

**PROVINCE OF QUEBEC
BROME-MISSISQUOI REGIONAL COUNTY MUNICIPALITY
MUNICIPALITY OF WEST BOLTON**

BY-LAW NUMBER 379-2021 ON CONTRACT MANAGEMENT

WHEREAS the Municipality adopted its first Contract Management Policy on December 6, 2010;

WHEREAS the Municipality adopted By-law number 350-2018 on contract management on October 6, 2018 following the entry into force of the *Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers as such* (S.Q. 2017 c. 13);

WHEREAS the *Act to establish a new development regime in flood zones of lakes and watercourses, temporarily granting municipalities powers to meet certain needs and amending various provisions* (S.Q. 2021 c. 7) was assented to on March 25, 2021 and some of its provisions came into force on that date;

WHEREAS section 124 of that Act imposes an obligation on municipalities to provide, in the by-law on contract management, measures to promote, for a period of three years from 25 June 2021, Québec goods and services, as well as suppliers, insurers and contractors who have an establishment in Québec, for any contract involving an expenditure below the public tender threshold fixed by ministerial regulation;

WHEREAS By-law No. 350-2018 on contract management should be repealed in order to replace it with a new by-law that incorporates measures to promote Québec goods and services as well as suppliers, insurers and contractors who have an establishment in Québec, in accordance with section 124 of the above-mentioned Act;

WHEREAS a notice of motion of *By-law Number 379-2021 on Contract Management* was given on July 5, 2021;

WHEREAS the draft by-law was tabled at the Council meeting of July 5, 2021,

COUNCIL DECREES AS FOLLOWS:

Chapter 1 - PRELIMINARY PROVISIONS

Section I - DEFINITIONS

1. In this By-law and unless in exceptional cases, the expressions or words below have the following meaning:
 - a) **"Purchase"**: Any supply of a good or a service required in the course of the operations of the Municipality, which can be acquired through a call for tenders or by mutual agreement;
 - b) **"Over-the-counter purchase"**: Any supply of a good or service, which can be acquired by mutual agreement on an ad hoc basis and for which the price is already set by the supplier for all its customers, such as the purchase of foodstuffs, office supplies or over-the-counter products;
 - c) **"Call for tenders"**: A public procurement or written solicitation process requesting written price quotations from suppliers for goods or services in accordance with the terms set out in the documents provided for this purpose. Price requests are excluded when no call for tenders is required by law or by this By-law;
 - d) **"Purchase order"**: Document confirming to a supplier the goods to be delivered or the service to be performed based on the relevant terms;

- e) **"Selection committee"**: Committee formed when the bidding process involves the use of a bid weighting and evaluation system, regardless of the method chosen;
- f) **"Contract"**: Any commitment by which the Municipality obtains services (including insurance), has work done or purchases goods and for which it undertakes to disburse an amount as payment to a contractor or supplier, with the exception of an employment contract or an inter-municipal agreement;
- g) **"Supply contract"**: Contract for the purchase or rental of movable property in which costs may be included for the installation, operation and maintenance of the property;
- h) **"Construction contract"**: Contract for the construction, reconstruction, demolition, repair or renovation of a building or civil engineering structure, including site preparation, excavation, drilling and blasting, supply of products and materials, equipment and machinery if they are provided for in the contract and are related thereto, and the installation and repair of fixed equipment of a building or civil engineering structure;
- i) **"Service contract"**: Contract for the provision of services in which the parts or materials required for this provision may be included;
- j) **"Professional services contract"**: Contract for the provision of services that, under a law or by-law, can only be provided by a doctor, dentist, nurse, pharmacist, veterinary surgeon, engineer, surveyor, architect, chartered professional accountant, lawyer or notary;
- k) **"Price request"**: Written or oral communication kept confidential, with a minimum of two (2) suppliers for the purpose of obtaining written prices, with the use of e-mail being authorized;
- l) **"Cost overrun"**: Any excess cost beyond the original cost of a contract, other than a variation in the quantities estimated at unit price;
- m) **"Officer-in-charge"**: The officer responsible for tendering or managing the contract, depending on the context;
- n) **"Supplier"**: A natural or legal person retained to perform a contract following a call for tenders or following the conclusion of a contract resulting from a negotiation by mutual agreement where applicable;
- o) **"Solicitation procedure"**: All the mechanisms unified by the Municipality for the purpose of awarding a contract to a supplier based on one of the adjudication methods provided for herein (Public call for tenders, call for tenders by invitation, request for quotation or solicitation by mutual agreement);
- p) **"Budget activity officer"**: Any public servant who meets the regulatory requirements for budget control and monitoring as a budget activity officer;
- q) **"SAP"**: Public tender threshold set by ministerial regulation;
- r) **"Bidder"**: A natural or legal person who intends to bid or who has submitted a bid and who has undertaken to meet the requirements and conditions of the tender documents if the contract is awarded.

