



ANNUAL REPORT 2021
APPLICATION OF BY-LAW 03-21
RELATING TO CONTRACT
MANAGEMENT

Introduction

The adoption of Bill 67 in March 2021 called for certain modifications to the contract management by-law. By-law 03-21 was therefore adopted by council in order to take into account the necessary modifications. Two regulatory changes were made, including an addition to section 9 in the context of economic recovery following the pandemic. The municipality is to promote the purchase of goods and services from Quebec, suppliers, insurers and contractors with an establishment in Quebec, for a period of 3 years, up to June 25, 2024, with the objective of contributing to the provinces economic recovery following the pandemic. There was also the addition of article 31 concerning the promotion of the French language. The municipality is to promote the use of the French language and is not required to produce a document in a language other than French within the framework of the application of this by-law.

In accordance with article 938.1.2 of the Municipal Code of Quebec (CMQ), this report highlights the application of by-law 03-21 relating to contractual management with regards to contracts awarded by the Municipality of Pontiac during the year 2021. It describes the contract award processes used as well as the measures taken to promote, as much as possible, the rotation of suppliers or at least competitive bidding. It also allows the administrators of the Municipality of Pontiac to take stock of contract management and to get an idea of the number and types of contracts awarded in 2021.

Summary of rules for awarding contract as outlined in by-law 05-19 concerning contract management

Thresholds	Award process	Specific measures
\$0 to \$24 999	By mutual agreement or any other bidding process decided by the Municipality	<ul style="list-style-type: none"> An estimate must be obtained for contracts between \$ 10,000 and \$ 25,000 (with some exceptions).
\$25 000 to \$105 700 (taxes included)	By mutual agreement or any other bidding process decided by the Municipality	<ul style="list-style-type: none"> Rotation measurements; Competitive bidding ; Request two quotes (if possible).
\$105 700 and up	Public call for tenders	<ul style="list-style-type: none"> Article 935 of the MCQ.

Contracts equal to or less than \$ 24,999

In accordance with the contract management bylaw, contracts equal to or less than \$ 24,999 were awarded by the Municipality of Pontiac by mutual agreement with the exception the ecological study for Bronson-Bryant Road which was done through invitation to tender. The Municipality of Pontiac obtained estimates for all the contracts over \$ 10,000 that have been awarded.

Contracts Between \$ 25,000 and \$ 105,700

In 2021, twenty-three contracts between \$ 25,000 and \$ 105,700 were awarded by the Municipality of Pontiac. Of these 23 contracts, 11 were awarded through call for tenders by invitation, three by call for tenders on the SEAO website and nine were awarded by mutual agreement.

Each contract was awarded while respecting the principles and measures of rotation, as well as the competition mechanism established by articles 9, 10 and 12 of by-law 03-21 on contract management of the Municipality of Pontiac.

Given the nature of the services requested, and in the event that the offers would be greater than the threshold decreed by the Minister, the calls for tenders for the snow removal of sector A as well as installation of the lighting system at the Luskville recreation park were published on the SEAO website. Ultimately, the offers for these contracts were below the threshold of \$105,700.

The contract for the purchase of the membranes for the water treatment plant was given by mutual agreement to Tall Advanced Separation Systems due to the specialized nature of the items required.

The purchase and installation of the Voilà program was made through PG Solutions, as they already provide the municipality with the software used in our day-to-day operations as well as technical support.



The following list indicates the measures taken to promote supplier rotation or competitive tendering for contracts awarded by mutual agreement:

CONTRACTS AWARDED BETWEEN \$ 25,000 AND \$ 105,700 BY MUTUAL AGREEMENT

Supplier	Description of the contract	Amount	Measures to promote supplier rotation	Resolution
Equipe Laurence	Plans and specifications + supervision on Tremblay Road	29 400 \$	Rotation of suppliers carried out among firms in the field.	21-03-4268
Ferme Mond-Voie	Purchase of excavator	72 500\$	Price research with multiple suppliers	21-04-4291
QDI	Plans and specifications designs, hydraulic study	85 000\$	Rotation of suppliers carried out among firms in the field.	21-05-4320
Marcel Baril Ltee	Purchase of culverts and materials for Tremblay Road	39 578.89\$	Price request from three suppliers.	21-07-4387
CIMA+	Preliminary plans and specifications for the rehabilitation of Clarendon and Murray roads	42 900\$	Rotation of suppliers carried out among firms in the field.	21-09-4437
Tall Advanced separation system	Purchase of membranes for water treatment plant	46 463.48\$	Specialized equipment	21-10-4454
PG Solutions	Purchase and installation of Voilà program	29 706\$	Only program compatible with our current accounting software	21-03-4262
Pavage Gadbois	Paving of a section of Steele Line Road	75 600\$	Price request from three suppliers. Pavage Gadbois was selected despite not being the lowest bidder. CG company was the lowest bidder, but it won last year.	21-10-4459
Magneto Laval	Purchase of post planter	30 002.77\$	Specialized equipment that the Municipality gets very rarely.	21-03-4271

In some cases, the Municipality continued to use the call for tender system in invitation for several of contracts in order to encourage competitive bidding and obtain the best prices on the market, here is the list:

**CONTRACTS AWARDED BETWEEN \$ 25,000 AND \$ 105,700
THROUGH CALLS FOR TENDERS BY INVITATION ONLY**

Supplier	Description	Montant	Nb tenders requested	Resolution
Multi-Routes	Spreading of dust suppressant	63 600\$	3	21-04-4290
Les Fermes Renaud	Street sweeping – paved roads	27 877.85\$	2	21-04-4293
Les Fermes Renaud	Mowing and clearing brush along municipal roads	27 966\$	2	21-04-4294
Marcel Baril Ltée.	Purchase of culverts and geotextiles	30 044.49\$	3	21-04-4295
Entreprise Steve Couture	Achat de ponceaux et géotextile	55 789.43\$	3	21-05-4325
CIMA+	Sizing of bases, plans and specifications; Luskville recreational park lighting	29 778.53\$	6	21-05-4335
Groupe Brunet	Concrete bases; Luskville recreational park lighting	31 733.10\$	6	21-06-4364
Jambette	Purchase of play structures for Quyon recreational park	49 211.60\$	2	21-06-4365
Simexco	Purchase of water games module; Quyon Recreation Park	75 406.53\$	3	21-06-4366
SNC Lavalin	Geotechnical study; Bronson-Bryant Road	27 280\$	3	21-07-4397
Agora	Purchase and installation boards for rink at Quyon Recreation Park	43 776.73\$	3	21-10-4467

And finally, the following list represents the contracts which were published on the Electronic Tendering System (SEAO) with the presumption that the amount of the contracts would be higher than the threshold decreed by the Minister, but in the end they were less. The contract for the replacement of streetlights is also included in this list because the FQM was responsible for the tendering process on the SEAO:

CONTRACTS AWARDED BETWEEN \$ 25,000 AND \$ 105,700 THROUGH CALLS FOR TENDERS ON THE SEAO AND OTHER PLATFORMS				
Fournisseur	Description	Montant	Nombre de soumissions reçues	Résolution
Nugent Construction Inc.	Snow removal sector A (2021-2025)	74 733.76\$	1	21-05-4319
Gannon Blackburn Electric Inc.	Installation of lighting at Luskville recreational park	100 989.64\$	2	21-08-4426
Energère Inc.	LED streetlights with related services	57 443.62\$	Call for tenders done by FQM - SEAO	21-09-4438

Contracts of \$ 105,700 or more

In 2021, three contracts involving an expenditure equal to or greater than the threshold decreed by the Minister were awarded by the Municipality of Pontiac. These were published on the Electronic Call System for Tenders (SEAO) and awarded in accordance with article 935 of the Municipal Code of Quebec.

CONTRACTS AWARDED OF \$ 105,700 AND MORE				
Supplier	Description of contract	Amount	Nb of tenders received	Resolution
Inter-Outaouais	Purchase of dump truck	196 942.17 \$	3	21-04-4292
John Schuiteboer Cartage Inc.	Snow removal sector G (2021-2025)	955 379.93 \$	2	21-05-4318
Battleshield	Purchase of fire truck	480 020.63 \$	1	21-09-4436

Conclusion

This report shows that it is necessary to pay particular attention to contracts with a value between \$25,000 and the threshold decreed by the Minister, because the Act requires that suppliers be rotated and it is not always easy to do so. To continue to improve the measures established, the municipality will bolster its list of suppliers for each type of contract.

Apart from the contract awarding process used, the Municipality must continue to strengthen its checks on the transparency, integrity and impartiality of the process by implementing a system for contracts awarded by mutual agreement.