

# PROCUREMENT

# BYLAW 2021-103

## Schedule 1 – Exclusions Protocol

**EXTERNAL VERSION**

Version: 2

Release Date: January 31, 2022

PROCUREMENT OFFICE

The logo for York Region, featuring a stylized white bird or wing icon above the text "York Region" in a white serif font, set against a green background with a grey shadow effect.

*York Region*

# PROTOCOL 12: Schedule 1 – Exclusions

PUBLISHED

## 1. PURPOSE AND INTERPRETATION

The Region is committed to following open, fair, and transparent procurement processes.

This protocol details the process for utilizing Schedule 1 – Exclusions of the Procurement Bylaw 2021-103 to the procurement of certain goods and/or services which cannot be procured using standard and non-standard procurement tools.

This Protocol should be read in conjunction with the Procurement Bylaw, or its successor, the Procurement Review Committee (PRC) Protocol, and the Purchase Order Activities Playbook and Appendix (for internal use only).

## 2. DEFINED TERMS

Commonly used procurement terms used in this protocol are defined in the Glossary and Commonly Used Procurement Terms document.

## 3. APPLICATION

This protocol defines different types of procurements which are exempt from the rules and provisions as prescribed by the Procurement Bylaw.

This protocol is applicable whenever the Region is required to make a purchase for the purpose of deliverables identified in Schedule 1 – Exclusions (the Bylaw Exclusions) or those approved, by the Procurement Review Committee (PRC), as excluded from the Procurement Bylaw.

Whenever possible, the Region employs procurement formats and principles identified in the Procurement Bylaw. In circumstances where the deliverables are subject to an exclusion, the Region can proceed to utilize other purchasing methods for the acquisition of the excluded deliverables that cannot be procured using standard procurement methods. Every effort is made to ensure the most effective process is followed and highest value for the Region is achieved, even if those methods are not explicitly defined in the Bylaw.

All Bylaw Exclusions must also adhere to Purchase Order (PO) Requirements Protocol, to determine the appropriate payment mechanism for the type and dollar value of the procurement.

## 4. REPORTING OF PURCHASES

- a. All purchases, over \$100K, identified in the Bylaw Exclusions must be reported to Council despite being excluded from other provisions of the Procurement Bylaw, except for unique exclusions that are legal in nature.
- b. The Procurement Office will include all exclusions in its regular reports to Council.

## APPROVALS

This Protocol has been approved by the Director, Procurement Office, and where applicable, by Legal Services.