



## Staff Report

**DATE:** February 15, 2017

**FILE:** H-NIHP

**TO:** Chair and directors  
CSRHD board commemorative items select committee

**FROM:** Debra Oakman, CPA, CMA  
Chief Administrative Officer

**RE:** CSRHD board commemorative items select committee

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### **Purpose**

The purpose of this report is to provide information to the Comox Strathcona Regional Hospital District (CSRHD) board commemorative items select committee to assist it in its mandate to investigate and recommend a commemorative item for the Comox Valley and Campbell River hospitals in recognition of the services provided by the previous hospitals and all parties that have contributed to the hospitals' construction.

### **Policy analysis**

Decisions regarding appropriate items, and installation at the hospitals must take into consideration building and fire codes as well as infection controls and safety standards if the items are to be placed inside the buildings.

The process to be utilized for commissioning an item, should comply with the circumstances for direct award procurement as stated in the Comox Valley Regional District Delegation of Purchasing Authority Bylaw No. 284, 2013 (appendix A).

### **Executive summary**

At the January 19 2017 CSRHD board meeting, the commemorative items select committee was established and the terms of reference approved (attachment B).

The mission of the committee is to investigate and recommend a commemorative item for the Comox Valley and Campbell River hospitals in recognition of the service provided by the previous hospitals and all parties that have contributed to the hospitals' construction.

It is recommended that the committee liaise with the North Island hospitals project (NIHP) chief project officer, throughout this process to receive advice on infrastructure considerations such as types of material, any infrastructure required in support of installation, potential locations for installations in and around the hospitals and any timing considerations for installation.

The committee may consider a range of concepts for a commemorative item. For each concept, logistics to install the item at each facility must be considered, such as cost, procurement process,

time to develop or build the item, installation requirements, installation limitations associated with electrical components, infection and disease control, materials availability and public acceptability.

Some example of commemorative items include bronze plaques, etched glass, paintings, statues or historic photographs. Staff are proposing that the committee identify three to five concepts that staff could then liaise with the NIHP chief project officer on to receive feedback as to logistics. A report could be developed for a subsequent select committee meeting to further refine the options and process for obtaining the desired commemorative item for each hospital.

**Recommendation from the chief administrative officer:**

THAT the following concepts be identified as potential recognition for the North Island hospitals project:

- 1.
- 2.
- 3.
- 4.
- 5.

AND FURTHER THAT staff work with North Island hospitals project staff to report back to the committee at its next meeting on the logistics for each concept.

Respectfully:

***D. Oakman***

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Debra Oakman, CPA, CMA  
Chief Administrative Officer

Prepared by:

***J. Warren***

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James Warren  
General Manager of Corporate  
Services

Attachments: Appendix A – “Comox Valley Regional District Delegation of Purchasing Authority Bylaw No. 284, 2013”  
Appendix B – “Terms of reference – CSRHD board commemorative items select committee”



**Comox Valley Regional  
District Delegation of  
Purchasing Authority  
Bylaw**

**THE FOLLOWING IS A CONSOLIDATED COPY OF THE Comox Valley Regional District Delegation of Purchasing Authority Bylaw 284, 2013.**

<b>BYLAW No.</b>	<b>BYLAW NAME</b>	<b>ADOPTED</b>	<b>PURPOSE</b>
284	<b>Comox Valley Regional District Delegation of Purchasing Authority Bylaw 284, 2013.</b>	<b>November 26, 2013</b>	<b>To delegate the purchasing authority for the Comox Valley Regional District</b>

**THIS BYLAW MAY NOT BE COMPLETE DUE TO PENDING UPDATES OR REVISIONS AND THEREFORE IS PROVIDED FOR REFERENCE PURPOSES ONLY. TITLES AND WHEREAS CLAUSES MAY BE DIFFERENT THAN IN ORIGINAL BYLAWS TO MAKE THIS CONSOLIDATED VERSION CLEARER AND IDENTIFY HISTORICAL CHANGES AND CONDITIONS. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. PLEASE CONTACT THE CORPORATE LEGISLATIVE OFFICER AT THE COMOX VALLEY REGIONAL DISTRICT TO VIEW THE COMPLETE BYLAW WHEN REQUIRED.**

