

FINANCE**Budget Submissions**

The purpose of this policy is to outline the procedures for The Niagara Parks Commission budgetary submission and approval process.

1. The budgetary process for The Niagara Parks Commission consists of three major components:
 - Capital Works;
 - Capital Equipment;
 - Operating Budget.
2. Senior Directors and Directors are designated as having the authority and responsibility for the fiscal management of their respective departments under the provisions of this policy.

CAPITAL WORKS BUDGET

1. The Capital Works budget pertains to proposals of a value of \$10,000 or more, including new or improved:
 - buildings and structures;
 - roads, parking lots, driveways;
 - lighting; and,
 - other matters dealing with the infrastructure of the parks.
2. Senior Directors and Directors must present their Capital Works submissions to the Assistant General Manager & Senior Director of Corporate Services at the specified date, generally being the end of November for matters relating to the following fiscal year.
3. The Assistant General Manager & Senior Director of Corporate Services will review the submissions and where accepted will forward them to the Finance Committee of The Niagara Parks Commission for approval.
4. The Assistant General Manager & Senior Director of Corporate Services will present the overall Capital Works budget for final approval before The Niagara Parks Commission, generally on the third Friday of December for matters relating to the following fiscal year.

CAPITAL EQUIPMENT BUDGET

1. The Capital Equipment budget pertains to equipment of a value of \$1,000 or more including:
 - fleet vehicles and peripherals;
 - office equipment including photocopiers, fax machines, computers, office furniture;
 - and any other items newly acquired, improved and otherwise maintained as necessary to the daily operations of The Niagara Parks Commission.
2. Senior Directors and Directors must submit the Capital Equipment budget to the Assistant General Manager & Senior Director of Corporate Services for approval on the date specified, generally being the end of November for matters relating to the following fiscal year.
3. The Assistant General Manger & Senior Director of Corporate Services will review the Capital Equipment budget with the General Manager, prior to presenting the budget to The Niagara Parks Commission for final approval, generally on the third Friday of December for matters relating to the following fiscal year.

OPERATING BUDGET

1. The Operating Budget largely pertains to:
 - salaries
 - benefits
 - uniforms, clothing, accessories
 - training & travel
 - fleet vehicle maintenance
 - and other matters, most of which are fixed to some degree through collective agreements, service contracts, etc.
2. Senior Directors and Directors must submit the Operating budget to the Assistant General Manager & Senior Director of Corporate Services for approval on the date specified, generally being mid January for matters relating to the following fiscal year.
3. As is the case with the Capital Works Budget, the Operating Budget is forwarded for approval to The Niagara Parks Commission Finance Committee.

FINANCE**Budget Submissions**

4. Where accepted by The Niagara Parks Commission Finance Committee, the Operating Budget is presented to The Niagara Parks Commission for final approval, generally on the third day of February.

NIAGARA PARKS COMMISSION FINANCE COMMITTEE

1. The Niagara Parks Commission Finance Committee generally includes:
 - The Chairman;
 - The Vice-Chairman;
 - The General Manager.

ANNUAL AUDITING & MONTHLY STATUS REPORTING

1. The Niagara Parks Commission is audited on an annual basis as required by the provisions of the Niagara Parks Act, R.S.O.
2. Senior Directors and Directors must review on a monthly basis, Statements of Expenditures, which are produced by the Finance Dept., indicating:
 - the initial appropriation of each account - “budget amount”;
 - balance at the commencement of the monthly period - “current month”;
 - expenditures and encumbrances made during the period; and
 - unencumbered balances - “year to date.”

SUPPLEMENTAL OR EMERGENCY APPROPRIATION & FUND TRANSFER

1. Where conditions exist requiring supplemental or emergency funding or purchasing, the Senior Director or Director may submit a request in writing, outlining the particulars of the funding needs.
2. The request will be forwarded to the Assistant General Manager & Senior Director of Corporate Services.
3. Incidents of this nature may include:
 - the failure of an integral piece of equipment;
 - unexpected operational issue;

- other instances which may arise which are not inclusive of the currently approved budget and funding.

This policy cancels and supercedes Accounts Circular #7

Original Signed

**John Kernahan,
General Manager**

POLICY STATEMENT

The procurement of goods and services by The Niagara Parks Commission (NPC) is to be carried out responsibly and shall be effectively managed in accordance with generally accepted procurement principles of competition and obtaining value for money. The overall objective is to acquire and supply at the right time and in the most economical manner, the goods and services needed to meet NPC requirements.

