

## CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS MEETING

#### **AGENDA**

9:30 a.m., Tuesday, May 1, 2018 625 Fisgard St., Victoria Room 107

		Item/Report Number
1.	Approval of Agenda	
2.	Approval of Minutes of March 27, 2018	18-08
3.	CRHC Delegation of Authority and Signing Authority Policy	PPS/CRHC 2018-15
4.	Mortgage Renewal – The Birches	PPS/CRHC 2018-16
5.	Quarterly Financial Update – First Quarter	PPS/CRHC 2018-17
6.	Management Report	PPS/CRHC 2018-18
7.	Adjournment	

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## Minutes of a Meeting of the Capital Region Housing Corporation Board of Directors Held March 27, 2018 in Room 652, 625 Fisgard St, Victoria,

PRESENT: Directors: D. Screech (Chair); B. Braude; J. Carline; W. McIntyre; S. Price;

G. Young

Staff: R. Lapham; K. Lorette; C. Culham; R. Loukes; P. Kitson

Guests: P. Bundon and R. Miller, Jawl Bundon LLP

Recorder: K. Kusnyerik

The meeting was called to order at 10:01 a.m.

#### 1. APPROVAL OF AGENDA

It was requested that staff provide an update on recent funding announcements during the management report.

It was **MOVED** by Director Carline, **SECONDED** by Director Braude That the agenda be approved as circulated.

CARRIED

#### 2. APPROVAL OF MINUTES OF February 27, 2018

It was **MOVED** by Director McIntyre, **SECONDED** by Director Price That the minutes of February 27, 2018 be approved as circulated.

CARRIED

### 3. Westview Construction Management Services RFP No. CRHC-CP-MS 18/119

C. Culham presented the report.

Discussion ensued regarding the benefits of a Contract Manager versus a General Contractor. It was discussed that CRHC contracts contain dispute resolution procedures if problems were to arise.

It was MOVED by Director Braude, SECONDED by Director McIntyre

Direct two members of the Capital Region Housing Corporation Executive to sign the Westview Construction Management Services Contract No. CRHC-CP-WV 18/118 with Unitech Construction Management Ltd. in the amount of \$637,000.

CARRIED

J. Carline opposed

## 4. Michigan Square Redevelopment Architect Services RFP No. CRHC-CP-MS 18/119

C. Culham presented the report and reviewed the board approval to date with regards to this project and the decision to explore redevelopment. Ms Culham advised that the contract is based on a phased approach based on funding availability, municipal approvals and/or

CRHC Board approval. The project phases would not proceed without the approval of the Board, and that a termination clause has been included in the contract so that the contract may be terminated prior to a future phases if deemed necessary.

The meeting paused briefly at 10:55 a.m. and reconvened at 10:59 a.m. to present the phased schedule in more detail.

A friendly amendment to the motion presented in the staff report was made to include reference to the budget.

It was **MOVED** by Director Price, **SECONDED** by Director Braude

Direct two members of the Capital Region Housing Corporation Executive to sign the Michigan Square Redevelopment Architect Services Contract No. CRHC-CP-MS 18/119 in the amount of \$536,200 per the budget on submittal form 3, Schedule of Prices for Additional Services.

CARRIED

#### 5. MANAGEMENT REPORT

It was **MOVED** by Director Price, **SECONDED** by Director McIntyre Receive the Management Report for information.

CARRIED

#### 6. CLOSED MEETING

It was MOVED by Director Braude, SECONDED by Director McIntyre

That the meeting be closed in accordance with the Community Charter Part 4, Division 3, 90 (1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

**CARRIED** 

The meeting closed at 11:03 a.m. and resumed in open session at 11:23 a.m. without report.

#### 7. ADJOURNMENT

It was MOVED by Director Price,	<b>SECONDED</b> by Director McIntyre
That the meeting the adjourned.	

CARRIED

The meeting was adjourned at 11:24 a.m.	
David Screech, Chair	Kristine Kusnyerik, Recorder



PPS/CRHC 2018-15

## REPORT TO CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS MEETING OF MAY 1, 2018

## <u>SUBJECT</u> Capital Region Housing Corporation Delegation of Authority and Signing Authority Policy

#### **ISSUE**

To amend the Delegation of Authority and Signing Authority Policy to create operational efficiencies and to align with the Capital Regional District (CRD) Procurement Policy, 2017 and to appoint certain CRD staff as officers of the corporation.

#### **BACKGROUND**

At the April 11, 2018 CRD Board meeting, Board members approved the CRHC governance structure be realigned to mirror the other CRD corporate entities.

The Delegation of Authority and Signing Authority Policy requires revision to mirror the CRD's policies. Procurement transactions must be within the scope of the CRHC Board-approved annual financial plan and must only be initiated and executed by persons authorized to acquire and purchase goods and services.

Corporations may only act through their agents, such as officers, staff, or volunteers. In order to expressly have authority to direct, supervise, and monitor the day-to-day activities of the CRHC and create an explicit fiduciary responsibility to the CRHC, certain CRD staff should be appointed into officer roles.

The amended Delegation of Authority and Signing Authority Policy is attached as Appendix A. For information and comparison, the policy from 2016 is attached as Appendix B.

#### **ALTERNATIVES**

#### Alternative 1

- a) Approves the Capital Region Housing Corporation Delegation of Authority and Signing Authority Policy May 1, 2018; and
- b) Approves the resolution in Appendix F, appointing the CRD's Chief Administrative Officer, Chief Financial Officer, General Manager, Planning and Protective Services, and General Manager Corporate Services, as Officers of the Capital Region Housing Corporation.

#### Alternative 2

Refers back to staff for more information.

#### FINANCIAL IMPLICATIONS

CRD staff operate under an administrative procurement policy (Appendix C), which sets how purchases are made; a contracts and agreements policy (Appendix D), which sets procedures for ensuring agreements are within delegated authority and made using the approved contract

template; and a delegation bylaw, which sets out the explicit powers and financial limits applicable to staff (Appendix E, Capital Regional District Delegation Bylaw No. 1, 2017).

The proposed amended CRHC Delegation of Authority and Signing Authority Policy is built upon the structure set out in the CRD Delegation Bylaw. The three instruments create a decentralized purchasing model where staff in operating departments and divisions are responsible for purchasing, rather than a centralized department.

The proposed CRHC Delegation of Authority and Signing Authority Policy balances the need for both Board oversight and corporate control with operational efficiency. It increases the purchasing limit for the General Managers and Chief Financial Officer to \$500,000 and up to \$100,000 for authorized staff; the land agreement limit for the CAO to \$500,000; and the grant agreement authority for the GMs and the CAO to \$500,000. The proposed Delegation of Authority and Signing Authority Policy also aligns the CAO's purchasing limit by specifying that the authority to purchase is up to \$5-million, provided that the purchases are consistent with the annual budget.

The proposed CRHC Delegation of Authority and Signing Authority Policy includes the ability for the Board or the CAO to designate certain staff as approving authority for transactions less than \$50,000, and for the General Manager and the Senior Manager to designate certain staff with signing authority for smaller transactions, such as entering tenancy agreements, approving rent subsidy applications, purchasing services for housing maintenance, or buying goods such as appliances.

Increased delegation does not mean the CRHC Board will be removed from operational and capital procurement oversight. Under the proposed approach, the Board will continue to be engaged in the following ways:

- 1. Through the annual budgeting process, the Board will approve the financial plan, including the capital plan;
- The Board will approve sources of funding for projects and operational procurements through the financial plan approval process and related loan authorization approvals and processes;
- 3. Each year, a list of capital projects will be brought to the relevant CRHC Board Standing Committees for review and approval. For each project, staff will highlight the project budget and proposed procurement approach. The CRHC Board (through the Hospitals and Housing Committees) will be given the opportunity to provide direction regarding the approach and to designate specific projects in which it wishes to take a more active role. For those designated projects, Board approvals will be obtained in the major steps of the procurement;
- 4. Procurements will be conducted in accordance with the policy framework approved and with appropriate corporate controls, bringing significant items directly to the Board; and
- 5. The Board will review policies implemented by the Officers from time-to-time and direct staff to make changes as necessary.

#### CONCLUSION

At the April 11, 2018 CRD Board meeting, Board members approved the CRHC governance structure be realigned to mirror the other CRD corporate entities. The purpose of the amendments is to create efficiencies within the practices of signing of documents as well as to align the CRHC Delegation of Authority and Signing Authority Policy with the Capital Regional District Delegation Bylaw No. 1, 2017. The CRHC's officers will revise and adopt a Contracts and Agreements Policy to align with these instructions. The CRHC Board will continue to participate in the operational and capital planning process and any transactions not identified and approved through the annual process are subject to Board approval.

#### RECOMMENDATION

- a) Approves the Capital Region Housing Corporation Delegation of Authority and Signing Authority Policy May 1, 2018; and
- b) Approves the resolution in Appendix F, appointing the CRD's Chief Administrative Officer, Chief Financial Officer, General Manager, Planning and Protective Services, and General Manager Corporate Services, as Officers of the Capital Region Housing Corporation.

Christine Culham Senior Manager

Capital Region Housing Corporation

Keyin Lorette, P.Eng., MBA

General Manager

Planning and Protective Services

Concurrence

Robert Lapham, MCIP, RPP Chief Administrative Officer

Concurrence

#### CC/ce

Attachments: Appendix A - Capital Region Housing Corporation Delegation of Authority and Signing Authority Policy, 2018

Appendix B – Capital Region Housing Corporation Delegation of Authority and Signing Authority Policy, 2016

Appendix C – Capital Regional District Procurement Policy and Procedures, 2017

Appendix D – Capital Regional District Awarding and Execution of Contracts and Agreements Policy, 2015

Appendix E – Capital Regional District Delegation Bylaw No. 1, 2017

Appendix F – Appointment of Officers Resolution

# CAPITAL REGION HOUSING CORPORATION DELEGATION OF AUTHORITY AND SIGNING AUTHORITY May 1, 2018

	55	THERMAN	VIIGOUTILE SIMMORGE	SIGNEE	COMMENTS
	ИОП	Land Use Agreements under \$5,000 and less than 30 days for recreation	General Manager, Senior Manager or Designate	or Staff	Used for licenses and short-term leases of amenity rooms and shared spaces. Not to be used for tenancy agreements
	.isini	Leases (up to \$100.000)	CAO, CFO, or GM	General Manager, CFO, CAO	
	DOA	Leases (up to \$500.000)	CAO	CAO	Land and land use agreements.
Ξ	QNA.	Leases (more than \$500,000)	Board	Chair and Corporate Officer at direction of the Board	
	'ND I	Land Acquisition/Disposal/Use (up to \$100,000)	CAO, CFO, or GM	0-	Legal documents relating to: purchases, easements, rights-of-way, encroachment agreements, restrictive covenants, etc
	₹ S∃	Land Acquisition/Disposal/Use (up to \$500,000)	CAO	CAO	
	SA37	Land Acquisition/Disposal/Use (more than \$500,000)	Board	Chair and Corporate Officer at direction of the Board	
		Contracts under \$50,000	Senior Manager or Designate	Designated Staff	All expenditures must be within budget approval.
	SI	Contracts less than \$100,000	General Manager, Senior Manager or Designate	Senior Manager or Designated Staff	Limit depends on the lesser of \$100,000 or what is on the staff/volunteer form listed with Finance & Technology.
7	ОАЯТИ	Contracts up to \$500,000	CAO or General Manager	CAO or General Manager	
	coı	Contracts up to \$5,000,000	CAO	CAO	
		Contracts more than \$5,000,000	Board	Chair and Corporate Officer at direction of the Board	New construction, acquisition of goods & services (painting, floor coverings, garbage disposal)
		Grant applications and use of funding up to \$500.000	CAO, CFO or General Manager	CAO, CFO, or General Manager	
		Grant applications and use of funding more than \$500,000	Board	Chair and Corporate Officer at direction of the Board	
	5	Mortgage Documents up to \$500,000	CAO	CAO	
	IENTS	Mortgage Documents more than \$500,000	Board	Chair and Corporate Officer at direction of the Board	Mortgage Commitment Letter, Mortgage, Modification of Mortgage, Mortgage Loan Renewal Authorizatior
ო	SEEN	Operating Agreement	CAO or CFO	CAO or CFO	Operating Agreement, Amendments
	IĐ <b>A</b>	Tenancy Agreements and Rent Subsidy Forms	Senior Manager or Designate	Designated Staff	Tenancy Agreement, Application for Rent Subsidy
		Utility Agreements	CAO, General Manager, or Senior Manager	CAO, General Manager, Senior Manager or designate	Telephone, hydro, gas, cablevision. Approving and signing authority values as above in Contracts section.