**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 284**

**A bylaw to delegate the purchasing authority for the Comox Valley Regional District**

**WHEREAS** under sections 176(1)(e) and 192(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;

**AND WHEREAS** the board of the Comox Valley Regional District wishes to delegate to its officers and employees certain powers, duties and functions;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled hereby enacts as follows:

**Repeal**

1. Bylaw No. 75 cited as “Comox Valley Regional District Delegation of Purchasing Authority Bylaw No. 75, 2009,” and amendments thereto, is hereby repealed.

**Definitions**

2. In this bylaw:
  - a) **“board”** means the board of the Comox Valley Regional District
  - b) **“purchasing policy”** means the purchasing management services policy attached to this by law as schedule ‘B’
  - c) **“CVRD”** means the Comox Valley Regional District

**Delegation**

3. A delegation of a power, duty or function under this bylaw includes a delegation to a person who is, from time to time, acting on behalf of the delegate or is appointed by the board to act in the capacity of the delegate in the delegate’s absence.

**Purchasing authority for goods and services**

4. (1) The board hereby delegates to the persons holding the positions referred to in column 1 of schedule “A” of this bylaw the power, duty and function of the CVRD to purchase or acquire goods or services on behalf of and for the benefit of the CVRD to the amounts listed in column 2 of schedule “A” in accordance with the purchasing policy attached to this bylaw as schedule “B”.
  - (2) In the absence of the delegate, the powers delegated under section 4(1) of this bylaw may be exercised by a person who has been appointed to act in the capacity of the delegate, or the executive manager of that person’s branch. In the absence of an executive manager, the powers delegated under section 4(1) of this bylaw may be exercised by the chief administrative officer or the person designated as the acting chief administrative officer.

### **Land use agreements**

5. (1) The board hereby delegates to the persons holding the positions referred to in column 1 of schedule “A” of this bylaw the following powers, duties and functions to be exercised in accordance with the purchasing policy:
  - (a) The power to acquire, amend or discharge a statutory right of way or easement on behalf of the CVRD in connection with the operation and maintenance of any works or service of the CVRD; and
  - (b) The power to enter into a lease or license of real property necessary or convenient for the operation and maintenance of any works or service of the CVRD where the value of the rent, licence fee or other consideration for the term is within the amounts listed in column 2 of schedule “A”.
- (2) In the absence of a general or executive manager, the powers delegated under section 5(1) of this bylaw may be exercised by the chief administrative officer or person designated as the acting chief administrative officer.

### **Limits on expenditures**

6. (1) Despite the authority granted in section 4, an officer or employee of the CVRD must not enter into an agreement of a capital nature under which the CVRD would incur a liability payable after the end of the then current year for a term that is for more than five years, including all rights of renewal and extension.
- (2) An expenditure made by a person to whom the board has delegated authority under this bylaw must be within the CVRD’s approved financial plan.

### **Citation**

This Bylaw No. 284 may be cited for all purposes as “Comox Valley Regional District Delegation of Purchasing Authority Bylaw No. 284, 2013.”

**Schedule 'A'**

	<b>Column 1 Position</b>	<b>Column 2 Commitment/spending authority</b>
1.	<b><u>Purchase cardholders</u></b>	Cardholders and cardholder limits authorized by the chief administrative officer
2.	<b><u>Branch supervisors</u></b> <ul style="list-style-type: none"> <li>• Network manager</li> <li>• Assistant manager of recreation operations</li> <li>• Assistant manager of building services</li> <li>• Assistant manager of planning services</li> <li>• Marketing specialist</li> <li>• Manager of administration</li> <li>• Executive assistant</li> <li>• Fire chief</li> </ul>	Purchases less than \$5,000
3.	<b><u>Branch managers</u></b> <ul style="list-style-type: none"> <li>• Senior manager of information systems &amp; GIS</li> <li>• Senior manager of recreation facilities</li> <li>• Senior manager of engineering services</li> <li>• Senior manager of CSWM services</li> <li>• Manager of bylaw compliance and special investigations</li> <li>• Manager of transit and sustainability</li> <li>• Manager of financial planning</li> <li>• Manager of payroll and benefits</li> <li>• Manager of fire services</li> <li>• Manager of emergency programs</li> <li>• Manager of communications</li> <li>• Manager of water services</li> <li>• Manager of wastewater services</li> <li>• Manager of liquid waste planning</li> <li>• Manager of planning services</li> <li>• Manager of building services</li> <li>• Manager of community parks</li> <li>• Manager of recreation operations</li> <li>• Manager of recreation administration</li> <li>• Manager of recreation programs</li> <li>• Manager of CSWM disposal facilities operations</li> <li>• Manager of CSWM transfer facilities operations</li> </ul>	Purchases less than \$10,000