Employees involved in the procurement of goods and services shall meet the following ethical standards and requirements and meet the provisions of all applicable corporate policies relating to employee conduct and behaviour:

- behave with impartiality, fairness, independence, openness and integrity with all vendors and suppliers
- develop and maintain professional relations and dealings with vendors and suppliers
- advance the interests of The Niagara Parks Commission in all transactions with vendors and suppliers
- refrain from accepting any gift or service from vendors and suppliers in exchange for business or orders
- adhere to the provisions of corporate policies CPM-05-04, Conflict of Interest and Acceptance of Benefits and CPM-05-07, Employee Conduct.

BACKGROUND

The Management Board of Cabinet Procurement Directive for Goods and Services outlines the principles that govern the planning, acquisition, and management of the goods and services needed by the Ontario Government. The Directive also covers the provisions of Ontario's Trade Agreements [Ontario/Quebec Trade Agreement and the Agreement on Internal Trade (Chapter 5: Procurement)] NPC is required to adhere to. The trade agreements apply to:

- goods valued at twenty-five thousand dollars (\$25,000.00) and above;
- services valued at one hundred thousand dollars (\$100,000.00) and above;
- construction valued at one hundred thousand dollars (\$100,000.00) and above.

A full call for tenders process is to be adhered to for procurement decisions at and above these levels. There are exceptions to the Trade Agreements outlined in the directive including:

- the procurement of goods intended by resale;
- the procurement of services that may be provided by licensed professionals including doctors, lawyers, engineers, chartered accountants, etc.

In these cases, organizations are permitted to determine their own procurement practices but must respect the overall principles of competition and obtaining value for money.

Call for tenders means a call for competitive bids from vendors or suppliers, inviting them to submit a tender or proposal for the purpose of a procurement.

Call for tenders shall be processed through one or more of the following open tendering methods by:

- a) advertising in newspapers
- b) using registers that are fully open to all qualified vendors or suppliers. With this method, all those registered in a given category must be invited to bid.

OTHER COMPANION POLICIES

In carrying out this policy, the following policies are to be referred to:

Retention of Professional and Consulting Services CPM-03-07

Sponsorships CPM-08-06

Goods for Resale CPM-11-02

DEFINITIONS

Tender - written formal offer submitted in a sealed envelope on a formal NPC Tender Form with a specific time and date by any company in response to an invitation to supply stipulated goods or services at a particular price

Quotation - written offer to sell or a bid obtained from selected sources of supply, to supply stipulated goods or services at a particular price which is received by The Niagara Parks Commission on a formal Commission Request for Quotation form with a specific date

Proposal - an offer to perform or provide a function, service, or product that cannot be fully defined or specified, same procedure as Tender

NPC PROCUREMENT REQUIREMENTS

The principles of competition or comparative analysis and obtaining value for money are to be applied to all procurement decisions.

Managers are not precluded from using a full call for tenders process for the procurement of goods and services at any value if deemed necessary.

Goods

For the procurement of goods having a value under five thousand dollars (\$5,000.00) prices may be obtained without a formal request for proposals or bids.

For goods with a value greater than five thousand dollars (\$5,000.00) and less than twenty-five thousand dollars (\$25,000.00), it is required that a request for proposals or written bids be obtained from at least three qualified vendors or suppliers where possible.

For goods with a value in excess of twenty-five thousand (\$25,000.00), it is required that a full call for tenders process, as outlined above in this policy, be adhered to for the procurement for such goods.

Services

For the procurement of services where the total amounts to less than twenty-five thousand dollars (\$25,000.00), services may be obtained without a formal request for proposals or bids.

For those services greater than twenty-five thousand dollars (\$25,000.00) but less than one hundred thousand dollars (\$100,000.00), it is required that a request for proposals or bids be obtained from at least three vendors or suppliers.

For services in excess of one hundred thousand dollars (\$100,000.00), it is required that a full call for tenders process be adhered to for the procurement for such services.