\*Designate = Individual appointed by the Board of the CRHC or by the CAO to act in an individual's absence. This authority cannot be further delegated.

<sup>\*</sup>Designated Staff = Individual appointed by the Senior Manager or General Manager to exercise signing ability on a regular basis. This authority cannot be further delegated.

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CAPITAL REGION HOUSING CORPORATION, DELEGATION OF AUTHORITY & SIGNING AUTHORITY February 2, 2016

DNA 8 DN NOITIS	DOCUMENT	APPROVING AUTHORITY	SIGNEE	COMMENTS
GN	Leases (Value under \$100,000)	CAO, GM	Senior Manager or Designate	Office and maintenance equipment
١	Leases (Value over \$100,000)	Board of Directors	Executive Committee (any 2)	Land, vehicles, accommodation
П	Land Acquisition/Disposal/Use	Board of Directors	Executive Committee (any 2)	Legal documents relating to: purchases, easements, rights-of-way, encroachment agreements, restrictive covenants, etc.
- 30	Contracts Under \$200,000	CAO	Senior Manager or Designate	Expenditures within budget approval.
	Contracts under \$100,000	CGM	Senior Manager or Designate	Expenditures within budget approval.
с ЯТИО:	Contracts under \$50,000	Senior Manager or Designate	Senior Manager or Designate	Expenditures within budget approval.
•	Contracts over \$200,000 (or in excess of approved budgets)	Board of Directors and GM	Executive Committee (any two)	New construction, acquisition of goods & services (painting, floor coverings, garbage disposal)
	Mortgage Documents	Board of Directors	Executive Committee (any 2)	Mortgage Commitment Letter, Mortgage, Modification of Mortgage, Mortgage Loan Renewal Authorization
STN	Operating Agreement	Board of Directors	Executive Committee (any 2)	Operating Agreement, Amendments
EWEI	Contract Management	Senior Manager or Designate	Senior Manager or Designate	Examples - Progress Claims, Change Orders, consultants
еве	Tenancy Agreements	Senior Manager or Designate	Senior Manager or Designate	Tenancy Agreement, Application for Rent Subsidy
∀	Utility Agreements	Senior Manager or Designate	Senior Manager or Designate	Telephone, hydro, gas, oil, cablevision, water
IENTS	Investment Account	Senior Manager and CRD Manager Financial Planning and Executive Committee (any 1)	2 signatures: Senior Manager or Designate and Executive Committee (any 1);	
INVESTM	Investment Transactions	Senior Manager and CRD Manager Financial Planning	2 signatures: Senior Manager or Designate and CRD Manager FP or CRD Senior Manager Finance	CRD Manager FP (Financial Planning) & CRD Senior Manager Finance have signing authority at MFA to facilitate transactions.
	Purchasing Card	Senior Manager or Designate	Senior Manager or GM	Travel expenses, on-line purchasing
ERRING	Request for Payment under \$50,000	Senior Manager or Designate	Senior Manager or Designate	All costs within approved budgets or contracts previously approved by the Board of Directors. Approvals for payment & cheque requisitions are separate from cheque signing authority
4 DOR	Request for Payment over \$50,000	Senior Manager or Designate and Sign-off by GM	Senior Manager or Designate	
	Cheque Signing, EFT or Wire Transfer (Less than \$50,000)	Applicable Authorization	Senior Manager or Designate	Applies to manual signature or electronic signature.
MYA9	Cheque Signing, EFT or Wire Transfer (Over \$50,000)	Applicable Authorization	2 signatures: Senior Manager or Designate, and CRD Senior Manager, Finance or designate	
,	Authorization to Post Existing Union Position	Senior Manager and GM	Senior Manager and GM	
ΝA	a New FTE.	GM and CAO and CRD Board	GM	
MUH	oyee	Manager or Senior Manager and GM with CRD HR		
<u>—</u>	Dismissal of Exempt Employee	CAO with CRD HR		

\*\*Executive Committee is comprised of the President, Vice President and Secretary/Treasurer GM is General Manager - CRD Planning & Protective Services. CAO is Chief Executive Officer, CRD



## CAPITAL REGIONAL DISTRICT LEGISLATIVE POLICY

Section	Finance	
Subsection	Policies	(policy #)
Title	PROCUREMENT POLICY AND PROCEDURES	

#### 1. POLICY

This policy will ensure that all goods, services and construction will be acquired in a competitive, fair and open manner that

- is efficient, accountable and maximizes best value;
- advances the Capital Regional District's commitment to economic, environmental, and social responsibility by supporting the acquisition of sustainable products and services; and
- meets the requirements of the *Community Charter*, the *Local Government Act*, the Agreement on Internal Trade (AIT), the New West Partnership Trade Agreement (NWPTA) and public sector procurement standards and competitive bidding law.

#### 2. PURPOSE

This policy outlines authorization and competition requirements for procuring goods, services and construction for the Capital Regional District (CRD), the Capital Regional Hospital District (CRHD) and the Capital Region Housing Corporation (CRHC) (collectively, "CRD").

#### 3. MANAGEMENT OF THE POLICY

This policy is managed by the Finance and Technology Department. Any and all modifications to this policy subsequent to implementation must be reviewed and approved by the Board. Purchasing and supply management activities at the CRD are decentralized by divisions (service), and staff in those divisions are responsible for acquiring goods, services and construction for all operational and capital requirements in accordance with the terms of this policy.

#### 4. SCOPE

This policy applies to all CRD services (functions) and to all acquisitions and purchases made by CRD officers, employees and volunteers. Specific exemptions are set out in section 9 below.

#### 5. **DEFINITIONS**

Appendix A establishes definitions for terms used in this policy.

#### 6. AUTHORITY FOR PROCUREMENT TRANSACTIONS

Procurement transactions must be within the scope of the Board approved annual financial plan and must only be initiated and executed by persons authorized to acquire and purchase goods and services within the authorized purchasing-+ limits as set out in the CRD Delegation Bylaw ("Authorized Staff").

Authorized Staff must only authorize procurement transactions that are within the signing authority limits set out in the CRD Delegation Bylaw. The signing authority limits are summarized in the following table:

Position	Delegated Signing Authority Limit
Chief Administrative Officer	\$5,000,000
CFO and General Managers	\$500,000
Deputy Project Director – Core Area Wastewater Treatment Project	\$1,500,000
Project Director – Core Area Wastewater Treatment Project	\$3,000,000
Staff/Volunteers	Subject to the approval of the applicable GM or the Chief Financial Officer:
	The <u>lesser</u> of \$100,000 or the amount set out on a signing authority form held by the Department of Finance and Technology

Refer to the "Awarding and Execution of Contracts and Agreements" policy for more information on delegation and conditions for exercising delegated authority.

#### 7. RESPONSIBLE PROCUREMENT

The CRD's primary goal in the procurement process is to attain best value using processes that are competitive, open, transparent and non-discriminatory. Where possible, the CRD will give preference to the purchase of goods, services and construction that minimize adverse environmental impacts and greenhouse gas emissions and that promote recycling, re-use and reduction of waste. Authorized Staff will review and modify existing procurement specifications, and create new specifications, to include environmentally and socially responsible options or criteria to be considered along with price and performance.

#### 8. PROCUREMENT THRESHOLDS AND METHODS

The method of CRD procurement is based on the dollar value and the nature of the specific procurement transaction, ensuring that the cost and time associated with using a competitive process is proportionate to the benefit received.

Procurement methods must be selected in accordance with the following table and the procedures set out in Appendix B to this policy:

Estimated Transaction Cost	Method	
Goods and Services		
Less than \$5,000	Low Value Process	
Less than \$10,000	Informal Quotation Process	
\$10,000 to \$75,000	Written Quotation Process or	
	Formal Competitive Process (RFP, ITQ, RFSO)	
Greater than \$75,000	Formal Competitive Process (RFP, ITQ, RFSO)	
Construction		
Less than \$200,000	Written Quotation Process or	
	Formal Competitive Process (RFP, ITT)	
Greater than \$200,000	Formal Competitive Process (RFP, ITT)	

Note: Multi-year agreements are dollar value accumulative and shall be subject to the thresholds listed above. The requirement for competitive purchasing may be waived by a GM or the CAO and replaced with negotiations by staff under the circumstances set out in section 8 of Appendix B.

#### 9. CONTRACTUAL AGREEMENTS

Authorized Staff are responsible for determining whether it is in the best interests of the CRD to establish a written contract with a supplier. The following factors should be taken into consideration:

- P-Cards should be used for straightforward purchases not exceeding \$10,000 in value, unless otherwise authorized by the applicable GM or CAO, and only in accordance with the policies and procedures established by the Department of Finance & Technology.
- A purchase order may be used when the resulting contract is straightforward and does not exceed \$50,000 in value unless otherwise authorized by the applicable GM or CAO, and will contain the CRD's standard purchase order terms and conditions.
- A written contract is to be used when the arrangement is complex or when terms and conditions are required that are not in the CRD's standard purchase order, including, but not limited to: contract security, performance monitoring, insurance, WorkSafe BC compliance and project schedules.
- A written contract must be used where the procurement method selected requires the use of CRD-approved templates (as set out in Appendix B).

Where it is determined that a written contract is required, the contract must be executed in accordance with the "Awarding and Execution of Contracts and Agreements" policy.

#### 10. GENERAL

<u>Late Bids</u>. Submissions not received by the stated closing time and date will be rejected. The CRD will identify the timing device to be used.

<u>Procurements That Exceed Budget.</u> A bid that is accepted under the procedures set out must not exceed the amount that is included for that purpose, specifically or generally, in a budget approved by the Board. Where the bid was not accepted solely due to exceeding budget, the General Manager of the division, must either recommend rejection, revision of the requirements sufficient to reduce the cost to within budget or request approval from the Board for the transfer of additional revenues sufficient to fund the bid amount.

<u>Unsolicited Proposals.</u> Unsolicited proposals received by the CRD will be reviewed by Authorized Staff in the applicable division. Any procurement activity resulting from the receipt of an unsolicited proposal must comply with the provisions of this policy. A contract resulting from an unsolicited proposal will only be awarded on a non-competitive basis when the procurement requirements comply with the non-competitive procurement procedures described in Appendix B.

#### Identical Bids.

- 1. If identical lowest bids are received, each of which are less than the signing authority of the General Manager of the division and all other criteria are equal (delivery, service, performance, security of supply and price), the successful bid must be chosen by the drawing of lots under the General Manager's supervision.
- 2. The General Manager of the division is to recommend to the CAO for decision whether any bid should be accepted as the successful bid if the CRD receives identical lowest bids, each of which are more than the General Manager's signing authority.

<u>Increase to an Existing Contract or Purchase Order.</u> Increases to the value of an existing contract or purchase order must only be approved by the Authorized Staff person that approved the award and only if the total amount of the contract or purchase order, including the increase, is within that Authorized Staff person's signing authority limit and within the project budget as set out in the approved financial plan.

<u>Purchase Standardization.</u> All CRD divisions shall co-operate in the purchase of supplies by simplifying and standardizing like requirements, wherever possible. Every effort should be made to reduce the types and kinds of products used to the smallest number (i.e., considering equivalents or any alternatives suggested) in order to minimize investment.

<u>Co-operative Purchasing</u>. Savings likely to be achieved through purchasing goods and services jointly with other government bodies should be pursued. This policy provides the authority to Authorized Staff to participate with other government agencies or public authorities in joint purchasing ventures when it is in the best interests of the CRD. In such cases, the procedures set out by the agency responsible for the venture will be followed and not the procedures set out in this Policy.

<u>Financial Security.</u> The purchaser may require financial security from potential suppliers if considered to be in the CRD's best interest. Bonding is not required on every bid but it is advisable where there is a large liability or the value is over \$100,000.

<u>Disposal of Surplus Goods.</u> Management in service areas must dispose of all goods and equipment for which there is no longer a use, by any method considered to be in the CRD's best interest, including transfer to another CRD division, public auction, public tender, trade or negotiated sale. If the surplus goods cannot reasonably be sold by any of these means, the goods may be disposed of in such manner as deemed appropriate and may include donation to a not-for-profit agency.