	<b>Column 1 Position</b>	<b>Column 2 Commitment/spending authority</b>
4.	<p><b><u>General and executive managers</u></b></p> <ul style="list-style-type: none"> <li>• Chief administrative officer</li> <li>• General manager of community services</li> <li>• General manager of property services</li> <li>• General manager of public affairs and information systems</li> <li>• Corporate legislative officer</li> <li>• Corporate financial officer</li> <li>• Executive manager of human resources</li> <li>• Executive manager of strategic and long range planning</li> </ul>	Purchases less than \$50,000
5.	<p>Chief administrative officer and one of the following:</p> <ul style="list-style-type: none"> <li>• General or executive manager</li> <li>• Corporate financial officer</li> </ul>	Purchases less than \$100,000
6.	<ul style="list-style-type: none"> <li>• Chief administrative officer, or</li> <li>• General manager of property services, or</li> <li>• General manager of community services</li> </ul>	Land use agreements less than \$50,000

All amounts in column 2 are exclusive of taxes.

## **Schedule 'B'**

### **PURCHASING MANAGEMENT SERVICES POLICY**

#### **Purpose and scope of the purchasing management services policy**

1. The purpose of the purchasing management services policy is to set out the responsibilities and accountability associated with the efficient and economical acquisition of goods and services. This policy applies to all CVRD services (functions) and includes all purchases, leases and rentals using operating, capital and restricted funds of the CVRD.

#### **Guiding principle**

2. The purchasing management services policy is guided by the principle of probity, which means that all activities are undertaken in a visibly fair, ethical, environmentally sustainable, and prudent manner.

#### **Policy statement**

3. It is the policy of the CVRD to acquire goods and services through a competitive process whenever practical that results in supply arrangements at the most effective net cost, in the correct quantities, of the appropriate quality, including recycled content, lowest possible toxicity, recyclability wherever possible and from the most responsive and responsible source.

#### **Roles and responsibilities**

4.
  - (1) Purchasing and supply management activities at the CVRD are decentralized by branch (service), which are delegated the responsibility and authority for acquiring goods, equipment, services and construction for all operational and capital requirements, as per appendix A – Spending, commitment and signing authority matrix.
  - (2) The officer responsible for financial administration for the CVRD is responsible and accountable for the management of the acquisition of goods, protection and disposal of assets.
  - (3) The purchasing officer for the CVRD is the corporate financial officer, who is responsible for the implementation of the day-to-day administration of the purchasing management services policy, and will establish and employ such practices, processes, procedures or methods as are determined appropriate to the efficient and effective operation of purchasing management services.
  - (4) It is the intention of the policy to provide internal control measures through the separation of duties and responsibilities (i.e. commitment authority; confirmation of goods/services received; invoice approval) relating to the acquisition of goods and/or services.
  - (5) Contracts, agreements and purchase requisitions are to be executed in accordance with appendix A being the spending, commitment and signing authority matrix.
  - (6) The senior accounting technician - financial planning and analysis is responsible for the administration (i.e. recording the sale, asset write-down; co-ordination of annual sale or assisting branches with appropriate disposal method). The administration relates to the disposal of all surplus materials and assets through re-allocation within the CVRD, to organizations delivering services on behalf of the CVRD, public offer for sale, auction, trade, donation or landfill. A branch may choose to dispose of an asset any time during the year. The senior accounting technician is to receive full details of the asset disposal whenever an asset is disposed of.