Exceptions

From time to time, an exception to the procurement requirements may be required in instances where there are very limited or specialized vendors, suppliers or bidders or maintenance contract providers; highly specialized knowledge or expertise is required; the preparation of necessary documents is highly cost prohibitive; or there are timing constraints. A direct appointment may apply where there

is a significant benefit to NPC, due to previous experience, inherent knowledge of the undertaking, extension of a previous assignment, cost saving or where continuity and experience will benefit NPC. For these unusual circumstances, exceptions to the procurement requirements may be considered subject to the approval of the General Manager, and in the case of goods exceeding \$25,000 or services exceeding \$100,000 by The Niagara Parks Commission.

CONSIDERATIONS FOR THE CALL FOR TENDERS PROCESS

Prior approval and authorization must be obtained before any request for qualifications, bids or proposals is released to vendors or suppliers. This is usually obtained through the annual budgetary process and must include notification of the Executive Director, Corporate Services of all call for tenders seven (7) days before time of issuance.

To enable fair comparison, requests for qualifications, bids and proposals must include sufficient details concerning the submission requirements. Requirements could include such things as specifications, drawings, description of work, delivery instructions, delivery timing, pricing basis, tax compliance and conflict of interest declarations (prior and during performance of a contract), cancellation clause, closing date and the evaluation criteria used to determine the successful submission, bid or proposal.

All specifications for the purchase and/or replacement of equipment must include the following requirement: "Equipment supplied must meet the regulatory requirements of the Occupational Health and Safety Act and/or other regulatory agencies including, but not limited to, the Canadian Standards Association (CSA), Underwriters' Laboratories of Canada (ULC), Technical Standards and Safety Authority (TSSA) and Ministry of Transport (MOT). Specifications for equipment purchases must be developed in consultation with the Department staff that will be using the equipment, Engineering Department and the Health, Safety and Environment Department to ensure the required health and safety features are included in the equipment specifications.

Requests for qualifications and proposals must identify all information, qualifications and evaluation requirements. In addition to bid price/cost, it may be appropriate to take into account quality, safety record, quantity, delivery, servicing, experience, financial capacity of the supplier, sponsorship and any other criteria directly related to the contract and is fair to all potential vendors or suppliers.

Vendors or suppliers are entitled to a clear description and full disclosure of the evaluation process to be used in assessing submissions and proposals to assist them in determining whether or not to pursue the opportunity and in preparing responses.

Submissions, bids and proposals submitted in response to a request for qualifications, bids or proposals must be assessed in accordance with the evaluation process and criteria set out in the procurement document. Evaluation criteria or processes that are different than those set out in the request for qualifications, bids or proposals must not be used.

The evaluation processes must be fully documented by those involved in the evaluation. Developing and retaining appropriate documentation will help respond to any inquiries, audits or legal challenges. All call for tender documents must be retained in the Purchasing Office and in accordance with the records management system.

Those involved in the evaluation must take particular care in assessing submissions, bids and proposals against the stated mandatory requirements. Mandatory requirements must be met and the highest ranking submission(s), bid(s) or proposal(s) that meet(s) all mandatory requirements may only be selected. Only those submissions, bids or proposals which comply with all stated mandatory requirements set out in the related request for qualifications, bids or proposals may be evaluated against the stated requirements set out in the request for qualifications, tenders/bids or proposals.

Submissions, bids or proposals received after the closing date and time are to be returned unopened.

Contracts shall be entered into only with bidders who have provided declarations of tax and conflict of interest compliance, safety records and security bonds where appropriate.

On request, unsuccessful bidders must be provided with the name of the successful bidder, the bid price and reasons for non-acceptance of the unsuccessful bid. Information supplied must comply with the Freedom of Information and Protection of Privacy Act.

APPROVAL LIMITS

Approval of tenders for goods and services may be granted as follows:

- amounts up to \$25,000 which are within allocated budgets approved by the Commission must be approved by the Executive Director.
- amounts over \$25,000 and up to \$100,000 must be approved by the General Manager provided they meet the following requirements:
 - are within allocated budgets approved by the Commission
 - are the result of a competitive procurement process.

- amounts exceeding \$100,000 must be approved by the Commission and are a result of a full call for tenders process unless otherwise authorized.
In most cases, procurement of goods and services over \$100,000 are explained to the Commission during the budgetary process and approval to proceed is given at that time. In these cases, the results of the call for tenders process will be brought back to the Commission only if the cost of the item is not within the budgeted amount or the lowest bid is not accepted.