Surplus goods may not be sold to any CRD employee except via public auction or tender. Goods valued at less than \$1,000 may be disposed of on the web through a silent auction.

<u>Prohibitions.</u> The following activities are prohibited:

- 1. Purchase by the CRD of any goods or services for personal use by or on behalf of any member of the Board, appointed officers or employees or their immediate families.
- 2. The division of a single purchase into multiple increments to circumvent policies or levels of authority.
- 3. Committing the CRD or entering into a procurement transaction without the appropriate authority to do so.

<u>Conflict of Interest.</u> No member of the Board, employee or volunteer shall have any direct or indirect pecuniary interest in any competitive bid or arrangement for the supply of goods, services or construction to the CRD, unless it is first disclosed by the person submitting the bid or supplying the goods, services or construction. All competitive bid documentation must include a section that requires suppliers to disclose any actual or potential conflicts of interest and existing business relationships it may have with the CRD, its elected or appointed officials or employees prior to submission of the bid.

WorkSafeBC. All contracts for service to be provided on CRD property require the contractor to provide proof of registration, where applicable, and remain in good standing with WorkSafeBC throughout the term of their contract. Contractors may be required to provide clearance letters before and after performing work for the CRD. In the event the contractor is not eligible for

registration with WorkSafeBC for reasons other than workplace safety performance, the CRD may register the contractor and pay the applicable WorkSafeBC premiums, at the contractor's expense.

<u>Supplier Performance</u>. Authorized Staff and the department responsible for a procurement transaction will maintain records of supplier performance. The information will be used to ensure contract compliance, to supplement a subsequent prequalification process or to justify a subsequent award to other than the low bidder where it can be demonstrated that such records are part of the evaluation process and criteria.

<u>Supplier Debriefing</u>. When a procurement transaction is awarded using a formal competitive process, unsuccessful suppliers are entitled to a debriefing upon request to obtain feedback on the strengths and weaknesses of their bid.

Insurance. All contracts for services to be provided on CRD property require the contractor to provide and maintain their own insurance coverage acceptable to the CRD, including but not limited to commercial general liability, auto, property/all risk and professional liability. The risk associated with each contract varies and accordingly the CRD may require additional factors, such as being named as an additional insured, cross liability clauses, waiver of subrogation, notice of cancellation and proof of coverage.

<u>Freedom of Information and Protection of Privacy Act.</u> This Policy is subject to the provisions of the *Freedom of Information and Protection of Privacy Act* with respect to the disclosure of information.

<u>Exemptions.</u> This procurement policy establishes the policies and practices applying to the purchase of all types of goods, services and construction with the exception of the following:

- 1. The borrowing and investing of money
- 2. The rental, lease, purchase and sale of property, land or accommodation
- 3. Memberships in professional and vocational associations and their publications and other professional and training activities
- 4. Health services and social services
- 5. Legal services
- 6. Procurements from a public body or non-profit organization
- 7. The hiring of contract employees
- 8. Goods and services purchased through provincial and federal corporate supply arrangements
- 9. Goods and Services purchased from First Nations

Approval Date:	May 10, 2017	Approved By:	CRD Board	
Amendment Date:		Approved By:		
Next Review Date:		Reviewed By:		
Supersedes:	Procurement Policy, April 9, 2015			

#### Attachments

Appendix A – Definitions

Appendix B – Procurement Method Procedure

#### **DEFINITIONS**

"Acquire" or "Acquisition" means to obtain by any method, accept, receive, purchase, be vested with, lease, take possession, control or occupation of, and agree to do any of those things, but excludes expropriation, except by agreement under section 3 of the Expropriation Act;

"Best Value" means the optimal combination of Total Cost, performance, economic, environmental and social sustainability, reduced carbon dependency, and reduced waste.

"Bid" includes a proposal submitted in response to a Request for Proposal and a written formal offer, which may or may not be sealed, submitted in a particular form in response to an invitation to supply goods/services/construction, where the specifications and conditions of the goods or services are known and disclosed in the request;

"Board" means the board of the Regional District;

"Construction" means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in an incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement;

"Contract" means a contract for the supply (by way of sale, conditional sale, lease or otherwise) of goods, services or construction, including a purchase order or other document evidencing the obligation, and any amendments;

"Contract Amendment" means any change to a term, condition or other Contract provision, including a Change Order;

"Dispose" or "Disposition" means to transfer by any method including assign, give, sell, grant, charge, convey, lease, divest, dedicate, release, exchange, alienate or agree to do any of those things:

"Formal Competitive Process" means a public procurement process that is competitive, open, transparent, non-discriminatory and compliant with the requirements of the AIT and NWPTA, and includes an ITQ, ITT, RFP, RFSO and RFQ;

"Invitation to Quote (ITQ)" means a process used to solicit bids or quotes from vendors for the provision of clearly specified goods or services. The bids received in response to an ITQ are evaluated primarily on price;

"Invitation to Tender (ITT)" means a process used to solicit bids from vendors for the provision of construction services where the specifications, terms, conditions and other details are set out in the invitation and the responsive bids are evaluated primarily on price, without further negotiations;

"Notice of Intent (NOI)" means a publicly advertised method to inform vendors a contract is to be directly awarded on the basis that there is only one suitable vendor to provide the good or service.

"Original Value" means the contract price or fees for services as at the effective date of the Contract, excluding taxes;

"Procurement" means the acquisition by any means, including by purchase, rental, lease or conditional sale, of goods, services or construction:

"Request for Expression of Interest (RFEOI)" means the buyer is interested in receiving information from suppliers on any products or services available to achieve a particular outcome and may issue an RFQ, RFP or ITT depending on the response. The RFEOI is used to survey the market for firms interested in responding to a tender or RFP from the buyer. RFEOI are not open for bidding;

"Request for Proposal (RFP)" means an invitation for providers of a product or service to bid on the right to supply that product or service where the requirement for goods or services cannot be definitively defined or specified or alternative solutions or offers are being solicited. Proposals are evaluated on predetermined criteria where the selection of a supplier may not be made solely on the basis of the lowest price;

"Request for Qualifications" means a non-binding request to potential suppliers who wish to be considered for future RFP's or other competitive purchasing processes to pre-qualify based on various factors including but not limited to expertise, experience, availability, prior performance, in order to avoid either buyer or supplier devoting resources to preparing and evaluating future RFP's or competitive processes.

"Request for Standing Offer (RFSO)" means an invitation for providers of a product or service to bid on the right to supply that product or service by way of a standing offer. A standing offer is an offer from a supplier to provide well-defined, readily available goods or services, as and when requested, at prearranged prices or on a prearranged pricing basis, which can be established at the outset, under set terms and conditions, and for a specific period of time.

"Signing Authority" means the approved levels of authority, as defined in the CRD Delegation Bylaw, to purchase goods or services on behalf of the CRD (see Signing Authority Form);

"Total Cost" means the sum of all costs attributable to products, construction, and services associated with performing the intended function over the entire term of use and includes factors such as acquisition cost, installation cost, disposal value, disposal cost, operational cost, maintenance cost, quality of performance and environmental impact.

#### PROCUREMENT METHOD PROCEDURES

#### 1. Low Value Process

#### Application

1.1 This method will be used for goods or services having a value less than \$5,000 and required for a one-time (non-repetitive) procurement.

#### **Process**

- 1.2 Before initiating the transaction staff and volunteers with sufficient signing authority must obtain approval of the applicable General Manager ¹("GM").
- 1.3 An informal quote or quotes (i.e. telephone, email, fax, letter) from known suppliers will be obtained. Competitive quotes should be obtained where possible.
- 1.4 Authorized Staff are responsible for ensuring that low value procurements are made at fair market value and all information relating to the procurement must be documented and maintained on file.
- 1.5 Authorized staff are responsible for selecting the payment tool appropriate for the transaction (refer to sections 8 and 9 of the Procurement Policy).

#### 2. Informal Quotation Process

#### Application

2.1 This method will be used for goods or services having a value less than \$10,000 and required for a one-time (non-repetitive) procurement.

#### <u>Process</u>

- 2.2 Before initiating the transaction staff and volunteers with sufficient signing authority must obtain approval of the applicable GM or the GM, Finance and Technology.
- 2.3 Three informal quotes (i.e. telephone, email, fax, letter) will be obtained from known suppliers.
- 2.4 Authorized Staff are responsible for ensuring that the purchase or acquisition is made at fair market value and all information relating to the procurement must be documented and maintained on file.
- 2.5 Authorized staff are responsible for selecting the payment tool appropriate for the transaction (refer to sections 8 and 9 of the Procurement Policy).

<sup>&</sup>lt;sup>1</sup>CRHD and CRHR procurements will follow the process as set out in this Appendix B but are subject to the approval of their Boards and/or delegated approving authorities.

#### 3. Written Quotation Process

#### **Application**

- 3.1 This method will be used where:
  - 3.1.1 for goods or services, the value of the transaction is between \$10,000 and \$75,000,
  - 3.1.2 for construction, the value of the transaction is between \$10,000 and \$200,000,
  - 3.1.3 the transaction is for a one-time (non-repetitive) procurement of goods, services or construction; and
  - 3.1.4 the goods, services or construction required can be fully defined.
- Authorized Staff may determine that it is appropriate to use a formal competitive process instead of the written quotation process even though the value of the transaction is less than \$75,000 (for goods or services) or \$200,000 (for construction). In such a case, Authorized Staff will, in accordance with the provisions of this Appendix, use an Invitation to Quote (goods and services only), Invitation to Tender (construction only) or a Request for Proposals (goods, services or construction).

- 3.3 The upper limit of staff and volunteer signing authority is \$100,000. Staff and volunteers with sufficient signing authority must only initiate transactions under the \$100,000 limit, and only after obtaining approval of the applicable GM. Transactions exceeding the upper limit of staff signing authority but not exceeding \$200,000 may be initiated after receiving approval of a GM.
- 3.4 Where a GM approves the initiation of a written quotation process, the applicable GM is responsible for the execution of the transaction, which includes making key decisions, approving the award and executing all required documentation.
- 3.5 Written quotes will be obtained as follows:
  - 3.5.1 three (3) written bids obtained from three (3) separate potential suppliers;
  - 3.5.2 all suppliers will receive the same quotation written information; and
  - 3.5.3 all bid documentation will be retained by the Authorized Staff person in Department files to be held in accordance with CRD records retention policies.
- 3.6 Authorized Staff are responsible for selecting the supplier on the basis of best value to the CRD.
- 3.7 Authorized Staff are responsible for ensuring that the purchase or acquisition is formalized in a written contract, where appropriate (in accordance with section 8 of the Procurement Policy).

#### 4. Invitation to Quote (ITQ)

#### Application

- 4.1 This method should be used where
  - 4.1.1 the procurement is for goods or services and the value of the transaction exceeds \$75,000; and
  - 4.1.2 the requirement can be fully defined such that the primary competing factor is price (i.e. the solution(s), specification(s), performance standard(s) and timeframe(s) are known).
- 4.2 This method <u>may</u> be used where the value of the transaction is less than \$75,000 and the other criteria set out in section 4.1 are met.
- 4.3 Authorized Staff may issue a Request for Proposals instead of an Invitation to Quote where, in accordance with section 6 of this Appendix, Authorized Staff determine that a Request for Proposals would be more appropriate in the circumstances.
- 4.4 For clarity, this method must not be used for construction procurement transactions (the Invitation to Tender process is used for construction transactions see section 5 of this Appendix).

- The upper limit of staff and volunteer signing authority is \$100,000. Invitations to Quote must only be initiated as follows:
  - 4.5.1 for acquisitions under \$100,000, by Authorized Staff or the applicable GM;
  - 4.5.2 for acquisitions estimated to be over \$100,000 but not exceeding \$500,000, on written approval from the applicable GM or CAO;
  - 4.5.3 for acquisitions estimated to be over \$500,000 but not exceeding \$5,000,000, on written approval of the CAO; or
  - 4.5.3 for acquisitions over \$5,000,000, on approval of the Board by way of a Board resolution authorizing the Invitation to Quote.
- 4.6 Invitations to Quote will be issued in the same manner as an Invitation to Tender and will follow the procedures set out in sections 5.6 to 5.9 of this Appendix.
- 4.7 On receipt of quotations from respondents, the competitive bid will be reviewed in accordance with the terms of the Invitation to Quote.