Section II - PURPOSE

2. The purpose of this by-law is to put in place contract management rules that address the seven (7) categories of measures required by section 938.1.2 of the *Municipal Code* (CQLR C-27.1), in order to assure the taxpayers of the Municipality that the amounts expended for the purchase of goods or services are in accordance with the principles of fairness, transparency and sound management.

3. The rules provided for in this By-law must be interpreted in such a way as to respect the principle of proportionality based on the nature and amount of the expense, the contract to be performed and the costs, time and size of the Municipality.

Section III - SCOPE

4. The provisions of this By-law:

- a) are not intended to replace or modify any legislative or regulatory provision relating to the award of municipal contracts, in particular the provisions applicable to contracts of a value equal to or greater than the public tender threshold set by ministerial regulation;
- b) are not intended to prevent a contract from being made in a case of force majeure that is likely to endanger the life or health of the population or to seriously damage municipal facilities, in which case the mayor, or any other person authorized by section 937 of *the Municipal Code* or by a by-law of the Municipality, may override these rules and award the necessary contract to mitigate the situation;
- c) are not intended to limit the possibility for the Municipality to use any competitive method for the award of a contract, whether by Public call for tenders, by invitation or by a price request, even if it can legally proceed by mutual agreement;
- d) are not intended to prevent the Municipality from proceeding by mutual agreement in cases where the law or this By-law so permits;
- e) apply regardless of whether the contract is awarded by Council or by an authorized officer;
- f) bind bidders, suppliers, as well as any person who, through its actions, seeks to enter into a contract with the Municipality.

Any authorized party or any supplier or contractor involved in a contract process must act in accordance with the Contract Management By-law.

5. The provisions of this By-law shall not apply:

- a) during an over-the-counter purchase;
- b) to the exceptions in section 938 of the *Municipal Code*.

Chapter 2 - MEASURES REFERRED TO IN SECTION 938.1.2 OF THE MUNICIPAL CODE

Section I – MEASURES TO ENSURE COMPLIANCE WITH ANY APPLICABLE ANTI-BID-RIGGING LEGISLATION.
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6. No employee or member of Council may disclose any information as to the number or identity of persons who have been invited to submit a price or bid, who have submitted a price or bid, or who have requested a copy of the call for tenders, a document to which it refers or an additional document related thereto until the opening of bids.

7. All calls for tenders must provide that the bidder must, for any information, only write to the officer-in-charge or his representative whose details appear in the call for tenders.

8. Employees or members of the Municipal Council must not communicate information to a bidder through a tendering process and must refer it to the officer-in-charge or his representative whose contact details appear on the call for tenders.

9. Any available information concerning a call for tenders must be accessible in an impartial and uniform manner to all potential bidders. In particular, the officer-in-charge must ensure that documents that have been prepared by a consultant for the Municipality and contain technical information must be accessible to all potential bidders.

10. Any call for tenders must provide that, in order to be eligible for the award of a contract, a bidder, as well as any subcontractor it associates with the implementation of its bid, must not have been found in the last five (5) years, guilty of collusion, fraudulent acts or other acts of the same nature, or held liable for such acts in connection with a call for tenders or a contract, by a final decision of a court, body or person exercising judicial or quasi-judicial functions.

11. The officer-in-charge must ensure that bidders have not been found guilty of violating an anti-bid-rigging legislation such as the *Act to provide for measures to fight crime in the construction industry* (SQ, 2009, v. 57) and the *Competition Act* (RSC, 1985, C-34), and must also ensure that the establishment of a business relationship with a bidder is not against a penalty imposed on him.

Section II - MEASURES TO ENSURE COMPLIANCE WITH THE *LOBBYING TRANSPARENCY AND ETHICS ACT* (CQLR, C-T-11.011) AND THE *CODE OF CONDUCT FOR LOBBYISTS* ADOPTED UNDER THAT ACT.