If the specific item was not approved during the budgetary process, then a full description of the required procurement and process will be outlined to the Commission and approval to proceed will be obtained. A follow up report to the Commission on results of the call for tenders process will be necessary as well if the actual price is higher than the estimate or if the lowest bid is not accepted.

SPONSORSHIPS

This policy shall be applied in conjunction with CPM-08-06, Sponsorships, to ensure consideration is given to sponsorship opportunities when executing any call for tenders process for NPC.

REGISTER OF VENDORS, SUPPLIERS

The Purchasing Office shall maintain a list of vendors, suppliers and contractors, together with pricing where appropriate, and will add the names of any firm expressing an interest in selling goods or services as defined in this policy to the Commission. Where possible, sales representatives shall be directed to the Purchasing Office, and when necessary, they shall be referred to other departments if additional technical information is required.

REVOCATION

This policy cancels and supercedes Accounts Circular #16 and CPM-03-02, Quotations, Tendering & Purchasing.

Original Signed

John Kernahan
General Manager

FINANCE**Capital Improvement Projects & Major Maintenance Projects**

It is the policy of The Niagara Parks Commission to ensure proper planning and budgeting for capital improvement and major maintenance projects. These are defined as those amounting to ten thousand dollars (\$10,000.00) or more and are capitalized for depreciation purposes. Those capital works projects amounting to less than ten thousand dollars (\$10,000.00) must be charged to maintenance expenses in the year they are incurred.

Senior Directors are required to adhere to the following steps in the planning process:

1. A Capital Works Appropriation Form (attached) is prepared by the Senior Director. A detailed description of the proposal, clearly stating the purpose of the project, must be included. Rough sketches where applicable are recommended and should be included in the submission.
2. The Senior Director must forward the completed submission with his or her recommendation to the Senior Director of Technical Services with copies to the Senior Director of Corporate Services and the General Manager by September 20th of each calendar year. Projects requiring detailed engineering or architectural interior design must allow at least six (6) months for this process. Requests may be divided into the design and construction phases.
3. The proposal as presented to the Commission shall include:
 - project sketch plans
 - cost estimates & economic feasibility
 - priority of the project
4. The Technical Services Department shall confer with the submitting Department Senior Director regarding the details of the project and estimated costs. A great deal of discussion should occur at this phase of the planning process to avoid major changes to the request after the proposal has been presented to the Commission.
5. Where the Commission approves the project, the Technical Services Department or consultants, as the case may be, will draw detailed plans and proceed with the work in accordance with the Capital Projects Procedures.

REVOCAATION

This policy replaces Accounts Circular #7 & #19.

Original Signed

**John Kernahan,
General Manager**

FINANCE**Counterfeit Currency**

It is the policy of The Niagara Parks Commission to minimize the impact of counterfeit currency on retail and food services operations through education, detection and cooperation with law enforcement agencies. An early warning system will be utilized to help prevent further losses and alert police to criminal activity.

EDUCATION

1. The Chief of the Niagara Parks Police will designate a Staff Sergeant to coordinate the necessary awareness and detection training for Niagara Parks Commission employees. This may be completed in cooperation with the Niagara Regional Police Fraud Unit. Detection pamphlets, brochures, and other materials will be distributed regularly throughout the year by the Niagara Parks Police Service.
2. Managers and supervisors in retail and food services operations are to ensure that staff are familiar with counterfeit detection and the procedures for dealing with these incidents.

DETECTION

1. Detection equipment will be distributed to major retail outlets and must be utilized for \$100.00 notes or those notes of a lesser value which are considered suspicious in nature due to the colour, texture, quality and appearance of the note.
2. Where an employee is suspicious of a note he or she will immediately notify their supervisor and attempt not to alert or arouse suspicion from the person passing the note. The employee should note certain descriptors of the person passing the note, including:
 - approximate age
 - male or female
 - colour and style of clothing
 - height, weight, build
 - other notable features, e.g. scars, length and colour of hair, facial hair etc.
 - other persons accompanying
3. Employees should never confront a person suspected of passing a counterfeit note and must be aware that many people come upon counterfeit notes innocently. Banks and automated teller machines in the area have been known to unwittingly dispense counterfeit notes.
4. The Niagara Parks Police must be immediately notified when a suspected counterfeit note is passed. They can be reached at 905-356-1338 or 9-1-1.