- 4.8 Staff will forward to the GM of the responsible department a summary of the procurement and recommend an award of contract to the supplier that meets all the mandatory requirements and provides the best value as stipulated by the ITQ.
- 4.9 Following review by the applicable GM, a summary of the procurement and the recommendation of award will be forwarded as follows for final approval of award,
  - 4.9.1 for awards within the signing authority limit of Authorized Staff, to the responsible staff person or the applicable GM;
  - 4.9.2 for awards above \$100,000 but below \$500,000, to the applicable GM or CAO;
  - 4.9.3 for awards over \$500,000 but not exceeding \$5,000,000, on written approval of the CAO; or
  - 4.9.4 for awards over \$5,000,000, to the Board.
- 4.10 Written notification regarding a procurement award and all supporting documentation is to be kept in the procurement file.

#### 5. Invitation to Tender

#### Application

- 5.1 An Invitation to Tender must be used where:
  - 5.1.1 the procurement is for construction and the value of the transaction is \$200,000 or greater; and
  - 5.1.2 the specifications are adequately defined to permit the evaluation of tenders against the clearly stated criteria.
- 5.2 An Invitation to Tender <u>may</u> be used where the procurement is for construction and the value of the transaction is less than \$200,000.
- 5.3 Authorized Staff may issue a Request for Proposals instead of an Invitation to Tender where, in accordance with section 6 of this Appendix, Authorized Staff determine that a Request for Proposals would be more appropriate in the circumstances.
- 5.4 For clarity, this method must not be used for goods and services procurement transactions (the Invitation to Quote process is used for goods and services transactions see section 4 of this Appendix).

- 5.5 The upper limit of staff and volunteer signing authority is \$50,000. Invitations to Tender must only be initiated as follows:
  - 5.5.1 for acquisitions under \$100,000, by Authorized Staff or the applicable GM;
  - 5.5.2 for acquisitions estimated to be over \$100,000 but not exceeding \$500,000, on written approval from the applicable GM or CAO;

- 5.5.3 for acquisitions estimated to be over \$500,000 but not exceeding \$5,000,000 written approval of the CAO; or
- 5.5.4 for acquisitions over \$5,000,000, on approval of the Board by way of a Board resolution authorizing the tender call.
- 5.6 The department responsible for issuing the Invitation to Tender will review and determine the specifications, terms and conditions relevant to the acquisition and provide this information to the applicable GM or CAO before notice of the Invitation to Tender is issued.
- 5.7 Where a GM or the CAO approves the initiation of an Invitation to Tender, the applicable GM or CAO is responsible for the execution of the transaction, which includes making key decisions, approving the award and executing all required documentation.
- 5.8 All Invitations to Tender will be issued using standard CRD contracts and tender documentation, unless otherwise approved by the Legislative and Corporate Services department.
- 5.9 Notice of an Invitation to Tender will be given by electronic posting on BC Bid and the CRD webpage, complemented, if appropriate, by other means of making the public and suppliers aware of the invitation. If the Invitation to Tender is issued out of a competitive pre-qualification process that was posted on BC Bid notice will only be given to successful respondents in a manner consistent with the pre-qualification documents.
- 5.10 The department responsible will evaluate the bids in accordance with the terms of the tender documentation and will recommend to Authorized Staff, the applicable GM, CAO or CRD Board (in accordance with section 5.11 of this Appendix) that the contract be awarded to the bidder offering best value.
- 5.11 Awards will be approved as follows:
  - 5.11.1 for tenders below \$100,000, by Authorized Staff or the applicable GM;
  - 5.11.2 for tenders below \$500,000, by the applicable GM or CAO;
  - 5.11.3 for tenders above \$500,000, but not exceeding \$5,000,000 by the CAO; and
  - 5.11.4 for tenders exceeding \$5,000,000, by the Board.
- 5.12 Written notification regarding a procurement award and all supporting documentation is to be kept in the procurement file.

#### 6. Request for Proposals

#### **Application**

- 6.1 A Request for Proposals should be used for goods, services or construction where
  - 6.1.1 suppliers are invited to propose a solution to a problem, requirement or objective;
  - 6.1.2 the selection of the supplier is based on the effectiveness of a proposal or other criteria, rather than primarily on price alone;

- 6.1.3 it is expected that negotiations with one or more bidders may be required with respect to any aspect of the requirement; or
- 6.1.4 the requirement is best described in a general performance specification.
- Where the requirement is not straightforward or an excessive workload would be required to evaluate proposals, either due to their complexity, length, number of any combination of factors, a multi-step process may be used that would include a pre-qualification stage to ensure the workload is a manageable level.
- 6.3 At the discretion of Authorized Staff, this method may be used where the value of the transaction is less than \$75,000 and the other criteria set out in section 6.1 are met.

- The upper limit of staff and volunteer signing authority is \$100,000. Staff and volunteers with sufficient signing authority must only initiate transactions under the \$100,000 limit, or their approved signing authority, and only after obtaining approval of the applicable GM.
- Requests for Proposals will be issued in the same manner as an Invitation to Tender and will follow the procedures set out in sections 5.5 to 5.9 of this Appendix.
- A selection committee composed of staff from the responsible department will review all proposals against the established criteria and reach consensus on the final rating results and ensure that the final rating results with supporting documents are kept on the procurement file.
- 6.7 Staff will forward to the GM of the responsible department a summary of the procurement and recommend an award of contract to the supplier that meets all the mandatory requirements and provides the best value as stipulated by the Request for Proposal.
- 6.8 Following review by the applicable GM, a summary of the procurement and the recommendation of award will be forwarded as follows for final approval of award.
  - 6.8.1 for awards within the signing authority limit of Authorized Staff, to the responsible staff person;
  - 6.8.2 for awards below \$500,000, to the applicable GM or CAO;
  - 6.8.3 for awards above \$500,000 but not exceeding \$5,000,000, to the CAO;
  - 6.8.4 for awards exceeding \$5,000,000, to the Board.
- 6.9 Written notification regarding a procurement award and all supporting documentation is to be kept in the procurement file.

#### 7. Request for Standing Offer

#### Application

- 7.1 A Request for Standing Offer will be used where:
  - 7.1.1 the same goods or services are repetitively ordered and the actual demand is not known in advance; or
  - 7.1.2 a need is anticipated for a range of goods and services for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.

- 7.2 Where the total value of goods or services required is estimated to be less than \$75,000 in a fiscal year, Authorized Staff will determine, in consultation with the appropriate GM, whether it is appropriate to issue a Request for Standing Offer in accordance with the above criteria.
- 7.3 Where the total value of goods or services required is estimated to be less than \$75,000 in a fiscal year, Authorized Staff, with approval of the applicable GM or CAO, may solicit written quotes from at least three (3) known suppliers who are qualified to supply the goods or services.
- 7.4 Where the total value of goods or services to be purchased is estimated to be above \$75,000 in a fiscal year, a Request for Standing Offer will be issued in the same manner as an Invitation to Tender and will follow the procedures set out in sections 5.5 to 5.11 of this Appendix.
- 7.5 In a Request for Standing Offer, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage.
- 7.6 More than one supplier may be selected where it is in the best interests of the CRD and the bid solicitation allows for more than one.
- 7.7 Where competition results in a large number of offers from vendors, Authorized Staff are authorized to negotiate lower unit rates with the highest ranked vendors in return for a reduction in the number of firms authorized to provide the goods or services or the offer of a firm contractual commitment by the CRD.
- 7.8 The bid documentation and accompanying contractual documentation may provide that the time period to provide goods or services may be extended beyond the end of the fiscal year at the mutual consent of the CRD and the supplier.
- 7.9 A contract resulting from a request for standing offer will be subject to the normal contract award signing limits for the total anticipated value of the standing offer over the term of the contract.

#### 8. Non-Competitive Purchase Process

#### Application

- 8.1 The requirement for competitive purchasing may be waived by an applicable GM or the CAO and replaced with negotiations by staff under the following circumstances:
  - 8.1.1 where competition is precluded due to the application of any Act or legislation or other legal consideration (such as patent rights/copyrights);
  - 8.1.2 where it can be demonstrated that only one supplier is able to meet the requirements of a procurement and a Notice of Intent has been issued;
  - 8.1.3 where the nature of the requirement is such that it would not be in the public interest to solicit competitive bids as in the case of security of confidentiality matters,
  - 8.1.4 where the possibility of a follow-on contract was identified in the original bid solicitation:
  - 8.1.5 where the requirement is for a utility for which there exists a monopoly;
  - 8.1.6 where an unforeseeable situation of urgency exists and the goods, services or construction are urgently required and delay would be injurious to the public interest;
  - 8.1.7 where the procurement is from a public body or non-profit organization;
  - 8.1.8 where the value of a transaction for goods or services is less than \$75,000 and the applicable GM or CAO has determined that a competitive process would not be practical and has given written approval for the acquisition:
  - 8.1.9 where the value of a transaction for construction is less than \$200,000 and the applicable GM has determined that a competitive process would not be practical and has given written approval for the acquisition;
- 8.2 Approval of a non-competitive transaction must be within the signing authority of the person approving the transaction.
- 8.3 Staff must seek Board approval for a non-competitive transaction in excess of \$500,000 but should not do so without first seeking appropriate advice on whether the transaction is compliant with applicable trade agreements and procurement law principles.

- 8.4 When staff or volunteers wish to use a non-competitive purchase process staff will provide the CAO or applicable GM with the rationale that warrants a non-competitive selection for approval and will obtain the CAO's or applicable GM's written approval before proceeding. If the amount of the proposed non-competitive purchase is over \$500,000, the Board must approve the transaction.
- 8.5 The supplier in whom the CRD has the greatest confidence to fulfill the requirement and

provides for fair market value will be selected. Awards will be approved as follows:

- 8.5.1 for awards under \$500,000, by the CAO or an applicable GM;
- 8.5.2 for awards over \$500,000, by the Board.

#### 9. Request for Qualifications

- 9.1 A Request for Qualifications may be conducted in any procurement transaction for goods, services or construction to determine qualified suppliers that may bid on a subsequent procurement process undertaken by the CRD. A Request for Qualifications may be used in the following circumstances:
  - 9.1.1 the work requires a stipulated performance and experience level or requires elements of confidentiality or security; or
  - 9.1.2 the value and complexity of the work is such that the contract administration costs (work inspection, follow-up, delay) would result in substantial additional costs or loss to the CRD is the work is not performed as required; or
  - 9.1.3 to build supplier interest to determine if there are enough suppliers to justify a full Request for Proposal process or other formal competitive process.

#### **Process**

- 9.2 Staff and volunteers with sufficient signing authority must only initiate transactions under the \$100,000 limit, and only after obtaining approval of the applicable GM.
- 9.3 For transactions that are estimated to be above \$75,000, a Request for Qualifications will be issued in the same manner as an Invitation to Tender and will follow the procedures set out in sections 5.5 to 5.11 of this Appendix.
- 9.4 A selection committee composed of staff from the responsible department will review all submissions against the criteria established in the Request for Qualifications and will reach consensus on the final rating results and ensure that the final rating results with supporting documents are kept on the procurement file.
- 9.5 The final rating results will be forwarded for approval in the same manner as a Request for Proposals award approval and will follow the process set out in section 6.8 of this Appendix.

#### 10. Other

- 10.1 There may be other procurement methods or tools not described in this Appendix that may be appropriate for any given transaction (including, for example, a Request for Expression of Information or Request for Information).
- 10.2 Authorized Staff may use a method not listed in this Appendix for transactions within their signing authority limit with the approval of the applicable GM and the Legislative and Corporate Services department.
- 10.3 Staff may bring forward for approval methods not listed in this Appendix for transactions outside of their signing authority as follows:

- 10.3.1 for transactions with an estimated value of less than \$500,000, to the applicable GM or CAO;
- 10.3.2 for transactions with an estimated value of more than \$500,000 but not exceeding \$5,000,000 to the CAO;
- 10.3.3 for transactions exceeding \$5,000,000, to the Board.
- 10.4 When staff wish to use a method not listed in this Appendix, staff will provide the rationale that warrants the process proposed and a description of the process proposed when seeking approval in accordance with 10.3 above.