12. Any call for tenders must state that every bidder must solemnly declare, by a written declaration accompanying its bid, that if influence communications took place to obtain the contract, they complied with the *Lobbying Transparency and Ethics Act* and the *Code of Conduct for Lobbyists*.

Failure to produce this declaration will result in the automatic rejection of the bid.

13. Any contract must include a clause allowing the Municipality, in the event of non-compliance with the *Lobbying Transparency and Ethics Act* or the *Code of Conduct for Lobbyists*, to terminate this contract if the non-compliance is discovered after contract award, as long as the violation is related to events directly related to the contract with the Municipality.

14. Any elected official or municipal employee who is approached by a person seeking to influence decision-making on a matter covered by the *Lobbying Transparency and Ethics Act* must ask that person if they are registered in the Lobbyists Registry.

If the person is not registered, the elected official or the municipal employee must inform him of the existence of the aforementioned legislation and the obligation to register in the Lobbyist Registry.

Section III - MEASURES TO PREVENT INTIMIDATION, INFLUENCE PEDDLING AND CORRUPTION.

15. The financial guarantees required from a bidder must be adapted based on the actual nature of the need in order to ensure that they are not over-valuated or disproportionate to the contract.

16. No clause of a call for tenders must allow the withdrawal of a bid after it has been opened. The bid security presented, if any, must be forfeited and the excess cost to the Municipality must be claimed from the defaulting bidder if it was the lowest compliant bidder.

17. In order to avoid having potential bidders in one place, no mandatory participation in site group visits should be provided.

However, in the case of the refurbishment of an existing structure of such magnitude that the project cannot be specifically described in the tender documents, the required visits must be carried out individually by appointment with the bidders.

18. All calls for tenders must provide that all bidders must solemnly declare, by a written declaration (attached as Annex I) that they must attach to their bid, that to their knowledge and after serious verification, their bid was prepared without collusion, communication, agreement or arrangement with a competitor.

Failure to file this declaration will result in the automatic rejection of the bid.

19. Any bidder who is convicted for establishing a bid with collusion, communication, agreement or arrangement shall be ineligible to bid for any contract with the Municipality for five (5) years after his conviction.

Section IV - MEASURES TO PREVENT CONFLICT OF INTEREST SITUATIONS.

20. The selection committee must be composed of at least three (3) members, in addition to one (1) secretary, who are not members of Council.

21. The selection committee must be established before the call for tenders is issued, but its composition must be kept confidential.

22. Every member of the selection committee must declare under oath, in accordance with the form attached as Annex II to this By-law:

- a) to perform his duties without partiality, favouritism or consideration, and respect the applicable rules of ethics;
- b) that should he become aware that one of the bidders, shareholders or board members of one of the bidders is related to him or has business ties with him, or that he is in competition with one of the bidders under evaluation, he shall notify the secretary of the selection committee without delay.

23. The secretary of the selection committee must ensure that members of this committee are provided the information relevant to their mandate and shall give them access to basic training.

Section V - MEASURES TO PREVENT ANY OTHER SITUATION LIKELY TO COMPROMISE THE IMPARTIALITY OR OBJECTIVITY OF THE CALL FOR TENDERS OR THE MANAGEMENT OF THE RESULTING CONTRACT

24. The members of a selection committee must undertake not to divulge any information concerning the discussions and scores awarded during their work.

25. The officer-in-charge or his representative whose contact details appear in the call for tenders, are the only persons who can issue an addendum as part of a tendering process. The officer must ensure that bidders are provided and given unbiased, consistent and equal information devoid of any favouritism.

26. Where a bid evaluation and weighting system is provided for the award of a contract, the tender documents may provide for the use of a form that allows for a uniform presentation of the information required from bidders to demonstrate quality.

27. Any calls for tenders must provide that no person who participated in the preparation of the call for tenders may bid or directly or indirectly control a bidding company.

However, this exclusion does not apply to persons who participated in the development of technical clauses or project cost estimates, to the extent that the documents they prepared, including the detailed costs breakdown, are provided to all bidders.

28. Any call for tenders must provide that all bidders must submit a declaration of their intention to sub-contract when this option is permitted and which, if applicable,

specifies the sub-contractors concerned in such a way as to limit any possible collusion with the bidder except for those determined through the Quebec Bid Depository System or by an agency holding a bulk brokerage permit.

In the context of a construction contract, the call for tenders may, however, provide that the list of subcontractors will be submitted before the contract is signed or at the latest on the date of opening of the work site.

Any calls for tenders may provide that failure to file this declaration will result in the automatic rejection of the bid.