EARLY WARNING SYSTEM

1. An early warning system will be initiated by the Niagara Parks Police Service for the purposes of notifying Niagara Parks Commission venues that counterfeit currency is being circulated. To be successful this system requires the cooperation of all staff.
2. During normal business hours the on duty Communicator will telephone the Manager at the following venues:
 - NPC Revenue Office
 - Table Rock Complex North Retail
 - Table Rock Restaurant
 - Butterfly Conservatory
 - Queenston Heights Restaurant
3. The Managers at the aforementioned venues will notify other retail, food services and attraction venues as laid out by the Senior Director of their department.

REVOCATION

This policy cancels and supercedes Accounts Circular #14 & #29

Original Signed

**John Kernahan,
General Manager**

FINANCE**Security of Commission Funds**

It is the policy of The Niagara Parks Commission that all employees use prudent care and caution when handling and securing cash held or otherwise stored within retail, food services and attractions venues.

IMPREST FUNDS

1. Imprest cash funds are prepared for cash register change floats, and to provide sufficient change to operate the venue.
2. Change can be obtained from the Revenue Office during their operating hours. It is the responsibility of the venue Manager to ensure they have sufficient funds available and are aware of the operating hours of the Revenue Office.
3. Imprest funds are to be balanced and records are to be maintained on a daily basis. Any discrepancies are to be reported immediately to the Manager of the Venue, the Manager of the Revenue Office, and the Senior Director of Corporate Services. Should there be a suspicion of criminal activity the Niagara Parks Police are to be notified immediately.

CASH FLOATS & RECEIPTS

1. Cash register floats are to be used for change purposes to commence each business day. As receipts build up during the day, floats should be removed at a convenient time and returned to the safe for storage and safe-keeping.
2. Excess amounts of cash should be removed from the cash register, placed in envelopes with the cashier location, name, register number, shift and date. The envelopes should be picked up by the supervisor and locked up for safe-keeping.
3. Cash receipts are to be removed from the cash registers at the end of each day and put into individually coded money bags provided, keeping American and Canadian funds separate. Each register is to be read and dated register tape for the day put into the white zipper bag along with credit card charges.

TRANSPORTATION OF CASH

1. All cash and tapes are to be transported in locked or sealed bags.
2. The conveyance of cash to and from NPC venues will be conducted by regular sworn members of the Niagara Parks Police Service.

FINANCE**Security of Commission Funds**

3. A record sheet will be maintained bearing the signatures of the police member and the management staff as well as other particulars indicated on the approved form for the purposes of documenting the chain of custody of the funds.
4. Management staff at the venues shall make every effort to order enough change to last the complete day as police personnel may not be available for subsequent deliveries due to demands for calls for police service.

VENUE SAFES

1. Safe combinations are to be closely guarded by staff and made available only to those responsible staff members who require access during the normal course of their responsibilities.
2. Combinations are to be changed immediately whenever an employee in possession of a combination changes jobs or is otherwise assigned to another location or area of responsibility.
3. Any currency held within a venue overnight shall be secured in the safe. During operational hours, safes containing cash shall remain locked and secured.
4. New combinations shall be recorded, sealed, and handed personally to the Senior Director of Corporate Services for safe-keeping.
5. Where a safe is located in an office where a clerk is present, the safe may remain open when the office door is locked. It is the responsibility of the office clerk to lock the safe when the office is left unattended even though the office door may be locked. At no time is an open safe containing cash to be left unattended regardless of a locked office door.

RESPONSIBILITY OF MANAGEMENT

1. It is the responsibility of Management to ensure that all security precautions are taken and proper procedures are carried out relating to the handling of cash.
2. Management shall ensure that all staff are aware of the proper handling procedures for cash and that problems relating to complacent behaviour brought on by routine, or other employee performance issues regarding cash handling, is dealt with promptly.

FINANCE**Security of Commission Funds**

3. Provisions of this policy should not prohibit local managers from developing more detailed or varied procedures which are more appropriate to the venue in which they operate. Managers developing their own procedures to better suit the needs of their venue must consult with and receive the approval of the Senior Director of Corporate Services.

REVOCAATION

This policy cancels and supercedes Accounts Circular #21.

Original Signed

**John Kernahan,
General Manager**

FINANCE**Staff Discounts**

It is the policy of The Niagara Parks Commission (NPC) to grant employees discounts for various goods and services available at NPC venues.

These discounts are subject to the conditions as set out below. Proper identification may be required.