#### **CAPITAL REGIONAL DISTRICT**

#### **CORPORATE POLICY**

Section	Administration	
Subsection	Policies, Procedures, Manuals	(policy #)
Title	AWARDING AND EXECUTION OF CONTRACTS AND AGREEMENTS	

#### POLICY:

This policy outlines the authority and responsibilities of Capital Regional District officers and employees with regard to executing and reviewing contracts, agreements and land agreements.

#### PURPOSE:

The purpose of this policy is to ensure that contracts, agreements and land agreements are executed by the appropriate signing authority(ies) in accordance with the CRD Delegation Bylaw and to establish procedures to ensure that all documents are subject to a consistent review process prior to execution.

#### **RESPONSIBILITIES:**

Legislative and Information Services has the responsibility for the control, coordination and implementation of the policy after it has been approved by the Executive Leadership Team.

The "Procedure" section below sets out specific staff responsibilities relating to document execution.

#### SCOPE:

This policy applies to all of the CRD.

#### **DEFINITIONS:**

In this policy:

"Contract" means any document for the supply of goods or services that incurs a commitment or payment on the part of the CRD.

"Document" means and includes agreements, contracts and land agreements.

"Agreement" means any written arrangement between the CRD and a third party respecting the CRD's activities, works or services that obligates the CRD to a course of action or set of responsibilities beyond a commitment to purchase goods or services. Agreements include, but are not limited to, the following types of documents:

- Funding/Contribution Agreements
- Memorandums of Understanding
- Advertising Agreements
- Cost sharing Agreements

- Protocol Agreements
- Service Fee Agreements
- Service Agreements (where the CRD is the party providing services)
- Partnership Agreements
- Grant Applications or Grant Funding Agreements

"Land Agreement" means an instrument, deed or other agreement affecting title to or granting a right in relation to the use of real property and improvements including, but not limited to, the following:

- Transfer of fee simple interest in real property
- The creation, modification, assignment or release of a charge
- Licences of Occupation or Permits
- Lease agreements
- Covenants registrable under section 219 of the Local Government Act

"Public Authority" means any of the following:

- The government of Canada, British Columbia or another province (or any agent of them)
- A local government body, educational body or health care body
- A first nation
- A body in another province or country that provides local government services

"Signing Authority" means the legal authority delegated by the CRD Board under the CRD Delegation Bylaw to CRD employees, volunteers, organizational positions and commissions to enter into and execute agreements or contracts on behalf of the CRD Board.

#### PROCEDURE:

- 1. All contracts, agreements and land agreements must only be approved by the Board or by those persons authorized to do so under the CRD Delegation Bylaw (see the "Signing Authority" section below for information on authorization).
- The following documents must be approved by the Board:
  - a) contracts that have a value greater than \$200,000;
  - b) land agreements that have a value greater than \$100,000;
  - c) agreements between the CRD and a public authority respecting the activities, works or services of a party to the agreement (with the exception of grant agreements, contracts or agreements entered into by CRD Commissions with approved signing authority, and agreements entered into by Fire Chiefs for wildfire suppression and the provincial emergency program).
- 3. Contracts, agreements and land agreements approved by the Board must be signed by the Board Chair and the Corporate Officer. Notwithstanding the foregoing, a document approved by the Board may be signed by an Electoral Area Director instead of the Board Chair and Corporate Officer where the document affects only the interests of the Electoral Area represented by that Director.

- 4. All agreements that are not contracts or land agreements (see above definitions) must be either approved by the Board or approved and executed by the CAO or General Manager, Finance and Technology.
- 5. All contracts must be initiated, negotiated and entered into in accordance with the CRD Procurement Policy.
- 6. All contracts, agreements and land agreements must be within budget and consistent with the approved annual Financial Plan.
- 7. All contracts, agreements and land agreements developed by staff (or consultants on behalf of staff) without the assistance of legal counsel must be drafted in the appropriate CRD document template. Legislative and Information Services will be responsible for providing advice to staff on the appropriate document form and will maintain a list of CRD-approved templates.
- 8. All contracts, agreements and land agreements must be forwarded to Legislative and Information Services for review before being sent to the other party(ies) for signing. Any proposed revisions to a CRD template must be tracked or detailed in a covering memo and provided to Legislative and Information Services at the time of review.
- 9. Where a document has been developed without the assistance of legal counsel, Legislative and Information Services will, in consultation with the department responsible, determine whether it should be sent to legal counsel for review having regard to the dollar value, nature and complexity of the transaction.
- 10. Contracts, agreements and land agreements will first be provided the other party(ies) for signature and then returned to the CRD for final signatures. Legislative and Information Services may authorize exceptions to this practice on a case-by-case basis, where circumstances require (such as agreements with senior levels of government).
- 11. The CRD department responsible for a contract, agreement or land agreement will ensure that the Agreement Stamp Configuration is applied to one originally signed copy of the document (or attached to the originally signed document on a separate page). Before the document is executed by the CRD, staff from the department responsible will initial the applicable sections of the Agreement Stamp Configuration in accordance with the guidelines set out in Appendix B. The department responsible will then forward the document to Legislative and Information Services. Legislative and Information Services will ensure any remaining sections of the Agreement Stamp Configuration are completed and will forward the document to the appropriate CRD signing authority for signature.
- 12. Where a contract or agreement has been approved by Board resolution a copy of the Board resolution is to be attached to the document prior to it being submitted to Legislative and Information Services for processing.
- 13. Legislative and Information Services will be responsible for preserving and retaining the original copies of all contracts and agreements and will maintain an electronic directory that will be indexed and accessible to other departments.

#### **SIGNING AUTHORITY:**

All contracts, agreements and land agreements must only be approved and executed by persons with authority to do so under the CRD Delegation Bylaw. The following table is a summary of the authority delegated by the Board:

Position(s)	Commitment	Limit	Other Conditions
All CRD officers, employees and volunteers	Contracts	the lesser of \$50,000 or the amount listed on their approved signing authority form held by the Financial Services Department	Subject to 1) CRD purchasing policies and procedures and 2) the approval of the applicable GM or the GM Finance and Technology
General Managers/Project Director	Contracts	\$100,000	Subject to CRD purchasing policies and procedures
CAO	Contracts	\$200,000	Subject to CRD purchasing policies and procedures
CAO, General Managers	Land agreements	\$100,000	Subject to CRD purchasing policies and procedures
CAO, General Manager of Finance and Technology	Agreements (excluding agreements with public authorities)		Subject to the approved financial plan
CAO, General Managers	Grant applications and agreements respecting the receipt and use of grants (including agreements with public authorities)	\$100,000	Where consistent with the approved financial plan
Fire Chiefs	Agreements for wildfire suppression and the Provincial Emergency Program		Subject to the approved financial plan

#### **COMMISSIONS:**

The following table is a summary of the authority delegated by the Board to CRD Commissions in the CRD Delegation Bylaw and the Core Area Wastewater Treatment Program Commission Bylaw:

Commission	Commitment	Limit	Other Conditions
Regional Water Supply Juan de Fuca Water Distribution Saanich Peninsula Water Saanich Peninsula Wastewater Peninsula Recreation	Agreements/contracts relating to the service administered by the Commission (including agreements with public authorities)		Provided that the revenue or expenditure is included in the approved annual financial plan

Regional Water Supply Juan de Fuca Water Distribution Saanich Peninsula Water Saanich Peninsula Wastewater Peninsula Recreation	Land agreements	N/A	Provided that the revenue or expenditure is included in the approved annual financial plan and subject to the District's purchasing policies and procedures
Core Area Wastewater Treatment	Contracts relating to the Program	N/A	Subject to the approved financial plan, CRD policies and procedures, section 3 and 4 of the Delegation Bylaw

- 1. All documents approved by a Commission must be signed by the Commission Chair and the applicable General Manager or in the case of the Core Area Wastewater Treatment Commission, the Commission Chair and the Project Director.
- If a CRD Commission has not been delegated authority by the Board to enter into contracts, agreements or land agreements all documents relating to the service administered by the Commission must be approved by the CRD Board or entered into and executed by CRD officers or employees in accordance with this policy and the CRD Delegation Bylaw.

Approval Date:	April 9, 2015	Approved By:	ELT
1. Amendment Date:		Approved By:	
Next Review Date:		Reviewed By:	
Supersedes:	Execution of Contracts and Agreements Policy dated July 1990		

Attachments: Appendix A

Related Policy, Procedure or Guideline: CRD Procurement Policy, Capital Regional District

Delegation Bylaw No. 1, 2001 (consolidated)

#### Agreement Stamp

The "Agreement Stamp Configuration" illustrated below shall be affixed to the signature page on one copy of every contract or agreement. In circumstances where the stamp cannot be affixed to the signature page, it will be affixed to a separate page that will be attached to the document. This is the copy that will be kept for CRD records.

#### **Agreement Stamp Configuration**

		Initial	Date
Content	Procurement		
	Financial Plan		
	Content		
GM Approval			
Form			
Authority			

All agreements and contracts shall be affixed with the "Agreement Stamp" with the appropriate boxes initialled before the document is executed by the CRD signing authority(ies).

#### Content

The three boxes under the Content section shall be initialled by the individual from the service area responsible for the generation and implementation of the document.

The following shall be taken into consideration:

- Procurement Policy: the appropriate CRD-approved procurement method was utilized to obtain the goods, services or construction (note: not applicable for agreements and land agreements).
- Financial Plan: the contract or agreement amount is within budget and is included in the approved annual Financial Plan.
- Content: the individual responsible has reviewed the document and is in agreement with the content of the document.

#### **GM** Approval

This box will be initialled by the General Manager (or designate) of the service area responsible for the generation and implementation of the document. In some cases the GM will initial both the Content and GM Approval sections.

#### Form

This box will be initialled by Legislative and Information Services. Legislative and Information Services will review the document to ensure that:

- The document is either in a CRD-approved template form or has been reviewed by legal counsel or the Legislatives Services and Information Services department.
- > The person that will be executing the document on behalf of the CRD has authority to do so under the CRD Delegation Bylaw.

#### **Authority**

Once initialled this box will indicate that the person initialling the document is satisfied that the other boxes have been initialled in accordance with this Appendix and that the document is ready for signature by the officer or employee named in the document. The box will be initialled as follows:

- > For all documents to be signed by the Board Chair and Corporate Officer and all contracts and agreements to be signed by CRD staff other than the CAO: by the CAO or designate.
- > For all documents to be signed by the CAO: by the Corporate Officer or designate.
- For all land agreements to be signed by staff other than the CAO: by the CAO or the GM, Finance and Technology (or their designates).

#### CAPITAL REGIONAL DISTRICT BYLAW NO. 4186

#### A BYLAW TO DELEGATE POWERS, DUTIES & FUNCTIONS OF THE CAPITAL REGIONAL DISTRICT BOARD

WHEREAS under section 263(1)(e) and 229(1) of the *Local Government Act* the Board may, by bylaw adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees, its committees or its members, or to other bodies established by the Board;

AND WHEREAS the Board of the Capital Regional District wishes to delegate certain powers, duties and functions;

NOW THEREFORE, the Regional Board of the Capital Regional District in open meeting assembled hereby enacts as follows:

#### **Definitions**

- 1. In this Bylaw
  - (a) "Act" means the Local Government Act;
  - (b) "District" means the Capital Regional District, a regional district incorporated under the Local Government Act:
  - (c) "Board" means the Board of the Capital Regional District;
  - (d) "Charge" means a charge as defined in the Land Title Act (British Columbia);
  - (e) "Deputy Project Director" means the Deputy Project Director of the CRD Core Area Wastewater Treatment Project;
  - (f) "General Manager" means an Officer designated as a General Manager in Bylaw No. 3343,
  - (g) "Land and Land Use Agreement" means an instrument, deed or other agreement affecting title to or granting a right in relation to the use of real property and improvements including:
    - i. a transfer of a fee simple interest in real property;
    - ii. the creation, modification, assignment or release of a charge;
    - iii. a licence or permit;
  - (h) "Project Director" means the Project Director of the CRD Core Area Wastewater Treatment Project;
  - (i) "Total Purchase Price" means the total purchase price payable for goods, services, and construction under the contract over the entire term of the contract (but not including options to purchase additional goods or services during the term which may or may not be exercised and not including applicable taxes).

