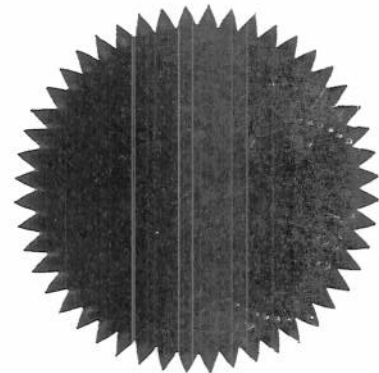
M. A. S. R.
Mayor

[Signature]
Senior Administrative Officer

Read a third time and finally passed this day of April 1st, 1997

M. A. S. R.
Mayor

[Signature]
Senior Administrative Officer



Hamlet of Gjoa Haven, NT
BY-LAW NUMBER
SCHEDULE 1

MUNICIPAL CONTRACTS AND TENDERS

Purpose

1. The purpose of this Schedule is to establish procedures to be followed in tendering for municipal services, managing ongoing municipal contracts, ensuring that equal opportunity is given to all who tender bids, subject to the Local Preference Policy, and protecting the public interest.

Definitions

2. In this Schedule:

“municipal contract”	means a written agreement or contract, under which a business or other person is contracted to provide goods, services or construction to, for or on behalf of the municipal corporation;
“Qualified Bidder”	means a business or other person meeting the qualifications set out in the Tender Documents;
“Resident Local Business”	means a business licensed to operate as a Resident Local Business under the Business License By-law;
“Rules of Tender”	means the rules for submitting bids and other aspects of a Tender set out in the Tender Documents;
“Tender”	means a competition for a contract with the municipal corporation, in which businesses or other persons submit bids according to the Rules of Tender;
“Tender Call”	means the making of a public announcement or the issuing of invitations to submit bids on a Tender;

“Tender Closing”	refers to the time and date, specified in the Tender Documents, after which further bids will not be accepted;
“Tender Documents”	means documents provided to businesses or other persons wishing to submit bids on a Tender;
“Tender Opening”	refers to the time, specified in the Tender Documents, at which all bids are to be opened;

Types of Tenders

1. Public Tender: A Tender open to any Qualified Bidder;
2. Closed Tender: A Tender open to any Qualified Bidder, which is a Resident Local Business;
3. Invitational Tender: A Tender open only to those Qualified Bidders invited to submit bids;

Tender Calls

3. (1) Subject to subsection (2), every municipal contract with an estimated value of more than \$10,000.00 shall be let by Tender.
- (2) Where, in the opinion of Council, it is in the public interest, a Municipal Contract of any value may be let without Tender.
4. The Council shall determine, on the basis of information provided by the SAO, whether a contract shall be let by Public Tender, Closed Tender or Invitational Tender.
5. Where Council determines that a contract is to be let by Tender, the SAO shall prepare Tender Documents in accordance with Council’s direction, this by-law and the Local Preference Policy.
6. Council shall give direction to the SAO regarding:
 - (a) the type of Tender;
 - (b) the time and date of Tender Call;
 - (c) the time and date of Tender Closing;
 - (d) the time and date of Tender Opening;
 - (e) (if applicable), the names of businesses to whom invitations are to be sent;

(f) the amount or percentage of a bid bond to be provided with any bid submitted;
and

(g) any other specifications to be included in the Tender Documents.

7. The Tender Documents shall set out the details referred to in paragraphs (a) to (g) of section 6, as applicable, and shall also include the following:

- (a) the details of the goods, services or constructions required under the Municipal Contract;
- (b) the time period within which the goods, services or constructions are to be supplied;
- (c) the criteria by which bids will be judged;
- (d) the qualifications the bidder is required to show;
- (e) the Rules of Tender, both general and specific to the Tender in question; and
- (f) a copy of the Local Preference Policy.

Hamlet of Gjoa Haven, NT

LOCAL PREFERENCE POLICY

PURPOSE

The purpose of the Local Preference Policy is to establish the manner in which preference will be provided to local and or northern businesses when tendering for the provision of goods, services or construction to the Hamlet of Gjoa Haven. To ensure that the implementation of local preference is similar to the Business Incentive Policy of the Government of the Northwest Territories.

1. DEFINITIONS

- a) Local Business - is a northern business located in the community and owned by a local resident.
- b) Local Resident - is a northern resident who has lived in the community for at least 24 months.
- c) Northern Business - is a business that complies with the legal requirements to carry on a business in the Northwest Territories and is owned by a northern resident in whole or not less than fifty-one (51%) Percent.
- d) Northern Resident - is a person who has lived in the Northwest Territories for at least 12 months.