RETAIL

Currently employed staff, their spouses, and retirees of The Niagara Parks Commission shall be entitled to discounted retail purchases at NPC facilities. The following conditions shall apply:

1. Merchandise including china, clothing, souvenirs, postcards, jewelry and gardening supplies shall be discounted up to 40%.
2. Merchandise on sale shall not be further discounted. The discounted rate shall apply for the original selling price only.
3. Film, related products and film processing shall be discounted up to 30%.
4. Confectionery products other than the standard convenience store items as noted below shall be discounted 30%.
5. Discounts are not permitted for the following:
 - potato chips, chewing gum, chocolate bars, tobacco and other third party produced items one could normally purchase at a regular convenience store
 - oil and gasoline at the Marina
6. Beverages shall be discounted by 30%.
7. Any product selling for \$1.00 or less, receives no employee discount.

From time to time, the Retail Department will provide a detailed listing of employee discounts.

FINANCE**Staff Discounts**

FOOD

Employees of The Niagara Parks Commission shall be entitled to discounted food and beverage purchases at NPC facilities. The following conditions shall apply:

1. Currently employed staff purchasing food and beverage shall be entitled to a 40% discount on the regular price.
2. This discount only applies during each employee's working hours at the following locations:

McFarland House
Queenston Pavilion
Butterfly Café
Whirlpool Halfway House
Aero Car Snack Bar
Victoria Park Cafeteria
Maid of the Mist Fast Food
Cataract Café
Pizza Café
Table Rock Fast Food
Legends Half Way House
Marina
Fort Erie Pavilion
3. Discounts are not permitted for potato chips, chewing gum, chocolate bars, tobacco and other third party produced items one could normally purchase at a regular convenience store.

GOLF

Employees of The Niagara Parks Commission shall be permitted to the following discounts at NPC golf facilities:

1. Golf for half price at NPC golf courses. Carts are not included in this discounted rate for the Legend's Chippawa, Whirlpool and Oak Hall Par 3 courses.
 2. Golf merchandise and supplies, other than golf balls, clubs, and shoes shall be discounted up to 40%.
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3. Golf balls, clubs, and shoes, shall be discounted 20%.
4. Merchandise on sale shall not be further discounted. The discounted rate shall apply for the original selling price only.
5. Discounts are not permitted for potato chips, chewing gum, chocolate bars, tobacco and other third party produced items one could normally purchase at a regular convenience store.
6. Beverages shall be discounted 30%.
7. Any product selling for \$1.00 or less, receives no employee discount.

WEDDINGS SITE RENTALS

Employees of The Niagara Parks Commission requesting a site on Niagara Parks property for their own wedding shall be able to reserve a site at no charge, pending availability. Immediate family members of NPC employees shall be entitled to a 50% reduction.

REVOCATION

This policy cancels and supercedes Human Resources Circular #40 and Accounts Circular #18 and revises CPM-03-06.

Original Signed

John Kernahan
General Manager

FINANCE

Retention of Professional and Consulting Services

POLICY

This policy provides the requirements and procedures for the retention of licensed professionals and consultants by The Niagara Parks Commission (NPC). It sets out criteria to ensure the selection of those providing professional and consulting services is undertaken in a fair and consistent manner, respects the principles of competition and obtains value for money for NPC.

Employees involved in the retention of professional and consulting services shall meet the following ethical standards and requirements, and meet the provisions of all applicable corporate policies relating to employee conduct and behaviour:

- behave with impartiality, fairness, independence, openness and integrity with all professionals and consultants
- develop and maintain professional relations and dealings with professionals and consultants
- advance the interests of The Niagara Parks Commission in all transactions with professionals and consultants
- adhere to the provisions of corporate policies CPM-05-04, Conflict of Interest and Acceptance of Benefits and CPM-05-07, Employee Conduct.

This policy is to be applied in conjunction with CPM-03-02, Procurement of Goods and Services.

DEFINITIONS

“Licensed Professional” - a professional requiring a license to practice i.e. engineers, doctors, lawyers, notaries, chartered accountants, land surveyors, architects and others as defined in the Ontario Trade Agreements.

“Consultant” - a non-licensed professional providing specialized advice i.e. management consulting, information technology consulting, technical consulting, research and development, marketing.

“Call for Tenders” - a call for competitive bids from licensed professionals and consultants, inviting them to submit a proposal or tender for the purpose of retention. In most cases for the retention of professional and consulting services, this would be a call for proposals.

