



PURCHASING POLICY

POLICY NO. 2026-01 SUNBURY-YORK SOUTH RURAL COMMUNITY

This policy comes into effect on the date of its adoption and may be amended at any time by resolution of the municipal council.

1. Purpose of the Policy

- 1.1. The Rural Community of Sunbury-York South aims to establish uniform rules, standards, and procedures that apply to the procurement of goods and services by the various municipal departments as well as all construction work.
- 1.2. To promote economic development in the region, the municipality also seeks to create favourable conditions (where appropriate and legitimate) for local businesses.
- 1.3. This policy serves as a guide, and the municipal council may, if deemed appropriate, deviate from it under exceptional circumstances (as described later in this policy).

2. Definitions

- 2.1. Council: The municipal council of Sunbury-York South
- 2.2. Expense: An amount not including applicable taxes.
- 2.3. Clerk: The clerk of the Rural Community of Sunbury-York South
- 2.4. Act: The New Brunswick Public Procurement Act.
- 2.5. Emergency situation: A real or imminent event that requires immediate coordinated action to protect property, the environment, or the health, safety, or well-being of the population.
- 2.6. Local business: Any business located within the geographic limits of the Rural Community of Sunbury-York South. The definition of local may be expanded to include the greater Fredericton/Oromocto area or to New Brunswick for larger purchases.

3. Scope

- 3.1. This policy applies to all community employees, including those responsible for purchasing goods or services on behalf of the Rural Community of Sunbury-York South.
- 3.2. This policy aims to clarify the application of all laws and agreements governing community purchasing.
- 3.3. The following laws and agreements were considered during the development of this policy:
 - 3.3.1. New Brunswick Public Procurement Act (NBPPA)
 - 3.3.2. Crown Construction Contracts Act (CCCA)

4. Responsible Parties

- 4.1. The Clerk/ Senior Administrator and Treasurer are responsible for enforcing this policy.

5. Limits, Methods, and Levels of Authority

- 5.1. To simplify the application of this policy, a table has been created describing purchasing levels, required procurement methods, and authority levels required for approval. Additional procedural details are provided later in this policy.
- 5.2. Refer to Annex A for more details.

6. Tender Openings

- 6.1. Tender Openings:
 - 6.1.1. All public tenders, tenders by invitation, and price quote requests must be opened publicly at a location as specified in the tender or RFQ - under municipal administration supervision, including the municipal clerk / senior administrator, or their designate.
 - 6.1.2. The opening of submissions for any other purchase is done internally.
 - 6.1.3. After opening, copies of submissions are sent to the respective municipal department or project consultant for technical and budget review. A digital (PDF) copy must also be provided to the municipal clerk for archiving.

- 6.2. Rejection of Submissions
 - 6.2.1. Please refer to tender documents for the exhaustive list of criteria for rejection.
 - 6.2.2. All rejection decisions are final.
 - 6.2.3. If all submissions for a tender are rejected, the municipal administration must recommend further steps to council.
- 6.3. Recommendation and Decision
 - 6.3.1. For all purchases resulting from public tenders, tenders by invitation, or price quote requests, a purchase recommendation signed by the relevant administrator or project consultant must be submitted to the municipal clerk for approval by the senior administrator* or municipal council (depending on the value of the tender)
 - 6.3.2. Following the decision of the senior administrator or municipal council, the municipal clerk must inform all bidders.

7. Emergency Situations

- 7.1. Council authorizes the Senior Administrator to incur necessary expenses due to an emergency situation, up to **\$10,000 per event**.
- 7.2. Before proceeding, the Senior Administrator must obtain the mayor's consent. A Senior Administrator report, along with the mayor's consent, must be submitted at the next public council meeting.
- 7.3. If the estimated expense exceeds \$10,000, an emergency council meeting must be called.

8. Cost Overruns

- 8.1. Work or expenses that exceed authorized amounts may not proceed without prior authorization from council.

9. Ethics

- 9.1. All municipal employees involved in acquiring goods and services must help develop and maintain good relationships between the municipality and its suppliers. They must:
 - 9.1.1. Treat all suppliers fairly, including rotating opportunities (where the value of the good or service is not disproportionately greater);
 - 9.1.2. Ensure transparency in the procurement process;
 - 9.1.3. Apply this policy in the best interest of the Municipality;
 - 9.1.4. Not solicit or accept any benefit that could influence or induce the Municipality to engage a supplier or enter into any purchase or service agreement.

10. General Provisions

- 10.1. If bidders are tied, council may request a random draw conducted by the municipal clerk in the presence of witnesses from among the bidders.
- 10.2. Purchasers ensure that all purchases for their departments represent the best value and respect approved annual budgets.
- 10.3. Administrators are accountable for all purchases made by their staff.
- 10.4. This policy does not allow splitting or dividing requirements to avoid thresholds set in the Act for public tenders. If there is a risk of surpassing thresholds, a public tender is preferred. Any exemption must be approved by council. The policy also does not allow splitting to avoid thresholds for invited tenders or price quote requests.
- 10.5. All public tenders, tenders by invitation, and price quote requests must include the following statement:
 - 10.5.1. **“Neither the lowest nor any submission will necessarily be accepted. Please note that if the lowest bid exceeds the maximum amount budgeted for this project, the municipality may cancel this tender.”**

11. Local Purchasing

- 11.1. For invited tenders and price quote requests, local businesses may be favoured over other businesses.
- 11.2. Any tender seeking to favour a local business must include the statement:
 - 11.2.1. **“Any local business will be favoured up to a maximum of % of the value of the submissions received (before taxes).”**
- 11.3. For purchases not requiring a tender or quote request, purchasers should favour local businesses where possible (if costs are reasonable and the supplier can adequately provide the goods or services).

12. Exceptions

- 12.1. The acquisition of the following goods and services is not subject to this policy:
 - 12.1.1. Telephone systems
 - 12.1.2. Electricity
 - 12.1.3. Petroleum products
 - 12.1.4. Employee salaries and benefits
 - 12.1.5. Service contracts
- 12.2. Any other exception must be approved by council.

13. Interpretation Clause

- 13.1. The Rural Community of Sunbury-York South reserves the right to interpret and apply all provisions of this policy. Such interpretation will align with the policy's objectives. No right of appeal shall exist.

Effective Date: April 1 2026

Approved By : 
Don Ferguson, Supervisor



ANNEX A

LIMITS, METHODS AND LEVELS OF AUTHORITY

Budget Status	Type of Purchase	Purchase Value	Required Purchasing Process	Approval Level	Notes
Budgeted	Goods, Services, Construction	< \$1,000	Purchase order	Senior Administrator	The purchase order must be approved before purchase and submitted to Finance (with corresponding receipts).
Budgeted	Goods, Services, Construction	\$1,001 – \$5,000	Purchase order with minimum 3 quotes (if possible)	Senior Administrator	Purchase order must be approved and 3 quotes obtained before purchase All documents submitted to Finance (with receipts). Must follow NB Public Procurement Act
Budgeted	Goods, Services, Construction	\$5,001 – \$138,999	Tender by Invitation	Municipal Council	Must follow all other applicable laws/agreements (e.g., Canadian Free Trade Agreement) Tender documents must be reviewed and approved by the municipal clerk and Treasurer Should be posted on municipal website & social media Sending documents to known suppliers is allowed and is not considered favoritism.

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Budget Status	Type of Purchase	Purchase Value	Required Purchasing Process	Approval Level	Notes
Budgeted	Goods, Services, Construction	>\$139,000	Public tender	Municipal Council	<p>Council must pass a resolution authorizing the tender. Must follow the NB Public Procurement Act. Must follow all other applicable agreements (e.g., Canadian Free Trade Agreement).</p> <p>Tender documents must be reviewed and approved by the municipal clerk and finance director.</p> <p>Should be posted on the municipal website and social media.</p> <p>Must be posted on the NB Opportunities Network (NBON).</p> <p>Must remain posted for 10-15 business days (unless exempted).</p> <p>Sending documents to known suppliers is allowed and not considered favoritism.</p>

ANY UNBUDGETED EXPENSES MUST BE APPROVED BY MUNICIPAL COUNCIL