2. POLICY

- a) Eligibility

In order to receive the benefits under the Local Preference Policy:

- 1) A local business or northern business must hold or be eligible to hold a valid business license issued by the Hamlet.
- 2) A northern business must meet the requirements to conduct a business in the Northwest Territories, be owned by a northern resident in whole or not less than fifty-one (51%) Percent and be qualified to apply for and be issued a valid business licence by the Hamlet.

3. **SOLE SOURCE**

- a) Goods and services under \$5,000 may be purchased, where available, from local business and no bid adjustment shall be applied.

4. **BID ADJUSTMENT**

For bid evaluation purposes the base bid submitted by a qualified bidder shall be adjusted by an amount calculated as follows:

- a) Over \$5,000/Under \$50,000
- i) A bid adjustment of Fifteen (15%) percent shall be applied to a bid submitted by a local business.
 - ii) A bid adjustment of Five (5%) percent shall be applied to a bid submitted by any other business.
- b) Over \$50,000
- i) A bid adjustment of Twenty (20%) percent shall be applied to a bid submitted by a local business.
 - ii) A bid adjustment of Fifteen (15%) percent shall be applied to a bid submitted by a northern business.

5. **Prerogative of the Council**

Nothing in this Policy shall limit the prerogative of the Council to waive the conditions as stated herein if, in the opinion of the Council, the service is urgently required and a delay would be injurious to the public interest.

This Policy adopted by a resolution of Council on the 1 day of April, 1997

M A M S L
Mayor

G
Senior Administrative Officer

H^aL^cd^c D^br^bΓ, ƆeN^b
L^bL^b e^bD^c 76

ፅድቅ ሊሆን ሊችልበት ዘላቂ ምክንያት አለመኖሩን ለማሳሰብ ርዕሰ ጉዳዩን ለመግባታቸው ምስጋና ይገባል፡፡ በህጉ መሰረት ለሰነድ ልማት ማስፈጸም ማስፈረግ ለሚችሉ ሰነድ ልማት ማስፈጸሚያዎች ርዕሰ ጉዳዩን ለመግባታቸው ምስጋና ይገባል፡፡

CΔLJ^{5b} CLδΔ Λ^{5b}δΓ^c σΔΛ^{5c}CDΔΔJ^c, ΓJΓ^cΔΔΔ^cΔJ^b Δ^{5c}Δσ^c ΔΓCDΔΔJ^c C^c
 δσ^{5b}Γ^cΔJ HΔ^cLΔ^c, ΡρΔσ^b LΓ^cΓ^{5b}σ^c<C LΓ^cΓ^{5b},

$C^b \mathcal{L} L^b$, $b \cap L \supset \Delta^c$ $H \triangleleft L_c d^c \sigma$ $\Delta^b \mu^b \gamma$ $L \mathcal{L}^b \supset \Delta^c \supset^c$ $\Lambda \nabla \nabla \cap \cap \supset \Delta^b$ $b \cap L \cap \supset \Delta^c$,
 $\Delta^c \mathcal{L} \Delta L C$:

1. $\triangleright_a L \triangleleft L^c$ $C^c d_m^m \Delta c^m \triangleright^c$ $\wedge d_n^c \sigma \triangleright \Delta^c \sigma^c$, $\cap J \neg \sigma^c$, $\Delta \cap \sigma^c \triangleright \sigma^c$
 $L \triangleleft^c$.

[illegible]

2. $C^{\infty} L^{\infty}$ $L^{\infty} L^{\infty}$,

- [illegible]

H⁴L⁴d⁴ > ⁵b⁵r⁵3, 990⁵
 L⁴r⁵ ⁴a>C 76
 990⁴d⁴C⁵ ⁴a>C 1
 990⁴r⁴ C⁴Ld⁴ ⁴a>C⁵ ⁴a>C⁵ ⁴a>C⁵ ⁴a>C⁵

- [illegible]

LCL^{5b} QH▷C 76

$$\Delta \Gamma \cap \sigma^{\mathfrak{F}_b} \triangleright \triangleleft \sigma^C \quad \sigma \triangleright \Delta \triangleleft^b \mathfrak{F}_b \mathfrak{F}_\sigma \mathfrak{F}_b \quad \mathbb{C} \mathbb{L} d \sigma^{\mathfrak{F}_b} \quad \mathbb{H} \triangleleft^L \mathbb{C} d^C \quad \wedge^{\mathfrak{F}_b} \mathbb{C} \Delta^C \sigma^b$$

- [illegible]