AUTHORITY AND RETENTION REQUIREMENTS AND PROCEDURES

1. Professional and consulting services assignments with estimated fees under \$50,000 require the approval of the respective Executive Director and shall be within an approved budget allocation. Direct appointment may apply where there is significant benefit to NPC, due to previous experience, inherent knowledge of the undertaking, extension of a previous assignment, cost saving or where continuity and experience will benefit NPC.
2. For professional and consulting services assignments with estimated fees in excess of \$50,000 and under \$100,000, the respective Executive Director shall request at least three written proposals. The selected proposal shall require the approval of the respective Executive Director, Executive Director of Corporate Services and the General Manager and shall be within an approved budget allocation.
3. For professional and consulting services assignments with estimated fees in excess of \$100,000, a full call for tenders process shall be required.

A call for tenders means a call for competitive bids from licensed professionals and consultants, inviting them to submit a tender or a proposal for the purpose of procurement.

Call for tenders shall be processed through one or more of the following open tendering methods by:

- a) advertising in newspapers
- b) using registers that are fully open to all qualified licensed professionals and consultants. With this method, all those registered in a given category must be invited to bid.

In most cases, projects over \$100,000 are explained to the Commission during the budgetary process and approval to proceed is given at that time. In these cases, the results of the call for tenders process will be brought back to the Commission if the cost of the project is not within the budgeted amount or the lowest bid is not accepted.

If the specific project was not approved during the budgetary process, then a full description of the project will be outlined to the Commission and approval to proceed will be obtained. A follow up report to the Commission on results of the call for tenders process will be necessary as well if the actual price is higher than the estimate or if the lowest bid is not accepted.

FINANCE**Retention of Professional and Consulting Services**

4. From time to time, an exception to these requirements may be required in instances where there are very limited service providers; highly specialized knowledge or expertise is required; the preparation of necessary documents is highly cost prohibitive; or there are timing constraints. For these unusual circumstances, exceptions to this policy may be considered subject to the approval of the General Manager, and in the case of fees for services exceeding \$100,000 by The Niagara Parks Commission.
5. A copy of all call for tenders documents must be retained in the Purchasing Office and in accordance with the records management system.

MULTIPLE-YEAR CONTRACT WITH LICENSED PROFESSIONALS AND OTHERS

The Niagara Parks Commission retains several licensed professionals and others to undertake specialized services on a multiple-year contractual basis, i.e. Solicitor, Doctor, Auditors, Bankers. These fees and services contracts shall be reviewed every five years. The results of this review, including a report on performance, shall be provided to the Commission with a request for further direction. These contracts require a full call for tenders process when they are being renewed using the open tendering methods outlined in this policy. In some instances, where directed by the Province of Ontario or by The Commission, a specific term for professionals in this category may be assigned and conditions of extensions may be included in such term.

SCOPE OR TERMS OF REFERENCE

The Department Executive Director, or designate, shall prepare the “Scope” or “Terms of Reference” for the service required and this shall be outlined in the call for tenders.

To enable fair comparison, requests for qualifications, bids and proposals must include sufficient details concerning submission requirements. Requirements could include such things as specifications, drawings, description of work, delivery instructions, delivery timing, pricing basis, tax compliance and conflict of interest declarations (prior and during performance of a contract or service), cancellation clause, closing date and the evaluation criteria used to determine the successful submission, bid or proposal.

FINANCE**Retention of Professional and Consulting Services**

REGISTER OF PROFESSIONAL AND CONSULTING SERVICES

Executive Directors are requested to maintain an up to date register of professional services and consulting firms. This register shall serve as a general guide in an attempt to distribute work to the extent that it is practicable. Key considerations in awarding work is past performance, competitiveness and NPC's confidence in the ability and quality of the service provided. The respective Executive Director shall undertake a performance review for those firms which perform below acceptable standards.

SELECTION CRITERIA

All proposals for professional and consulting services shall be ranked accordingly using the following selection criteria.

Selection criteria shall include but not be limited to:

- qualifications and experience
- past performance record
- completeness of proposal submitted
- innovative techniques recommended
- previous experience on NPC projects
- ability to deliver
- fee structure
- references
- variety of disciplines in house/in consortium
- proven record on budget control
- safety record
- geographic

Original Signed

John Kernahan
General Manager