#### **Delegation Includes Deputy or Acting**

- 2. (a) A delegation of a power, duty or function under this bylaw includes a delegation to a person who is from time to time the deputy of the delegate or is appointed by the Board to act in the capacity of the delegate in the delegate's absence.
  - (b) A delegation of a power, duty or function under this bylaw to the Project Director includes a person appointed by the Core Area Wastewater Treatment Project Board to act in the capacity of the Project Director in the Project Director's absence.
  - (c) For certainty, a delegation of authority under subsections (b) or (c) includes a delegation to a person appointed to a position held on an interim basis.

#### **Delegation of Purchasing Power**

- 3. (a) The Board hereby delegates to the District's Chief Administrative Officer and Chief Financial Officer all of the powers, duties and functions of the Board under section 263(1)(a) and 263(1)(b) of the Act to make agreements respecting the District's activities, works or services, but subject to the approved annual financial plan.
  - (b) The Board hereby delegates to the District's officers, employees, and volunteers, the authority to acquire and purchase goods and services on behalf of the District, subject to the District's purchasing policies and procedures, the approved annual financial plan, and the following Total Purchase Price limits:
    - i. for the Chief Administrative Officer: \$5,000,000;
    - ii. for the Chief Financial Officer: \$500,000;
    - iii. for General Managers: \$500,000;
    - iv. for the Project Director: \$3,000,000;
    - v. for the Deputy Project Director: \$1,500,000; and
    - vi. for all other staff and volunteers, subject to the approval of the applicable General Manager and/or the Chief Financial Officer, the lesser of \$100,000 or the amount listed on their approved signing authority form held by the department of Finance & Technology.
  - (c) Notwithstanding section 3(b) of this Bylaw, the Project Director and Deputy Project Director have authority to increase a Core Area Wastewater Treatment Project contract by way of a change order provided that:
    - i. the change order does not exceed the total amount of \$2,000,000 for the Project Director, and \$1,000,000 for the Deputy Project Director; and.
    - ii. the Total Purchase Price of the contract including all change orders in any given calendar year does not exceed the funding available in the approved financial plan.

#### Delegation of Authority in Relation to Land and Land Use Agreements

- 4. (a) The Board hereby delegates to the District's officers and employees listed below all of the powers, duties and functions on behalf of the Board under section 263 (1)(d) of the *Act* to acquire, hold, manage and dispose of land or improvements or any interest or right in or with respect to that property in connection with the District's activities, works or services, but subject to the approved annual financial plan, the District's purchasing policies and procedures, and the following signing authority limitations:
  - i. for the Chief Administrative Officer: \$500,000;
  - ii. Chief Financial Officer and General Managers: \$100,000.
  - (b) The Board hereby delegates to the District's staff and volunteers, subject to the approval of the applicable General Manager, the power to approve and execute Land Use Agreements for recreation centres, community centres, and parks facilities, provided the term of the agreement is less than 30 days and the value does not exceed \$5,000.
  - (c) The power delegated under section 4(a) includes the power to execute Land and Land Use Agreements on behalf of the District and all agreements, instruments and documents, including amendments.
  - (d) The power delegated in section 4(a) includes the power to agree on behalf of the District to the creation of covenants registrable under s.219 of the Land Title Act.

#### **Delegation to Commissions and Committees**

- 5. (a) The Board hereby delegates to the Board Commissions listed below, all of the powers, duties and functions of the Board under section 263(1)(a) and 263(1)(b)(i) of the Act to make agreements respecting the District's activities, works or services relating to the service administered by the Commission to the extent that such authority is not delegated under section 3, provided that the revenue or expenditure is included in the approved annual financial plan:
  - i. Regional Water Supply Commission
  - ii. Juan de Fuca Water Distribution Commission
  - iii. Saanich Peninsula Water Commission
  - iv. Saanich Peninsula Wastewater Commission
  - v. Peninsula Recreation Commission
  - (b) The Board hereby delegates to the Board Commissions listed below, all of the powers, duties and functions of the Board on behalf of the District under section 263(1)(d) of the *Act* to acquire, hold, manage and dispose of land or improvements or any interest or right in or with respect to that property in connection with the operation of any service or services administered by the Commission to the extent that such authority has not been delegated under section 4 of this bylaw, provided that the revenue or expenditure is included in the approved annual financial plan and subject to the District's purchasing policies and procedures:
    - i. Regional Water Supply Commission
    - ii. Juan de Fuca Water Distribution Commission
    - iii. Saanich Peninsula Water Commission
    - iv. Saanich Peninsula Wastewater Commission
    - v. Peninsula Recreation Commission
  - (c) Where a Commission is delegated the authority under this section, the Commission Chair and the applicable General Manager are authorized to execute an agreement approved by the Commission.
  - (d) In the case of a delegation of authority to the Core Area Wastewater Treatment Project Board under the Core Area Wastewater Treatment Project Board Delegation Bylaw No. 1, 2016 the Chair and the Project Director are authorized to execute an agreement approved by the Project Board.

#### **Delegation of Hearings**

- **6.** The Board hereby delegates to the Electoral Area Services Committee the powers, duties and functions of the Board:
  - (a) under sections 57 and 58 of the *Community Charter*, including the power to hold a hearing in relation to the matter:
  - (b) to agree on behalf of the District to the modification, assignment or release of covenants registrable under section 219 of the Land Title Act.

#### Delegation of Authority in Relation to Grant Applications

- 7. (a) Subject to subsection (b), the Board hereby delegates to the District's officers and employees listed below all of the Board's powers, duties and functions under section 263(1)(a) and 263(1)(b) to make grant applications and enter into agreements respecting the receipt and use of grants:

  The Chief Administrative Officer, the Chief Financial Officer, and all General Managers, to a maximum of \$500,000 where this is consistent with the approved financial plan of the Capital Regional District.
  - (b) The authority under subsection (a) does not include authority delegated under section 5(a) of this Bylaw.

#### **Delegation to Fire Chiefs**

8. The Board hereby delegates to the District's Fire Chiefs, for fire departments operating under the authority of the Board, all of the powers, duties and functions of the Board under section 263(1)(a) of the Act to make agreements to participate as required in the Ministry of Forests' "Operating Guidelines for Wildfire Suppression with Local Governments" and with the Provincial Emergency Program for road rescue services, but subject to the approved financial plan.

#### **Delegation of Contract Signing Authority—Electoral Areas**

**9.** An Electoral Area Director is authorized to execute a contract approved by the Board in place of the Board Chair where the contract affects only the interests of the Electoral Area represented by that Director.

#### Delegation of Authority in Relation to Appointments of Officials under the *Environmental Management*

**10.** The Board hereby delegates to the Board Chair all of the Board's powers, duties and functions to appoint, and to rescind appointments of, a Deputy Sewage Control Manager and a Municipal Sewage Control Officer under Section 29 of the *Environmental Management Act*.

#### Scope of Bylaw

11. For clarity, subject to the Act, unless a power, duty or function of the Board has been expressly delegated by this Bylaw or another District bylaw, all of the powers, duties and functions of the Board remain with the Board.

#### No Delegation by a Delegate

12. For clarity, a person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

#### Repeal

13. Bylaw No. 2864, the "Capital Regional District Delegation Bylaw No. 1, 2001" is hereby repealed.

#### Citation

14. This Bylaw may be cited as "Capital Regional District Delegation Bylaw No. 1, 2017".

READ A FIRST TIME this	10 th	day of	May	2017
READ A SECOND TIME this	10 th	day of	May	2017
READ A THIRD TIME this	10 th	day of	May	2017
ADOPTED by 2/3 of the votes cast this	10 th	day of	May	2017

Devid House

ORPORATE OFFICER

### RESOLUTION OF THE DIRECTORS OF THE CAPTIONAL REGIONAL HOUSING CORPORATION

(the "Corporation")

#### **APPOINTMENT OF OFFICERS**

WHEREAS the Corporation wishes to harmonize its internal procedures with those of the Capital Regional District ("CRD") to ensure the Board has stewardship, governance and oversight of the Corporation's activities and the Corporation has flexibility to conduct its business and affairs;

#### **BE IT RESOLVED THAT:**

1. The following individuals holding the stated roles at the CRD are hereby appointed as officers of the Corporation in the positions set out opposite their CRD role below:

Chief Administrative Officer, CRD:

**Chief Administrative Officer** 

Chief Financial Officer, CRD

Chief Financial Officer

General Manager, Planning and

Protective Services, CRD

General Manager

General Manager,

Corporate Services, CRD

Corporate Officer

2. All Officers shall report to the Board of the Corporation as necessary and as directed on the business and affairs of the Corporation.

:

- 3. The Chief Administrative Officer, under the supervision of the Board, is authorized to supervise and direct all matters necessary for the conduct of the business and affairs of the Corporation and the implementation of the Corporation's objectives. The Chief Administrative Officer may set the responsibilities and powers of other officers, agents, employees, or staff of the Corporation. Without limiting the generality of the foregoing, the Chief Administrative Officer may set the Corporation's policies and quidelines which shall be periodically reviewed by the Board of the Corporation.
- 4. An appointment of an officer also includes the conferral of officer status to an individual who is from time to time the deputy of the officer or who is appointed by the Board or Chief Administrative Officer to act in the officer's absence.

THE FOREGOING RESOLUTION was consented to by majority vote pursuant to the provisions of the *Business Corporations Act*, SBC 2002, c 57 at the Corporation's meeting of its Board of Directors \_\_ day of May, 2018.

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PPS/CRHC 2018-16

#### REPORT TO CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS MEETING OF MAY 1, 2018

#### **SUBJECT** Mortgage Renewal – The Birches

#### **ISSUE**

BC Housing Management Commission (BCHMC) requires a resolution from the Capital Region Housing Corporation (CRHC) Board of Directors to renew the mortgage for The Birches, and the CRHC Board must authorize any two members of the Executive Committee to sign any documents related to the mortgage renewal.

#### BACKGROUND

The mortgage for The Birches, 1466 Hillside Avenue is due for renewal on September 1, 2018. The estimated principal at renewal will be \$1,830,010. The existing mortgage is with Canada Mortgage and Housing Corporation (CMHC) Direct Lending and there are 8 years and 11 months left in the amortization period which coincides with the end of the operating agreement.

BCHMC would like to renew the mortgage through CMHC Direct Lending, which offers lower interest rates than other lenders. The April 2018 five-year term rate for CMHC direct lending is 2.41%. The 10-year term rate at December 2017 was 2.08%. BCHMC would attempt to renew the mortgage at a custom term rate for the balance of the amortization period (8 years and 11 months); failing this, CRHC would receive the five year term rate.

BCHMC requires the CRHC Board of Directors to approve and sign the resolution attached as Appendix A.

#### **ALTERNATIVES**

#### Alternative 1:

- a) That the resolution required by BC Housing Management Commission to renew the mortgage for The Birches through the Canada Mortgage and Housing Corporation Direct Lending Program for a term not to exceed the expiry of the existing operating agreements be approved; and
- b) That any two members of the Capital Region Housing Corporation Executive Committee be authorized to sign any documents related to the mortgage renewal.

#### Alternative 2.

That staff be directed to review other financing options based on Board direction.

#### **FINANCIAL IMPLICATIONS**

If the Corporation approves CMHC Direct Lending mortgage renewals, it will ensure that CRHC continues to benefit from the preferential interest rates available through CMHC/BCMHC and continues to receive the annual rent subsidy assistance of \$173,400 until the expiry of the operating agreement.

A Board decision to not renew the mortgage under CMHC Direct Lending would necessitate securing a commitment for alternate financing through private sector lenders. Municipal Finance Authority is not a lending option as the amortization period is now less than 10 years. Private lenders cannot match the low rates that are achieved under CMHC Direct Lending.

Should the Board direct staff to borrow outside the Direct Lending program, the federal housing subsidies will be revised based on the lesser of the Direct Lending interest rate or the private sector lender interest rate for the remaining Direct Lending term established for the scheduled renewal date.

#### CONCLUSION

The current CMHC direct lending rate for April 2018 is 2.41% for a five year term. It is unlikely that alternative funding sources would be able to provide an interest rate comparable to what is available through Direct Lending.

#### **RECOMMENDATIONS**

- a) That the resolution required by BC Housing Management Commission to renew the mortgage for The Birches through the Canada Mortgage and Housing Corporation Direct Lending Program for a term not to exceed the expiry of the existing operating agreements be approved; and
- b) That any two members of the Capital Region Housing Corporation Executive Committee be authorized to sign any documents related to the mortgage renewal.

Christine Culham Senior Manager

Capital Region Housing Corporation

Kevin Lorette, P.Eng., MBA

General Manager

Planning and Protective Services

Concurrence

Attachment: Appendix A - Resolution

#### CAPITAL REGION HOUSING CORPORATION (the "Borrower")

#### **CERTIFIED COPY OF RESOLUTION OF DIRECTORS**

#### BE IT RESOLVED:

That the Borrower hereby irrevocably authorizes British Columbia Housing Management Commission ("BCHMC") to act on its behalf to renew the mortgage presently held by Canada Mortgage Housing Corporation (the "Mortgage") for the project located at 1466 Hillside Ave, BC (BCHMC File no. 13322 / 511/ CMHC# 16572851).

#### BE IT FURTHER RESOLVED:

That any two officers or directors of the Borrower for and on behalf of the Borrower be and are hereby authorized to execute and deliver under the seal of the Borrower or otherwise, all such deeds, documents and other writings and to do such acts and things in connection with the Mortgage assignment, renewal and amendment as they, in their discretion, may consider to be necessary or desirable for giving effect to this resolution and for the purpose of fulfilling the requirements of the lender of the monies.

I,	n duly passed by of ver if such sanction	the Directors of the , 20 (and on is required), and	e Borrower at a sanctioned by a I that such resolution
has not been rescinded, amend			
Witness Signature and Print Name	Signati	ure of Secretary or	President

# CAPITAL REGION HOUSING CORPORATION ADMINISTRATION DIVISION YEAR-TO-DATE (YTD) REVENUE AND EXPENDITURES JANUARY to MARCH, 2018

Administration	Budget 2018	Budget Jan-Mar	Actual Jan-Mar	Variance \$Jan-Mar
Revenues				
Management Fees - UOA, ILBC2, NOA and Others	1,284,097	321,024	321,024	0
Management Fees - Tenant Engagement Pilot Project	23,000	10,420	10,695	275
Interest Income	100,000	25,000	25,000	0
Service Fees - Royal Oak Housing Agreement	150	38	0	(38)
Miscellaneous - Tenant Service Charges	2,383	596	1,320	724
Transfer from Corporate Stabilization Reserve - IT Project	20,000	5,000	0	(5,000) (A)
Total Revenues	1,429,630	362,078	358,039	(4,039)
Expenditures				
Salaries and Benefits - CRHC Administration Staff	865,000	216,250	191,557	24,693 <i>(B)</i>
Salary and Program Exp - Tenant Engagement Pilot Project	23,000	10,420	10,695	(275)
Training	11,300	2,825	1,186	1,639
Consultants and Legal Fees	20,000	5,000	0	5,000 <i>(C)</i>
CRD Regional Housing Allocation	155,590	38,898	38,898	0
CRD Administration and Audit Fees	166,328	41,582	41,582	0
CRD Office Rental and Insurance	63,732	15,933	15,933	0
CRD Computer Support	59,970	14,993	16,198	(1,206)
Telephone	13,460	3,365	2,811	554
Advertising	500	125	330	(205)
Stationery and Services	25,750	6,438	12,706	(6,269) <i>(D)</i>
Equipment Replacement Reserve	5,000	1,250	1,250	0
Special Project - SAP Real Estate Training	20,000	5,000	0	5,000 (A)
Total Expenditures	1,429,630	362,078	333,146	28,932
Total Administration Surplus/(Deficit)	0	0	24,894	24,894

#### Variance Notes:

- (A) Transfer from Corporate Stabilization Reserve IT Project: additional training anticipated in 2nd quarter.
- (B) Salaries CRHC Admin Staff: 24,693 under budget due to CUPE 2017 contract still under negotiations & staff on leave.
- (C) Consultant and Legal Fees: 5,000 under budget due to no work assigned in 1st quarter.

(D) Stationery and Services: (6,269) over budget due annual report and bulk tenant notices issued in 1st quarter.

Christine Culham

Senior Manager, Capital Region Housing Corporation

Kevin Lorette, P. Eng, MBA

General Manager, Planning and Protective Services

Concurrence

Riama Lachange, Bcom, CPA, CA Senior Manager, Financial Services

Concurrence

#### CAPITAL REGION HOUSING CORPORATION DEVELOPMENT SERVICES DIVISION YEAR-TO-DATE (YTD) REVENUE AND EXPENDITURES JANUARY to MARCH, 2018

Development Services	Budget 2018	Actual Jan-Mar	Budget Variance \$
Revenues			
Capital Surplus Funds - Westview Capital Project	60,000	15,000	(45,000)
Project Management Fees - Ashlar BER	64,100	0	(64,100) (A)
CMHC Seed Funding - Michigan (accrued receivable)	30,000	1,400	(28,600)
Capital Surplus Funds - Michigan	50,000	5,000	(45,000)
Capital Surplus Funds - Drake Road	70,000	0	(70,000)
CMHC Seed Funding - Michigan (application pending)	50,000	0	(50,000)
Capital Surplus Funds - Caledonia	85,000	5,000	(80,000)
Total Revenues	409,100	26,400	(382,700)
Expenditures			
Salaries and Benefits - Manager Capital Projects	139,400	33,485	105,915
Travel - local and SSI Drake Rd project	1,200	167	1,033
Telephone	1,000	144	856
Miscellaneous	2,500	121	2,379
Michigan - conceptual design funded by CMHC	30,000	1,400	28,600
Michigan - professional studies and rezoning	40,000	0	40,000
Drake Rd - water feasibility, rezoning, conceptual design	65,000	0	65,000
Caledonia - conceptual design to be funded by CMHC	50,000	3,313	46,687
Caledonia - land purchase fees and conceptual design	65,000	0	65,000
Contingency	15,000	0	15,000
Total Expenditures	409,100	38,630	370,470
Total Development Services Surplus/(Deficit)	0	(12,230)	(12,230)

#### Variance Notes:

(A) Project Management Fees - Ashlar BER: project funding has been deferred.

#### CAPITAL REGION HOUSING CORPORATION UMBRELLA AGREEMENT PORTFOLIO YEAR-TO-DATE REVENUE AND EXPENDITURES JANUARY TO MARCH, 2018

UMBRELLA AGREEMENT 42 Buildings - 1,209 Mixed Income Family/Seniors Housing Constructed between 1983-2002	UOA Budget 2018	UOA Budget Jan-Mar	UOA Actual Jan-Mar	UOA Variance \$ Jan-Mar
Revenues				
BCHMC Fixed Payment	3,463,133	865,783	865,296	(487)
Tenant Rent	10,403,704	2,600,926	2,625,350	24,424 (A)
Misc Revenue - parking and laundry	80,983	20,246	23,698	3,452
Total Revenues	13,947,820	3,486,955	3,514,344	27,389
Expenditures				
Audit/Legal	19,997	4,999	5,420	(421)
Caretakers	1,050,698	262,675	245,750	16,925 (B)
Contingency & Vacancy Loss	60,461	15,115	0	15,115 (c)
Garbage	213,845	53,461	53,855	(394)
Gas	98,700	24,675	27,285	(2,610)
Electricity	244,725	61,181	64,578	(3,397)
Insurance	400,642	100,161	98,027	2,134
Landscape Maintenance	353,952	88,488	54,732	33,756 (D)
Land Lease	63,000	15,750	15,750	0
Maintenance	642,357	160,589	151,798	8,791
Management Fee	1,111,351	277,838	277,838	0
Management Fee - TEFP Project	23,000	10,420	10,695	(275)
Mortgage	6,055,919	1,513,980	1,524,101	(10,121)
Property Taxes	614,843	153,711	153,710.75	0 (E)
Replacement Reserve Contribution	943,020	235,755	235,755	0
Water	767,970	191,993	186,895	5,098
Total Expenditures	12,664,480	3,170,790	3,106,190	64,601
Total Umbrella Agreement Surplus/(Deficit)	1,283,340	316,165	408,155	91,989

- (A) Tenant Rent: 24,424 additional revenue due to low Jan-Mar vacancy rate of .73%
- (B) Caretaker: 16,925 under budget due to 2017 CUPE contract still under negotiations.
- (C) Contingency & Vacancy: pre Umbrella Operating Agreement this budget line allowed for funding to offset fixed overhead related to vacant units. With implementation of UOA in 2015 the budget line was kept for Contingency items.
- (D) Landscape Maintenace: 33,756 under budget due to new contract is only for 11 months (Feb-Dec) in 2018
- (E) Property Taxes: Jan-Mar estimate based on 2018 budget.

# CAPITAL REGION HOUSING CORPORATION INDEPENDENT LIVING BC 2 PORTFOLIO YEAR-TO-DATE REVENUE AND EXPENDITURES JANUARY TO MARCH, 2018

ILBC 2 1 Building - 21 Seniors Independent Living Housing Constructed 2008	ILBC 2 Budget 2018	ILBC 2 Budget Jan-Mar	ILBC 2 Actual Jan-Mar	ILBC 2 Variance \$ Jan-Mar
Revenues				
BCHMC Subsidy	319,020	79,755	76,992	(0.762) (1)
Tenant Rent	321,590	80,398	78,882	(2,763) (a) (1,516) (b)
Misc Revenue - parking and cable recovery	021,000	00,090	2,850	2,850
Total Revenues	640,610	160,153	158,724	(1,428)
Ermandituus				
Expenditures General Costs				
Audit/Legal	335	84	84	0
Cable - offset by Misc Revenue	0	0	2,210	(2,210)
Contingency & Vacancy Loss	5,000	1,250	0	1,250 (c)
CPI Increase	6,900	1,725	0	1,725 (D)
Garbage	3,500	875	815	60
Electricity	31,584	7,896	16,009	(8,113) (E)
Insurance	6,020	1,505	1,419	86
Memberships	500	125	263	(138)
Mortgage	221,596	55,399	55,399	0
Property Taxes	13,750	3,438	3,438	0 (F)
Replacement Reserve Contribution	16,600	4,150	4,150	0
Water	6,215	1,554	1,998	(444)
	312,000	78,000	85,784	(7,784)
Manageable Costs				
Caretaker	11,110	2,778	2,533	4 245
Contracted Services	267,216	66,804	66,756	48
Landscape Maintenance	3,820	955	1,039	(84)
Maintenance	21,250	5,313	6,581	(1,269)
Management Fee	25,214	6,304	6,304	0
	328,610	82,153	83,213	(1,060)
Total Expenditures	640,610	160,153	168,997	(8,844)
Total ILBC 2 Surplus/(Deficit)	0	0	(10,272)	(10,272)

- (A) BCHMC Subsidy: (2,763) shortfall due to more than 2 vacancies Jan-Mar, 2017.
- (B) Tenant Rent: (1,516) revenue shortfall due to 3 vacancies Jan-Mar, 2017. CRHC responsible for vacant unit cost @ 2,542 per month
- (C) Contingency & Vacancy: 5,000 budget allows for 2 vacant units per year.
- (D) CPI Increase: 6,900 budget for inflationary increases that were not assigned to a specific 2018 budget line item.
- (E) Electricity: (8,113) over budget due to BC Hydro prior year(s) estimated meter readings catchup. Accurate readings are now being taken, BC Housing will be notified of this situation and requested that CPI 6,900 balance be applied to Electricity budget line item.
- (F) Property Taxes: Jan-Mar estimate based on 2018 budget.

#### CAPITAL REGION HOUSING CORPORATION CRHC NO OPERATING AGREEMENT YEAR-TO-DATE REVENUE AND EXPENDITURES JANUARY TO MARCH, 2018

VILLAGE ON THE GREEN  1 Building - 38 Mixed Income Family Housing Constructed 1984	VOG Budget 2018	VOG Budget Jan-Mar	VOG Actual Jan-Mar	VOG Variance Jan-Mar
Revenues				
Tenant Rent	419,857	104,964	105,705	741
Misc Revenue - laundry	2,026	507	161	(346)
Total Revenues	421,883	105,471	105,866	395
Expenditures				
Audit/Legal	606	152	152	0
Caretaker	32,480	8,120	7,079	1,041 (A)
Garbage	4,550	1,138	1,228	(91)
Electricity	1,680	420	385	35
Insurance	10,172	2,543	2,481	62
Landscape Maintenance	8,436	2,109	1,688	421
Maintenance	16,007	4,002	3,145	857
Management Fee	34,816	8,704	8,704	0
Mortgage	134,322	33,581	33,627	(47)
Property Taxes	45,204	11,301	11,301	0 (B)
Replacement Reserve Contribution	34,900	8,725	8,725	0
Water	22,808	5,702	0	5,702 (c)
Total Expenditures	345,981	86,495	78,515	7,980
Total Village on the Green Surplus/(Deficit)	75,902	18,976	27,352	8,376

<sup>(</sup>A) Caretaker: 1,041 under budget due to CUPE 2017 contract still under negotiations.