### **Spending, commitment and signing authority**

5. (1) All acquisitions must comply with appendix A - Spending, commitment and signing authority matrix.
- (2) Persons with spending, commitment and signing authority have the following responsibilities:
  - (a) Ensure that the CVRD is able meet its obligations within the terms of the contract and that it is likely the other party can meet their obligation.
  - (b) Ensure that the contract complies with WorkSafe BC legislation, labour legislation, employee collective agreements, tax legislation, and other legislative and regulatory requirements.
  - (c) Ensure that the appropriate level of approval has been obtained for the contract.
  - (d) Be aware of any financial and other benefits that are expected to flow to the CVRD as a result of the contract.
  - (e) Any administrative (support services) or staff overhead rate must be consistent with CVRD guidelines or amended by the corporate financial officer or the chief administrative officer.
  - (f) Review intellectual property requirements and consider physical, bodily injury and personal injury indemnities and risk exposure.

### **Contract management**

6. (1) The executive management branch shall maintain a register of contractual documents as follows:
  - (a) a list of the contractual documents;
  - (b) the name of the other party or parties signing the documents;
  - (c) the contact name, address and phone number of the other parties representative;
  - (d) CVRD function code and staff responsibility for administering the contract;
  - (e) a brief description of the subject matter contained in the documents;
  - (f) the date of execution;
  - (g) the insurance requirements pursuant to the contract and confirmation note to indicate that they have been met;
  - (h) the critical dates such as performance related requirements, if any;
  - (i) total contract commitment;
  - (j) available budget;
  - (k) the payment terms;
  - (l) effective start and termination date and the actual or estimated amount of each contractual obligation;
  - (m) change order terms.
- (2) The executive management branch shall notify the purchasing officer on a regular basis of pending expiry dates, including insurance, performance bonds and contract term dates and forward a copy of the contract to accounts payable.

## Legal services

7. The chief administrative officer will manage corporately, all legal matters through an organizational process. The process involves ongoing monitoring of legal costs, monitoring of legal service quality, and regular reporting to the board. Legal services will be evaluated based on ability to meet the following key service elements:
  - (1) Timeliness: all legal matters must be dealt with within appropriate and agreed upon timelines. Phone calls must be returned in a timely manner and correspondence completed on agreed schedules.
  - (2) Communication: the firm must designate a partner who will communicate with the designated client in a manner and frequency agreed upon by both parties.
  - (3) Coordination of client matters: the firm must designate one partner, with a backup, to manage all client legal work, be able to brief the client on any legal matter directed to their firm and develop monthly status reports. The firm must coordinate administrative matters proactively with a minimum of client resources.
  - (4) Cost management: the firm must monitor legal costs, compare them to the firm's quote provided, if applicable, and advise the client immediately regarding any variances.
  - (5) Legal education: the firm must be committed to providing and delivering educational opportunities and issuing papers on current, emerging legal matters.
  - (6) Meeting attendance: the firm must be committed to attending, on short notice, board meetings or staff meetings if the firm or client believes the importance of the legal matter warrants attendance.
  - (7) Cost of legal services is to reflect quality of service provided.

## Policy provisions

8.
  - (1) All CVRD staff and directors shall comply with the letter and spirit of laws and regulations governing the public procurement function.
  - (2) Branches responsible for the acquisition of goods or services must ensure that processes used to purchase goods or services are conducted in a manner that best serves the interests of the CVRD and are consistent with the purchasing management services policy. The purchasing officer shall periodically review practices to evaluate whether effectiveness and value added procurement practices are being followed.
  - (3) CVRD staff with direct or indirect interest in a vendor or potential vendor must disclose such interest to the purchasing officer in order to ensure there are no adverse consequences from such conflict. Soliciting or accepting money, loans, credits, or prejudicial discounts, or the acceptance of gifts, entertainment, favours, or services is prohibited where it might influence, or appear to influence, purchasing decisions.
  - (4) Gifts or prizes received by staff while on CVRD business shall be the property of the CVRD, except:
    - (a) items included with registration package, and
    - (b) items valued at < \$1,000.00.
  - (5) Where directors receive gifts or prizes while on CVRD business, they must comply with the requirements of the Local Government Act and Community Charter
  - (6) Commitments or indications of preference to a supplier are not to be made by

- branches without written request and approval from the purchasing officer, corporate financial officer or chief administrative officer.
- (7) Strategic alliances provide additional value to the regional district by reducing point of purchase prices, reducing administration costs through longer term agreements, and/or resulting in increased revenue that supports regional district objectives. Additional value may take various forms such as cash, in-kind products and/or services, promotional items and others, in exchange for marketing value back to the external organization. Since this often results in a preferential agreement offering exclusivity, preferred supplier status or other benefits for a longer specific period of time, contractual arrangements of this nature require CVRD board approval.
  - (8) In respect to public process purchasing, the CVRD may, in its absolute discretion, reject a tender, proposal or bid submitted by a tenderer, if the tenderer, or any officer or director of the tenderer is or has been engaged either directly or indirectly through another corporation in a legal action against the CVRD, its elected or appointed officers and employees in relation to:
    - (a) any other contract for works or services, or
    - (b) any matter arising from the CVRD's exercise of its powers, duties, or functions under the Local Government Act or another enactment,within five years of the date of the public process.
  - (9) In determining whether to reject a tender, proposal, or bid under this article, the CVRD will consider whether the litigation is likely to affect the tenderer's ability to work with the CVRD, its consultants and representatives and whether the CVRD's experience with the tenderer indicates that the CVRD is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the tenderer.
  - (10) All CVRD staff will make purchases in compliance with legislation and statutory regulations including WCB safety standards, customs duties, excise taxes, goods and services tax and provincial sales tax.
  - (11) Rental/leases: Commitments to other parties may not be made, nor items acquired through a capital lease, which extend beyond:
    - (a) Funding availability.
    - (b) Local Government Act or Community Charter legislation for agreements requiring the consent of the public.
    - (c) Month-to-month rentals are permitted subject to funding availability and at the expiration of an agreement there is no funding shortfall to the respective budget. Such agreements must be in compliance with the statutory limitation for agreements not requiring the consent of the public.
    - (d) Adjudication regarding leases is the responsibility of the purchasing officer, with exceptions requiring the approval of the general manager.
  - (12) The purchase of goods and/or services shall be initiated by properly completed and approved documentation in accordance with appendix A - Spending, commitment and signing authority matrix. A purchase order or formal agreement except for petty cash and purchasing card transactions shall contract goods and/or services.
  - (13) The chief administrative officer may authorize staff to use a purchasing card, or initiate other e-commerce purchase and payment mechanisms to facilitate acquisition of low-dollar value goods and/or services consistent with and in accordance with purchasing operating guidelines and the purchasing card program. Staff are required

to complete and sign a purchasing cardholder agreement approved by their manager which is to be retained on file by the finance department.

### **Circumstances for direct award procurement**

9. Specific details, in writing, must be provided justifying the requirement for direct award procurement according to the following exceptions:
  - (1) To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
  - (2) Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists;
  - (3) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly;
  - (4) For the purchase of goods on a commodity market;
  - (5) For the acquisition of services from non-profit organizations;
  - (6) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor or the lessor's pre-approved suppliers;
  - (7) For work to be performed by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work or equipment;
  - (8) For a contract to be awarded to the winner of a design contest;
  - (9) For the procurement of a prototype of a first good or service to be developed in the course of and of a particular contract for research, experiment, study or original development, but not for any subsequent purchases;
  - (10) For the purchase of goods under exceptionally advantageous circumstances such as used merchandise, bankruptcy, auction or receivership, but not for routine purchases;
  - (11) For the procurement of subscriptions to newspapers, magazines or other periodicals; utilities and employee benefits;
  - (12) For the procurement of real property;
  - (13) Where the competitive process is impractical because of the need to obtain unique third party skills, there is a requirement for contractor continuity, or there is a strong case for the cost effectiveness of maintaining or retaining an existing contractor for a specific task;
  - (14) Where the chief administrative officer in conjunction with another general manager approves the direct award purchase as requested.