29. All calls for tenders must provide that all bidders must solemnly declare, by a written declaration attach to their tender (Annex I), that to their knowledge and after serious verification, neither they nor any collaborator or employee communicated or attempted to communicate with an employee or a member of Council of the Municipality for the purpose of influencing him or obtaining information relating to this call for tenders, except in the context of a written communication with the officer-in-charge or his representative whose details appear in the call for tender.

Failure to file this return will result in the automatic rejection of the bid.

If such an act is discovered after contract award, the Municipality reserves the right, at its sole discretion, to terminate the contract, without prejudice to its other rights and remedies against this co-contractor.

30. Any company with a head office in Quebec that is interested in entering into a construction contract for \$25,000 or more with the Municipality must provide a certificate issued by Revenu Québec stating that it has filed the declarations and reports required under Quebec tax laws and that it does not have an overdue account with Revenu Québec. In the event that the contractor uses subcontractors, the contractor is responsible for ensuring that the subcontractors have a valid attestation from Revenu Québec if the amount of their respective subcontract is \$25,000 or more.

Section VI - MEASURES TO GOVERN THE MAKING OF DECISIONS AUTHORIZING THE AMENDMENT OF A CONTRACT

31. The Municipality must ensure that site meetings are regularly held during the execution of construction works in order to monitor the execution of the contract and, in particular, control the resulting costs.

32. In the event of unforeseen circumstances and if it becomes necessary to modify a contract in progress, the following rules must be respected:

- a) the amendment must be ancillary to the contract and not change its nature, with contract amendment being the exception;
- b) an officer may authorize a contract amendment entailing a cost overrun only to the extent that the thresholds authorized by the by-laws stipulating the rules for budget control, monitoring and delegation of authority are respected, in which case a purchase order must be issued;
- c) any cost overrun equal to or less than \$15,000 plus taxes must be authorized in writing by the general manager;
- d) any cost overrun of more than \$15,000 plus taxes must be authorized by resolution of the Municipal council.

Section VII - MEASURES TO PROMOTE ROTATION AMONG PROSPECTIVE CONTRACTING PARTIES FOR CONTRACTS THAT MAY BE MADE BY AGREEMENT UNDER THE RULES ADOPTED UNDER THE FOURTH PARAGRAPH AND THAT INVOLVE AN EXPENDITURE OF AT LEAST \$25,000 BUT BELOW THE EXPENDITURE THRESHOLD FOR A CONTRACT THAT MAY BE AWARDED ONLY AFTER A PUBLIC CALL FOR TENDERS UNDER [ARTICLE 935](#)

33. The Municipality favours a rotation among potential contracting parties that can meet its needs and, in the case of a price request or a calls for tenders or by a contract by mutual agreement when this approach is authorized, it must, as far as

possible, invite new competitors who have not been solicited at a previous adjudication. For contracts by mutual agreement, a new search for bidders must be carried out for each new contract when the contract is sufficient.

As a result, the solicitation officer must take necessary measures to facilitate such a rotation and document the process with appropriate support, in order to promote an equitable distribution of contracts and accessibility to new competitors from the region.

Rotation should not be at the expense of sound public expenditure management. In the event that the rotation cannot be profitable for the Municipality, the officer in charge of the call for tenders must document his decision.

Chapter 3 - MEASURES REFERRED TO IN SECTION 124 OF THE ACT ESTABLISHING A NEW PLANNING REGIME IN FLOOD-FREE AREAS OF LAKES AND WATERCOURSES, GRANTING TEMPORARILY TO MUNICIPALITIES POWERS TO MEET CERTAIN NEEDS AND AMENDING VARIOUS PROVISIONS

Section I - Measures to promote Québec goods and services as well as SUPPLIERS, INSURERS AND CONTRACTORS WHO HAVE AN ESTABLISHMENT IN QUÉBEC

34. For the period from June 25, 2021 to June 25, 2024, the Municipality shall promote, for the purposes of entering into any contract that involves an expenditure less than the SAP, the acquisition of goods and the provision of Québec services as well as suppliers, insurers and contractors who have an establishment in Québec.

To that end, the Municipality shall promote the acquisition of goods created and manufactured in Québec and the supply of services by Québec enterprises. The Municipality also favours suppliers, insurers and contractors who have an establishment in Québec and who can meet its needs.

