



**ANNUAL REPORT ON THE APPLICATION  
OF THE CONTRACTUAL MANAGEMENT BY-LAW**

Period from January 1 to December 31, 2023

**Tabled at the regular meeting of the municipal council  
held on February 6, 2024**

## **1. INTRODUCTION**

Assented on June 16, 2017, the Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers as such (Bill 122) requires, since January 1, 2018, a municipality to prevail over the rules governing the making of its contracts of the expenditure is \$25,000 or more, but below the threshold requiring public tendering.

In accordance with article 938.1.2 of the Municipal Code, a municipality must table at least once a year, at a council meeting, a report concerning the application of its contract management by-law. In this case, on August 10, 2021, the Municipality of Kazabazua adopted By-law number 2021-032 amending By-law 2018-022 on contract management, which came into force on June 2, 2021..

## **2. OBJECT**

The purpose of this report is to strengthen the transparency of the Municipality's contract management process. Moreover, taxpayers will be able to learn about the good practices put in place with regard to the application of the measures provided for in the Policy.

## **3. STATISTICS ON CONTRACTS CONCLUDED AND AWARDED FOR THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2023**

There are three (3) main methods of solicitation for entering into a contract. The Municipality may enter into a contract by mutual agreement, following a call for tenders by invitation or following a public call for tenders.

The Municipality must take into account the estimated total amount of the contract to determine whether a contract can be awarded by mutual agreement, or whether it must be awarded by invitation to tender or by a public call for tenders.

For any contract involving an expenditure below the threshold ordered for the expenditure of a contract that may be awarded only after a public call for tenders, the minimum time limit for receiving tenders and the expenditure limit for limiting the territory from which tenders come into force have come into force. Thus, the expenditure threshold for a contract that can only be awarded after a public call for tenders has been raised from \$105,700 to \$121,200.

**Table:** Summary of contracts entered for 2023 according to the method of award and the value of contracts involving an expenditure equal to or greater than \$25,000.

<b>Method of allocation</b>	<b>Number of contracts</b>	<b>Value</b>
Calls for tenders by invitation	1	27,256.79 \$
Public calls for tenders (SEAO)	0	0.00 \$
Public calls for tenders - Contract renewal	0	0.00 \$
Direct contracts	1	65,326.50 \$

#### **4. POLICY MEASURES**

The Contract Management Policy of the Municipality of Kazabazua provides in particular the following measures:

- Ensure that any bidder or one of its representatives has not communicated or attempted to communicate, for the purpose of influencing it, with one of the members of the selection committee in relation to the solicitation for which it has submitted a bid;
- Promote compliance with applicable laws aimed at combating bid-rigging;
- Ensure compliance with the Lobbying Transparency and Ethics Act and the Lobbyists' Code of Conduct adopted under that Act;
- Prevent acts of intimidation, influence peddling or corruption;
- Preventing conflict of interest situations;
- Prevent any other situation that could compromise the impartiality and objectivity of the bidding process and the resulting management of the contract;
- Supervise the making of any decision authorizing the amendment of a contract.

#### **5. COMPLAINTS & SANCTIONS**

In 2023, no complaints were received and no sanctions were imposed regarding the application of the Regulations.

#### **6. CONTRACT MANAGEMENT BEST PRACTICES**

The Municipality of Kazabazua has put in place good practices in contract management, namely:

- Audits of the Register of Enterprises Ineligible for Public Contracts (RENA) are conducted before contracts are awarded;
- Bids received are verified and analyzed for compliance. Bids found to be non-compliant remain documented;

Cost overruns and other amendments to the contract are permitted only when they are ancillary to the original contract and when they relate to elements that could not have been foreseeable at the time of award. Depending on the amount of the additional expenditures, they are authorized by resolution of the Council.

This February 6, 2024



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Pierre Vaillancourt, DMA  
Director general