### **Service delivery**

10. All agreements between organizations or other local governments for the management of service delivery for a CVRD function, must obtain board approval.

### **Emergency acquisitions**

11. In an unforeseen circumstance that requires immediate action, such that inaction would result in harm to a person or harm or damage to real or personal property of any type, then an acquisition by way of direct award or through a public process as deemed necessary to rectify the situation by a person authorized in appendix A - spending, commitment and signing authority matrix, shall be made in accordance with the authority in appendix A.

COMOX STRATHCONA  
REGIONAL HOSPITAL DISTRICT



Committee Terms of  
Reference

**Terms of reference**  
**Comox Strathcona Regional Hospital District board**  
**Commemorative items select committee**

**Mission:** Established by the Comox Strathcona Regional Hospital District (CSRHD) board comprising a sub-group of CSRHD board members, this committee considers matters relating to the investigation and recommendation of a commemorative item for the Comox Valley and Campbell River hospitals in recognition of the service provided by the previous hospitals and all parties that have contributed to the hospitals' construction.

**Authority:** The CSRHD commemorative items select committee serves as an advisory body to the regional board. The committee will liaise with the North Island Hospital project team representative to ensure the CSRHD commemorative item is considered in the décor of the Campbell River and Comox Valley hospitals.

**Mandate:** The CSRHD board commemorative items select committee will have the authority to provide advice to the board on matters pertaining to its mission.

**Membership:** The following directors have put their names forward to serve on the CSRHD board commemorative items select committee, upon approval of the board:

- Director Abram (Discovery Islands - Mainland Inlets - Area 'C')
- Director Cornfield (City of Campbell River)
- Director Eriksson (City of Courtenay)
- Director Grieve (Puntledge/Black Creek - Electoral Area 'C')
- Director Kerr (City of Campbell River)
- Director Nichol (Lazo North - Electoral Area 'B')
- Director Wright (City of Campbell River)

**Committee chair:** The committee shall elect a chair and vice-chair from amongst its members at its first meeting.

**Resources:** The chief administrative officer (CAO) will determine and assign a staff member as an advisor to the committee. If necessary, a recording secretary may also be appointed. The committee will also be accorded a budget to cover meeting expenses, meals/coffee, photocopying and other related activities. Meetings may be held via conference call as necessary with sufficient advance notice to staff to meet public notification requirements and to coordinate set up of the necessary technology to facilitate the conference call meeting format.

**Meeting frequency:** The committee will meet at the call of the chair as required to fulfill its mandate.

**Tenure:** This select committee will exist until presentation of its recommendation(s) to the CSRHD board as to a commemorative item for the Comox Valley and Campbell River hospitals in recognition of the service provided by the previous hospitals and all parties that have contributed to the hospitals' construction.

**Reporting:** The committee will provide its minutes to the corporate legislative officer within 48 hours of any committee meeting. Where the board feels it is necessary, the committee may be asked to meet with the board and brief the board on an issue(s) within its purview. This invitation shall be extended to the chair of the committee as the representative of the committee.

**Contact with the media:** Any contact with the media regarding issues related to the work of this committee shall be handled by the committee chair or shall be referred by the committee chair to the CSRHD board chair. If the matter under questioning by the media deals with CSRHD board policy around issues related to the work of this committee, the matter shall be referred to the board chair. The CAO and general manager of corporate services will provide assistance and / or guidance to the board chair and committee chair in responding to the media.

**Public meetings:** Unless otherwise provided for in the CSRHD procedure bylaw, the committee meetings are open to the public. Where the matter deals with an issue that is confidential, the committee may adjourn to an "in-camera" session to discuss that matter. If one or more members participates in a meeting via conference call, the meeting must be conducted in such a manner that enables the public to hear the proceedings. The chair or person presiding over a meeting must be physically present at the meeting. In the event that the chair opts to participate electronically, the vice-chair shall assume the role of presiding member. In the event that the vice-chair opts to participate electronically also, the chair shall select a member who will be physically present at the meeting and appoint that person as the presiding member.