

BY-LAW NUMBER
OF THE
CITY OF KITCHENER

(Being a by-law to amend By-law No. 2022-109
regarding the Procurement of Goods and Services)

WHEREAS it is deemed necessary and expedient to amend By-law 2022-109;

NOW THEREFORE the Council of the Corporation of the City of Kitchener
enacts as follows:

1. Section 12.c) of By-law 2022-109 is hereby deleted and replaced with the following:

“12. c) Where any Contract has been authorized under this By-law, the CPO may authorize disbursement of additional funds, under a Contract or by Purchase Order, provided that the additional funds:

 - i) shall not exceed the greater of \$133,800 or ten percent (10%) of the original Contract price;
 - ii) are available within the relevant budget; and
 - iii) are required to complete works that are necessary as part of the original scope of the Contract and do not expand the scope of work under the Contract beyond what was expressly contemplated under the original Procurement.”
2. Section 16.4 of By-law 2022-109 is hereby deleted and replaced with the following:

“ 16.4 When the Procurement Value of the Emergency purchase exceeds \$133,800, the CPO shall provide a report to Council in accordance with Section 27.”

3. Section 27.1 of By-law 2022-109 is hereby deleted and replaced with the following:

“27.1 The CPO must submit quarterly procurement information reports to Council to provide the following information about the City’s procurement activities:

- a) The circumstances and details of approved procurements exceeding \$133,800 in value, under delegated authority of the CPO; and
- b) the circumstances and details of any emergency purchase(s) with a procurement value exceeding \$133,800.”

4. Schedule “B” of By-law 2022-109 regarding Delegated Procurement Authorities is hereby deleted and replaced with Schedule “B” attached, dated April 7, 2025.

PASSED at the Council Chambers in the City of Kitchener this day of April, A.D. 2025.

Mayor

Clerk

SCHEDULE “B”
DELEGATED PROCUREMENT AUTHORITIES – APRIL 7, 2025

Requirement	Procurement Value	Procurement Process	Method (Note 1)	Authority to Approve the Award of a Contract	Authority to Execute Agreement and/or Issue a Purchase
Low Cost Purchase - low value procurement of any goods, services and construction	Up to \$40,000	Non-Competitive	Purchase made through corporate purchasing card or issuance of purchase order, or other.	DH or designate	CPO (Note 3)
Goods, Services and Construction as specified in Standing Offer Competition	Any value (in accordance with competitive method)	Standing Offer	Purchase made through corporate purchasing card or issuance of purchase order	DH or designate	CPO
Goods, Services and Construction from existing Qualified Supplier Roster	Any value (in accordance with competitive method)	Invitational Competition	Solicitation document issued to suppliers on the Qualified Supplier Roster	CPO	CPO
Goods and Services (low bid)	\$40,001 - \$80,000	Invitational Competition	Solicitation document issued to a minimum of 3 suppliers.	CPO	CPO
Goods and Services	\$80,001 - \$133,800	Invitational Competition	Solicitation document issued to a minimum of 3 suppliers by the Procurement Section	CPO	CPO
Goods and Services	\$133,801 or more	Open Competition	Solicitation document publicly posted by the Procurement Section.	CPO	CPO
Construction	\$40,001 - \$334,400	Invitational Competition	Solicitation document issued to a minimum of 3 suppliers by the Procurement Section	CPO	CPO
Construction	\$334,401 or more	Open Competition	Solicitation document publicly posted by the Procurement Section.	CPO	CPO
Establish Standing Offer or Qualified Supplier Roster	Any value	Open Competition	Solicitation document publicly posted by the Procurement Section	CPO	CPO
Goods, Services or Construction under the circumstances included in Schedule “C”.	\$40,001 - \$250,000	Non-Competitive or Limited Competition	Contract awarded directly to a supplier without competition or bids solicited from a limited number of suppliers in place of an Open Competition	CPO	CPO
Goods, Services or Construction under the circumstances included in Schedule “C”.	\$250,001 or more	Non-Competitive or Limited Competition	Contract awarded directly to a supplier without competition or bids solicited from a limited number of suppliers in place of an Open Competition	COUNCIL	CPO

Note 1: All described methods must be conducted in accordance with applicable procurement procedures and protocols under the City’s Procurement Procedures and Protocols.

Note 2: The need for an executed agreement, in addition to the issuance of a PO, is determined in accordance with the City's Procurement Procedures and Protocols.

Note 3: CPO - Chief Procurement Officer is head of the City's Procurement Section or designate.

Note 4: Procurement thresholds for open competition will be adjusted bi-annually to the limits published by the Ontario Public Buyer Association.