When the Municipality solicits and awards a contract by way of a request for tender, call for tenders by invitation or by mutual agreement, it must ensure that it invites suppliers, insurers and contractors who are able to offer Québec goods and services to it, as well as suppliers, insurers and contractors who have an establishment in Québec.

To that end, the official responsible for solicitation must take the necessary measures to encourage the award of any contract that involves an expenditure less than SAP to suppliers, insurers and contractors who are able to offer Québec goods and services to the Municipality and to suppliers, insurers and contractors who have an establishment in Québec. The officer in charge of the solicitation must document the process in an appropriate medium.

This Article shall not have the effect of undermining the sound management of public expenditure. In the event that the supply of goods or services by a supplier, insurer or contractor having an establishment in Québec cannot be profitable for the Municipality, the officer responsible for the call for tenders must document his decision on the basis of objective and demonstrable facts.

35. In the context of a call for tenders by invitation launched under this by-law, the Municipality reserves the right to award the contract to a tenderer who has not submitted the lowest tender subject to the fact that the price of his own tender does not exceed the price of the lowest tender by more than 5%.

36. In the context of a price request sent to several suppliers, the Municipality reserves the right to offer a local supplier who has proposed a price higher than a "non-local" supplier the possibility of reducing its price to that of the "non-local" supplier.
37. In the context of a request for prices sent to several suppliers, the Municipality may, in the event of an equal price proposed, favour the local supplier.

CHAPTER 4 - RULES FOR AWARDING CERTAIN CONTRACTS

Section I - GENERAL RULES FOR CONTRACT SOLICITATION AND AWARD

38. Subject to what may be specifically mentioned below depending on the nature of the contract to be awarded, the rules provided for in this section must be considered generally by the Municipality, when a solicitation process is initiated.

When applicable, the use of fixed price and unit price contracts is preferred to hourly rates, in order to allow risk sharing with suppliers.

39. The Municipality may proceed with the solicitation and award of a contract by mutual agreement when the subject of this contract appears on the list of exceptions provided for in section 938 of *the Municipal Code*. This provision is not intended to exclude the application of the provisions of sections VI and VII of chapter 2 which remain applicable to those contracts, as the case may be.
40. When the Municipality is able to choose the method of solicitation, in addition to the situations described in section 34, the following aspects are considered:
- a) Contract amount;
 - b) Market competition;
 - c) Impact on the regional economy;
 - d) Possibility of rotation among competitors;
 - e) Organizational effort required;
 - f) Timeline to be respected;
 - g) Anticipated added value in using the procedure.

The officer in charge of the call for tenders must document his decision as to the choice of solicitation method.

41. The Municipality encourages the purchase of products that maintain or improve the quality of the environment and promote sustainable development.
42. The Municipality favours the use of businesses within its territory for all contracts that are not subject to a Public call for tenders.
43. All supply contracts, non-professional service contracts, professional services contracts and construction contracts involving an expenditure of at least \$25,000 but below the public tender threshold fixed by ministerial by-law may be entered into by mutual agreement by the Municipality.

The officer-in-charge is responsible for verifying that the contract is to the advantage of the Municipality. He must also document the considerations that led it to award the contract to one company rather than another.

44. When conducting a Public call for tenders or a call for tenders by invitation, the Municipality may choose one of the following four (4) evaluation methods depending on the nature of the contract:
- a) The lowest compliant bidder;
 - b) The weighting grid including the price;
 - c) The method of weighting and evaluation of two-envelope bids;
 - d) The weighting grid including the price with discussion and negotiation.

Notwithstanding article 936.0.1.2 of the *Municipal Code*, any professional services contract that includes an expenditure that is less than the public tender threshold set by ministerial regulation may be awarded by means of a call for tenders that considers only the price without having to use a bid evaluation and weighting system.

45. For a call for tenders, contract award to the bidder with the lowest compliant bid is the rule. When a bid evaluation and weighting system is used, the contract is awarded to the bidder with the highest score.

CHAPTER 5 - VIOLATIONS OF THE BY-LAW

46. Any member of Council who violates this by-law is liable to the penalties provided for in the *Municipal Code* in the form of civil or criminal penalties.

47. The obligations imposed in this by-law form an integral part of any employment contract binding the Municipality to an employee.

In addition to any criminal penalties provided by law, an employee who violates this by-law is subject to disciplinary measures depending on the severity of the violation, based on the principle of escalating sanctions and may result in suspension without pay or a dismissal.

