

**TOWN OF INUVIK
BY-LAW #2699/LEG/22**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE TERMS AND CONDITIONS OF PROCUREMENT POLICY OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES

WHEREAS pursuant to the Cities, Towns and Villages Act, municipalities are required to adopt policies with respect to procurement of goods and services by the municipality;

AND WHEREAS it is desirable to adopt such a policy for procurement by the Town of Inuvik;

AND WHEREAS it is desirable to establish expenditure limits and signing authorities with respect to procurement by the Town of Inuvik;

NOW THEREFORE the Council of the Municipal Corporation of the Town of Inuvik, in Council duly assembled, enacts as follows:

1.0 PROCUREMENT POLICY AND PROCEDURES.

- 1.2 The guiding principal shall be that the procurement by or in the name of the Town of Inuvik will be made using competitive processes that are open, transparent and fair.
- 1.3 Subject to any exceptions set out in Policy MG.003 "Procurement Policy" here to, acquisition of goods and/or services by or on behalf of the Town of Inuvik is not authorized unless the acquisition is done in compliance with the policy and this by-law. Goods and/or services that are obtained without following the provisions of this by-law shall not be received and any invoices received shall not be paid.
- 1.4 Without limiting the generality of section 4, the provisions of this by-law shall apply to any and all procurement in the name of the Town of Inuvik by consultants and/or Directors or Managers pursuant to consultant or management contracts.

2.0 EXECUTION OF PROCUREMENT CONTRACTS

- 2.1 Where procurement has been pre-authorized in accordance with this by-law, contracts may be signed by the Director or Manager responsible for the procurement on behalf of the Town of Inuvik.
- 2.2 Where procurement has been authorized by Council resolution, the contract shall be signed by the Senior Administrative Officer and the Mayor.

3.0 LIMITATIONS

- 3.1 Despite any other provisions of this by-law, the following procurement contracts are subject to council approval:
- a) Any contract requiring the approval of any other approval authority;
 - b) Any contract prescribed by statute to be made by Council;
 - c) Where the cost amount proposed for acceptance is higher than the Council approved budget for that expenditure or where the expenditure would result in insufficient remaining funds in the project budget to complete the project as budgeted;

- d) Where the net revenue amount proposed for acceptance is lower than the Council approved budget;
 - e) Where a substantive objection emanating from the procurement process has been filed;
 - f) Where an irregularity precludes the award of a contract in accordance with Policy MG.003 "Procurement Policy"
 - g) Where authority to enter into the contract has not been expressly delegated; and,
 - h) Where the procurement is by way of Tender.
- 3.2 The exercise or authority to award a procurement contract is subject to the identification and availability of sufficient funds in the appropriate accounts within the Council approved budget.

4. IMPLEMENTATION AND CONFLICTS

- 4.1 The provisions of this by-law apply to any and all procurement initiated by or on behalf of the Town of Inuvik after this by-law is passed despite any references to the contrary in any by-laws, regulations or policies or other documentation.
- 4.2 By-law 2558/LEG/14 and any amendments thereto are hereby repealed.
- 4.3 This by-law will come into effect upon the day of its final passage.

READ A FIRST TIME THIS 23 DAY OF November, 2022 A.D.

READ A SECOND TIME THIS 23 DAY OF November, 2022 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 14 DAY OF December, 2022 A.D.



MAYOR



SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Town of Inuvik.



SENIOR ADMINISTRATIVE OFFICER