<sup>(</sup>B) Property Taxes: Jan-Mar estimate based on 2018 budget.

<sup>(</sup>C) Water: no invoice for 1st quarter. City of Victoria investigating consumption levels due to Dec/17 water main break at adjacent construction site.

#### CAPITAL REGION HOUSING CORPORATION CRHC NO OPERATING AGREEMENT YEAR-TO-DATE REVENUE AND EXPENDITURES JANUARY TO MARCH, 2018

<u>VERGO</u> 1 Building - 18 Affordable Family Housing Constructed 2012	Vergo Budget 2018	Vergo Budget Jan-Mar	Vergo Actual Jan-Mar	Vergo Variance Jan-Mar
Revenues				
Tenant Rent	266,610	66,653	65,991	(661)
Misc Revenue	0	0	0	0
Total Revenues	266,610	66,653	65,991	(661)
Expenditure				
Audit/Legal	287	72	72	0
Caretaker	8,942	2,236	2,084	152
Garbage	5,110	1,278	674	604 (A)
Electricity	400	100	243	(143)
Insurance	8,497	2,124	2,073	51
Landscape Maintenance	4,985	1,246	1,134	113
Maintenance	7,566	1,892	991	901
Management Fee	16,492	4,123	4,123	0
Mortgage	239,952	59,988	60,063	(75)
Property Taxes	27,846	6,962	6,962	` О´ (В)
Replacement Reserve Contribution	7,000	1,750	1,750	0
Water	5,960	1,490	2,080	(590) (c)
Total Expenditures	333,038	83,259	82,248	1,012
Total Vergo Surplus/(Deficit) to be supplemented by	(66,428)	(16,607)	(16,257)	350
No Operating Agreement Portfolio Stabilization Reserv	e			

- (A) Garbage: 604 under budget due to calculation error when budget were assigned.
- (B) Property Taxes: Jan-Mar estimate based on 2018 budget.
- (C) Water: (590) over budget due to more than 120 days on invoice metre reading.

# Capital Region Housing Corporation Reserve Summary Schedule January to March, 2018

Beserve Descriptions	Reserve Restrictions
(1) Corporatation Stabilization Reserve Account	At discretion of CHHC Board
(2) Admin Equipment Replacement Reserve Account	Approval of equipment replacement purchases based on CRHC Delegation Authority & Signing Authority Policy
(3) Vehicle Replacement Reserve Account	Approval of vehicle replacement purchases based on CRHC Delegation Authority & Signing Authority Policy
(4) Guestsuite Surplus Reserve Account (accum. operating surplus)	Approval of guestsuite related operating expenses based on CRHC Delegation Authority & Signing Authority Policy
(5) NOA Portfolio Stablization Reserve (accum. operating surplus)	CRHC is responsible for managing Village Green and Vergo annual operating surplus/(deficits)
(6) UOA Portfolio Stablization Reserve (accum, operating surplus)	BCHMC Agreement requires CRHC to be responsible for managing UOA's 42 buildings annual operating surplus/(deficits)
(7) ILBC2 Parry Stabilization Reserve (accum. operating deficit)	BCHMC Agreement requires CRHC to be responsible for managing Parry Place annual operating surplus/(deficits)
(8) Canital Renlacement Reserve Fund for UOA, NOA, ILBC2	As defined by BC Housing and/or CRHC Board this reserve can only be used to fund capital expenditures

	2018 Budget	Unrestricted	Internally Restricted	Internally Restricted	Internally Restricted	Internally Restricted	Externally Restricted	Externally Restricted	Externally Restricted	Combined
		(1)	(2)	(3)	(4)	(9)	(9)	(7)	(8)	
	Routine Capital Replacement	Corporate Stablization	Corporate Admin Equip Vehicle Stablization Replacement	Vehicle Replacement	Guestsuite Surplus	NOA Portfolio Stabilization	NOA Portfolio UOA Portfolio Stabilization Stabilization	ILBC2 Parry Stabilization	Capital Replacement	Total
Beginning Batance January 1, 2018	0	935,378	29,033	86,179	34,626	114,568	3,434,824	(770)	5,386,313	10,020,151
Transactions as at March, 2018	1 006 520	0	1,250	0	0	0	0	0	250,380	251,630
Annual Transfer If Office Operating Bounger Provided Jan/18		0	0	0	0	0	(264,245)	0	264,245	
Otto-Time Transfer of Capital resolve Domina approved to the Time Transfer of Declarate halance \$20,000		0	0	0	0	0	0	0	0	
Actual Expenditures (based on Approved Capital Plan)	(2)	0	0	0	0	0	0	0	(468,375)	(468,375)
Interest Income allocated at yearend based on cumulative investment earnings	0	0	0	0	0	0	0	0	0	0
Cading Balance at March 31 2018	(859,410)	935,378	30,283	86,179	34,626	114,568	3,170,579	(077)	5,432,563	9,803,406

## Notes:

# 1) CRHC Reserves Cash and Investment Position at March 31, 2018 Cash (RBC Bank Account)

# Capital Region Housing Corporation Reserve Summary Schedule January to March, 2018

Reserve Descriptions	Reserve Restrictions
(1) Corporatation Stabilization Reserve Account	At discretion of CRHC Board
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	2018 Budget	Unrestricted	Internally Restricted	Internally Restricted	Internally	Internally Restricted	Externally	Externally	Externally	Combined
		(1)	(2)	(3)	(4)	(2)	(9)	(7)	(8)	
	Routine Capital Replacement	Corporate Stablization	Admin Equip Replacement	Vehicle Replacement	Guestsuite Surplus	NOA Portfolio Stabilization	NOA Portfolio UOA Portfolio Stabilization	ILBC2 Parry Stabilization	Capital Replacement	Total
Beginning Balance January 1, 2018	0	935,378	29,033	86,179	34,626	114,568	3,434,824	(077)	5,386,313	10,020,151
Transactions as at March, 2018										
Annual Transfer from Operating Budget prorated Mar/17	1,006,520	0	1,250	0	0	0	0	0	250,380	251,630
One-Time Transfer to Capital Reserve Board approved Jan/18	1,056,980	0	0	0	0	0	(1,056,980)	0	1,056,980	0
One-Time Transfer - IT Project budget balance \$20,000	0	0	0	0	0	0	0	0	0	0
Actual Expenditures (based on Approved Capital Plan) Interest Income allocated at vearend based on cumulative	(2,902,910)	0	0	0	0	0	0	0	(468,375)	(468,375)
investment earnings	0	0	0	0	0	0	0	0	0	0
Ending Balance at March 31, 2018	(839,410)	935,378	30,283	86,179	34,626	114,568	2,377,844	(770)	6,225,298	9,803,406

### Notes:

# 1) CRHC Reserves Cash and Investment Position at March 31, 2018

Note 1

9.803.406	
95,891	MFA Money Market Fund
8,023,362	MFA Bond Fund
1,684,153	Bank of Nova Scotia GIC Maturing December 2018
0	Cash (HBC Bank Account)



PPS/CRHC 2018-18

#### REPORT TO CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS MEETING OF MAY 1, 2018

#### **SUBJECT** Management Update

#### **BACKGROUND**

This report provides monthly operations, capital and project updates to the Capital Region Housing Corporation (CRHC) Board of Directors.

#### **OPERATIONS UPDATE**

<u>Arbitrations</u> – Staff has a hearing in May for an Order of Possession and Monetary Order for rent; an Order of Possession and monetary order for rent in June; and and two Monetary Orders in September.

#### The Housing Registry Waitlist Statistics

Category	April 2018	March 2018	April 2017
Total Registry Units	3,308	3,308	3,269
Applicants			
Family	590	589	630
Seniors	716	702	701
Persons with Disabilities	457	452	425
Wheelchair Modified	65	60	63
Singles	73	72	85
	1,901	1,875	1,904

#### Vacancy Rates

Year	Period	Number of units vacant	Number of Days vacant	Average of days vacant	Vacancy Rate
2018	January - March, 2018	24	842	35.1	0.73%
2017	January - March 31, 2017	21	732	34.8	0.63%

#### Capital Works

**Exterior Painting** – staff tendered the repainting of Portage Place, The Hamlet and Royal Oak Square. The work will commence in mid May to early June.

#### **Capital Updates**

#### Westview

- CRHC and the design team submitted its building permit package to the District of Saanich.
- The design team submitted the 75% working drawings package to BC Housing.
- The construction manager has provided initial feedback on the project cost and provided a preliminary schedule for the project.
- Coordinated the following design items:
  - a. BC Hydro design
  - b. Telus and Shaw design requirements
  - c. The front entry canopy design
  - d. Electrical conduit runs through slab band/slab design
  - e. Mechanical openings through slabs/wood frame floors
  - f. Mechanical block outs in slab bands designs
  - g. Location of major mechanical units
  - h. Footing elevations around elevator and sumps designs
- Finalized specifications from each consultant
- Responded to initial feedback from the District of Saanich on landscaping changes

The work plan up until the end of May includes (but is not limited to):

- Produce an Issue For Tender package
- Assemble tender packages and commence tendering of subtrades
- Produce a budget and schedule for approval from CRHC board
- Submit Issue For Tender package to BCH to produce a separate costing
- Receive building permit
- BC Hydro to produce design and costing

#### 161 Drake Rd.

There has been no progress since the January Management Update report. Staff is still awaiting an official response from the Islands Trust on the request to proceed with the rezoning. Subsequent to an official response, staff will set up a Steering Committee meeting which is anticipated to take place in mid-May.

#### Michigan Square Redevelopment

The CRHC and design team had its kick-off meeting with the recently hired architect to discuss the potential for redeveloping the site. As a part of the meeting, the geotechnical investigation and structural report were discussed and a work plan developed for the next few months of the project.

The design team, as a part of its workplan, will explore the feasibility of the following parkade options: keep the existing parkade, demolish the suspended slab of the parkade, and demolish the entire parkade including piles. Staff is looking to hire a construction management firm to provide preconstruction predesign services and a cost estimate on the above-mentioned parkade options. The architect has already produced a base model and few site plan options for the structural engineer to use to complete a draft analysis of the three parkade options. The proposed budget for CM services is within the predevelopment budget of \$80,000 for Michigan Square redevelopment services.

#### **Tenant Engagement**

The focus of activities for April has been on community resources and partnerships, highlighting bc211. bc211 is a useful tool that provides a one-stop information shop for reliable community, social, non-clinical health and government services that can assist tenants and staff in responding to social needs.

#### Staff training:

Staff hosted a bc211 presentation by the United Way at a recent Caretaker's meeting, providing training and resources to Caretakers and office staff.

#### Tenant education:

A Senior's Outreach Worker from Silver Threads and James Bay New Horizons has partnered with CRHC to deliver information sessions at our senior's and multi-housing communities, highlighting bc211 as well as other pertinent resources for seniors. Information sessions will run from April to June.

Additionally, staff are working with the United Way to distribute bc211 promotional materials to all existing CRHC tenants.

#### **Financial Reporting**

Table 2. March cheques/EFTS OVER \$50,000

Vendor	Issued	Expenditure	Notes
No payments over \$50,000	were made.		

#### **Regional Housing**

The draft Regional Housing Affordability Strategy Update was presented to the Hospitals and Housing Committee on April 25, 2018.

It can be found on the CRD website at <a href="https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/hospitals-and-housing-committee/2018425/2018-04-25agendapkg.pdf?sfvrsn=1f7012ca\_4">https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/hospitals-and-housing-committee/2018425/2018-04-25agendapkg.pdf?sfvrsn=1f7012ca\_4</a>.

Christine Culham

Senior Manager, Regional Housing

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