48. Any bidder or subcontractor who violates the requirements imposed by this by-law is subject to the rejection of his bid, the cancellation of his contract or ineligibility to submit a bid to the Municipality for a period of five (5) years following a conviction if he violates a law that provides for such punishment.

CHAPTER 6 - TRANSITIONAL AND FINAL MEASURES

49. The director general is responsible for applying this By-law.
50. The provisions of this By-law apply in respect of any contract the tendering process of which commences after the entry into force of the by-law.
51. The Contract Management Policy adopted on October 6, 2018 is repealed.
52. This By-law enters into force according to the law.

ADOPTED IN WEST BOLTON ON AUGUST 16, 2021.

DENIS VAILLANCOURT
 Deputy Mayor

JEAN-FRANÇOIS GRANDMONT, OMA
 Director general and Secretary-treasurer

Notice of motion:	July 5, 2021
Tabling of draft:	July 5, 2021
Adoption:	August 16, 2021
Public notice of entry into force:	August ,2021
Transmission to MAMOT:	August , 2021

Schedule I

MUNICIPALITY OF WEST BOLTON
CALL FOR TENDERS NUMBER _____

BIDDER'S DECLARATION

I, the undersigned, _____, as a duly authorized representative of _____ for the submission of this bid, solemnly declare that: *[each applicable box must be checked]*

- I am authorized by the bidder to sign this declaration on its behalf;
- I understand that the enclosed bid may be rejected if the statements contained herein are not true or complete;
- I understand that the contract, if awarded to me, may be terminated if the statements contained herein are not true or complete;
- I have read and understand the contents of this statement;

I declare that to my knowledge and after serious verification:

- this bid has been prepared without collusion and without communication or making an agreement or arrangement with a competitor;
- there has been no communication, agreement or arrangement with a competitor with respect to prices, methods, factors or formulas for presenting a price, the decision to submit a bid or not, or submitting a bid that does not meet the specifications of the bid solicitation;
- neither I nor any collaborator or employee has communicated or attempted to communicate with an employee or a member of the Council of the Municipality for the purpose of influencing or seeking information with respect to this solicitation, except a communication with the officer-in-charge or his representative, whose contact information appears in this call for tenders;
- neither I nor any collaborator or employee has communicated or attempted to contact a selection committee member to influence or obtain information regarding this solicitation.
- that I have not been found guilty of an offense against a law that would prevent me from contracting with a public body.

I declare: *[check one of the options]*

- that I have not, at any time, directly or through another person, made influence communications to obtain the contract from a member of Council or an employee of the Municipality;

OR

- that I, directly or through another person, made influential communications to obtain the contract from a member of Council or an employee of the Municipality, but that such communication complied with the *Lobbying Transparency and Ethics Act* and the *Code of Conduct for Lobbyists*. The individuals who were contacted are:

I declare: *[check one of the options]*

I am a lobbyist registered in the Lobbyists Registry that was established under the *Lobbying Transparency and Ethics Act*;

OR

I am not a lobbyist who is registered in the Lobbyists Registry that was established under the *Lobbying Transparency and Ethics Act*.

NAME OF AUTHORIZED PERSON: _____

SIGNATURE: _____

DATE: _____

Solemnly declared before me in _____

This _____ day of _____ 20_____

Commissioner for Oaths

District of _____

Schedule II

MUNICIPALITY OF WEST BOLTON
CALL FOR TENDERS NUMBER _____

**DECLARATION AND COMMITMENT OF A MEMBER
OF A SELECTION COMMITTEE**

I, _____, as a member of the selection committee for the award of the above-mentioned contract, solemnly declare that:

1. I am committed, as a member of this selection committee:

- not to mention that I am a member of this selection committee to anybody, except to other members of the selection committee or the secretary of the committee;
- to act faithfully and in accordance with the mandate entrusted to me, without partiality, favour or consideration and respecting the applicable ethical rules;
- not to disclose or make known, without being required to do so, anything I have learned in the exercise of my duties, except to other members of the selection committee, the secretary of the committee and the Municipal Council;

2. In addition, in the event that I learn that one of the bidders or shareholders or board members of one of the bidders is related to me or has business ties with me, or that I am in competition with one of the bidders under evaluation, I will notify the secretary of the selection committee without delay.

3. I have read and understood the contents of this statement;

NAME OF SELECTION COMMITTEE MEMBER: _____
SIGNATURE: _____
DATE: _____

Solemnly declared before me in _____
This _____ day of _____ 20_____

Commissioner for Oaths
District of _____