

**BYLAW NO. 2388-CS-25  
MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER**

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**A BYLAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE TERMS AND CONDITIONS OF PROCUREMENT POLICY OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES**

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**WHEREAS** pursuant to the Cities, Towns and Villages Act, S.N.W.T. 2003, c. 22 and subsequent amendments thereto, municipalities are required to adopt a bylaw with respect to procurement of goods and services by the Municipality;

**AND WHEREAS** it is desirable to adopt such a bylaw for procurement by the Town of Hay River;

**AND WHEREAS** it is desirable to establish expenditure limits and signing authorities with respect to procurement by the Town of Hay River;

**NOW THEREFORE** the Council of the Municipal Corporation of the Town of Hay River, in Council duly assembled, enacts as follows:

**1.0 PROCUREMENT POLICY AND PROCEDURES.**

- 1.1** The policy attached hereto as Schedule "A" forms part of the by-law and shall be and is hereby adopted as the Procurement Policy for the Town of Hay River.
- 1.2** Amendments to Schedule "A" shall only be done by way of amendment to this by-law.
- 1.3** The guiding principle shall be that the procurement by or in the name of the Town of Hay River will be made using competitive processes that are open, transparent and fair.
- 1.4** Subject to any exceptions set out in Schedule "A" hereto, acquisition of goods and/or services by or on behalf of the Town of Hay River is not authorized unless the acquisition is done in compliance with this by-law. Goods and/or services that are obtained without following the provisions of this by-law shall not be received and any invoices received shall not be paid.
- 1.5** Without limiting the generality of section 4, the provisions of this by-law shall apply to any and all procurement in the name of the Town of Hay River by consultants and/or Directors pursuant to consultant or management contracts.

**2.0 EXECUTION OF PROCUREMENT CONTRACTS**

- 2.1** Where procurement has been pre-authorized in accordance with this by-law, contracts may be signed by the Director responsible for the procurement on behalf of the Town

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of Hay River.

- 2.2 Where procurement has been authorized by Council resolution, the contract shall be signed by the Senior Administrative Officer and the Mayor.

**3.0 LIMITATIONS**

- 3.1 Despite any other provisions of this by-law, the following procurement contracts are subject to council approval:

- a) Any contract requiring the approval of any other approval authority;
- b) Any contract prescribed by statute to be made by Council.
- c) Where the cost amount proposed for acceptance is higher than the Council approved budget for that expenditure or where the expenditure would result in insufficient remaining funds in the project budget to complete the project as budgeted;
- d) Where the net revenue amount proposed for acceptance is lower than the Council approved budget;
- e) Where a substantive objection emanating from the procurement process has been filed;
- f) Where an irregularity precludes the award of a contract in accordance with Schedule "A";
- g) Where authority to enter into the contract has not been expressly delegated.

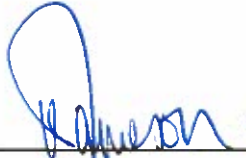
- 3.2 The exercise or authority to award a procurement contract is subject to the identification and availability of sufficient funds in the appropriate accounts within the Council approved budget.

**4. IMPLEMENTATION AND CONFLICTS**


- 4.1 The provisions of this by-law apply to any and all procurement initiated by or on behalf of the Town of Hay River after this by-law is passed despite any references to the contrary in any by-laws, regulations or policies or other documentation.
- 4.2 By-law 2388 and any amendments thereto are hereby repealed.
- 4.3 This by-law will come into effect upon the day of its final passage.

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READ A FIRST TIME this 24th day of February 2025.

  
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Mayor

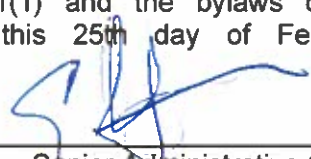
READ A SECOND TIME this 24th day of February 2025.

  
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Mayor

READ A THIRD AND FINAL TIME this 25th day of February 2025.

  
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Mayor

CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s41(1) and the bylaws of the Municipal Corporation of the Town of Hay River on this 25th day of February 2025.

  
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Senior Administrative Officer

