

Contractual Services (Contractual Services) Policy

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Policy Statement

The Board of Directors of the Beaver Regional Waste Management Services Commission/Beaver Municipal Solutions executes or oversees execution of a wide variety of agreements regarding Commission contractual relationships regarding its operations.

These contract relationships define the obligations of all contract parties to each other. It is critical that clear and precise contracts be executed to ensure all parties understand their respective obligations and entitlements, and that the Commission has sought appropriate contract language to mitigate its risks. This is prudent risk oversight and management.

Accordingly, the Board has adopted this Policy, with its Guidelines, to ensure that suitable contract relationships are executed for its vendors, customers and other parties.

Guidelines

1. Wherever possible, the Commission will employ written, standardized contracts with its vendors, customers and other parties that clearly and precisely explain each parties' obligations and deliverables, and the relationships to each other.
2. Standardized contracts will be legally enforceable, including review by appropriate legal counsel, mitigate risk for the Commission, are clear and precise in wording, and as concise as possible. Contract language will represent best industry practices, and where standardized contract model formats exist, (i.e. construction and professional services) such formats, will be employed for Commission contracts.
3. Where appropriate, standardized Commission purchase orders can be employed as a written contract, subject to referencing the appropriate vendor scope of work and product/service specifications.
4. For construction service contracts over \$200,000 in estimated value, legal contract agreements will conform to industry model formats such as the formats of the Canadian Construction Documents Committee. (CCDC), with specifications generally in conformance to the CSC/CSI Master format model.
5. For smaller construction services contracts, and procurement for major equipment and other products, goods and services, the purchase order will reference a written specification or scope of work. Sample specification documents for equipment and for services are attached in the appendix.

BRD-013 Beaver Municipal Solutions (BMS/BRWMSC) Commission Policy

6. Professional services will typically be awarded based on acceptance of a submission to a Request for Proposals. Professional services contracts can be based upon professional association standard service contract templates such as the Canadian Council for Professional Engineers, Canadian Bar Association and CPA Canada.
7. Customer sales contracts will generally be in the following model formats:
 - a. Disposal bin rental contract
 - b. Contaminated soil and special waste disposal contracts including environmental compliance certification
 - c. Multi-year municipal waste disposal contracts
The municipal waste disposal contract is subject to change, based on negotiations, but such changes must be written, to mitigate risk, enhance economic return and shall be reviewed by legal counsel.
8. Special customer service contracts: these contracts will be developed on a case-by-case basis, subject to negotiation and review by legal counsel.
9. Contract with municipal members will conform to the requirements of the Stakeholder Charter and all other related documents, including future unanimous share (Stake) Holders Agreement.

Roles and Responsibilities, Procedures, Forms and Related Policies

1. The implementation of this Policy will be through the General Manager.

Related policies:

- FIN-009 Purchasing
- FIN-010 Service and Contract Fees

Appendices:

- Standard Equipment Tender Specification
- Standard Goods and Services Tender Specification
- Standard Disposal Bin Rental Agreement
- Standard Contaminated Soil and Special Waste Permit Agreements