

Purpose:

- 1 To protect the interests of The City and the public from unscrupulous or poor-performing suppliers and contractors;
- 2 To ensure the integrity of the bidding process for all procurements; and
- 3 To provide an accountability framework and to ensure appropriate review when taking steps to suspend bidding privileges.

Policy Statement(s):

- 4 Grounds for suspending bidding privileges may include instances where a bidder has:
 - (1) been convicted of a procurement-related statutory offence such as collusion or price-fixing;
 - (2) failed to honor a bid, whether there is bid security (bid bond) in place or not (use of low-risk, flexible tendering format);
 - (3) engaged in unethical bidding practices;
 - (4) failed to disclose a pertinent conflict of interest or to act in good faith;
 - (5) failed to live up to the terms of the contract;
 - (6) a prior or current history of frivolous litigation with The City; or
 - (7) significant or repetitive performance issues resulting in major impact to operations and a substantial drain on City resources tasked with contract administration.
- 5 Bidders barred from doing business with The City will lose bidding privileges for a minimum of two year period, to a maximum of five (5) years, from the date of approval of the decision at the sole discretion of The City.
- 6 Barred bidders may submit a written request to appeal the debarment within 10 business days from the date of approval of the decision.
- 7 Bidder barring is not to be used as a method of penalizing bidders with a past or current legitimate claim against The City, but as a deterrent to unscrupulous conduct or poor performance.

Definitions:

- 8 Debarment means to remove bidding privileges from an individual or third party vendor or supplier.

References/Links:

- 1 Procurement Reference Manual

- 2 5303-CA Corporate Procurement
- 3 5303-CP Corporate Procurement
- 4 5326-CP Contracts

Scope/Application:

- 1 This policy applies to all City employees involved in the bidding or contracting process and to all contracts, with the exception of employment and land purchase contracts.
- 2 Financial Services' Purchasing Section is responsible for coordinating all aspects of the formal review process when bidder barring is being considered.

Authority/Responsibility to Implement:

- 1 Chief Financial Officer

Inquiries/Contact Person:

- 1 Corporate Lead, Procurement and Risk Management

Policy Monitoring and Evaluation:

- 1 This policy will be reviewed every two years with revisions made as required.

Document History:

Date	Approved/Reviewed By:	Title:
Approved: February 4, 2020	"Allan Seabrooke"	City Manager
Revised: July 13, 2020	"Allan Seabrooke"	City Manager