



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO: GEN-2019-52-3

**BY-LAW AMENDING BY-LAW NO. GEN-2019-52
CONCERNING CONTRACT MANAGEMENT IN ORDER
REGARDING LOCAL PURCHASING**

ADOPTION PROCEDURE

Notice of motion:	April 7, 2025
Filing of draft by-law:	April 7, 2025
Adoption of by-law:	May 5, 2025
Publication:	May 9, 2025
Coming into force:	May 9, 2025

- CONSIDERING that pursuant to section 573.3.1.2 of the *Cities and Towns Act* (CQLR, c. C-19), every municipality must adopt a by-law on contract management;
- CONSIDERING pursuant to section 356 of the *Cities and Towns Act* (CQLR, c. C-19), notice of motion of this by-law was given and a draft of this by-law was filed at the regular sitting of the Municipal Council held on April 7, 2025;
- CONSIDERING copies of this by-law were made available to the public;
- CONSIDERING the Preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS :

ARTICLE 1 OBJECT

Chapter 1 of Title I is amended by the replacement of article 1 so that it reads as follows:

“ARTICLE 1 OBJECT

The object of this By-Law is to establish measures specifically aimed at:

- (a) promoting compliance with any applicable anti-bid-rigging legislation;
- (b) ensuring compliance with the Lobbying Transparency and Ethics Act (c. T-11.011) and the Code of Conduct for Lobbyists (c. T-11.011, r. 2) adopted under that Act;
- (c) preventing intimidation, influence peddling and corruption;
- (d) preventing conflict of interest situations;
- (e) preventing any other situation likely to compromise the impartiality and objectivity of the call for tenders process and the management of the resulting contract;
- (f) governing the making of decisions resulting in authorization to amend a contract;
- (g) promoting Québec or otherwise Canadian goods and services as well as suppliers, insurers and contractors having an establishment in Québec or elsewhere in Canada for the making of any contract that involves an expenditure below the expenditure threshold for a contract that may be awarded only after a public call for tenders under section 573 of the *Cities and Towns Act* (CQLR, c. C-19);
- (h) promoting a fair rotation among prospective contracting parties for contracts involving an expenditure of at least \$25,000 but below the expenditure threshold for a contract that may only be awarded further to a public call for tenders pursuant to section 573 of the *Cities and Towns Act* (CQLR, c. C-19) to the extent that those contracts may be made by agreement under the rules adopted under this by-law or are covered by a measure taken under subparagraph (g)”.

ARTICLE 2 DELEGATIONS OF POWERS

Chapter 2 of Title I is amended by adding the definition of the word "establishment" in alphabetical order to Article 2, so that it reads as follows:

“**establishment**” means a place where an enterprise carries on its activities on a permanent basis, clearly identified under its name and accessible during regular business hours.”

ARTICLE 3 LOCAL PURCHASING

Chapter 1 of of Title IV is amended by replacing Article 22.1 so that it reads as follows:

“ARTICLE 22.1 LOCAL PURCHASING

Without limiting the principles and measures set out in this By-Law and subject to sound management considerations, the Town favors Quebec or otherwise Canadian goods and services, as well as suppliers, insurers, and contractors who have an establishment in Quebec or elsewhere in Canada, for the purpose of awarding any contract involving an expenditure below the threshold of an expenditure for a contract that can only be awarded after a public call for tenders under article 573 of the *Cities and Towns Act* (RLRQ, c. C-19).

Quebec goods and services are those whose majority of design, manufacture, assembly, and realization is done from an establishment located in Quebec.

Canadian goods and services are those that meet the same conditions as Quebec goods and services but from an establishment located in Canada.”

ARTICLE 4 COMING INTO FORCE

The present By-Law comes into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk