



Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, September 10, 2024 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

3.a Minutes of the Municipal Planning Commission of July 24, 2024

4. ADOPTION OF MINUTES

4.a Minutes of the Council Meeting of August 27, 2024

5. PUBLIC HEARINGS

6. DELEGATIONS

Delegations have 15 minutes to present their information to Council excluding questions. Any extension to the time limit will need to be approved by Council.

7. REQUESTS FOR DECISION

- 7.a Bylaw 1193, 2024 - Road Closure - *First reading*
- 7.b Bylaw 1202, 2024 - To amend Bylaw 941, 2015
- 7.c Policy 1702-03 - Procurement of Goods and Services
- 7.d Subdivision Extension Request 2022-0-074
- 7.e Crown Mountain Site Visit - Dates for Consideration
- 7.f 2024 Q2 Financial Report
- 7.g 2023 Surplus Report

8. COUNCIL MEMBER REPORTS

9. PUBLIC INPUT PERIOD

Each member of the public has up to 5 minutes to address Council. Council will only ask for clarification if needed, they will not engage in a back and forth dialogue.

10. COUNCILOR INQUIRIES AND NOTICE OF MOTION

- 10.a Notice of Motion - Coal Referendum (non-binding Vote of the Electors on a Question)-
Councillor Ward
- 10.b Resolutions for Alberta Municipalities Convention - Mayor Painter

11. IN CAMERA

12. ADJOURNMENT



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 3.a

Subject: Minutes of the Municipal Planning Commission of July 24, 2024

Recommendation: That Council accept the Minutes of the Municipal Planning Commission of July 24, 2024 as information.

Executive Summary:

Minutes of Internal Boards and Committees are provided to Council at the subsequent Council meeting for Council's information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Municipal Planning Commission provides their minutes to keep Council apprised of exceptional development permits and subdivision applications heard by the commission.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2024 07 24_Municipal Planning Commission_APPROVED Minutes.pdf](#)



Municipality of Crowsnest Pass
Municipal Planning Commission Minutes
Wednesday, July 24, 2024, at 2:00 PM

- PRESENT:** Dean Ward, Chair
Sam Silverstone, Vice Chair
Dave Filipuzzi, Member
Doreen Johnson, Member
Gaston Aubin, Member
Gus Kollee, Member
- ADMINISTRATIVE:** Katherine Mertz, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Ryan Dyck, ORRSC
Shay Sawatzky, Recording Secretary
- ABSENT:** Don Montalbetti, Member (Apology)
-

1. Call to Order

The chair called the meeting to order at 2:00 pm.

1.1 Introduction of Members. Welcome returning Member, Gaston Aubin and new Member, Gus Kollee

2. Agenda

Gus Kollee requested an in-camera item discussion regarding "Agenda Package".

MOTION by Sam Silverstone to accept the agenda with the following amendments:

Addition of In Camera discussion, Item 10.1 regarding Agenda packages supplied to the Board

CARRIED

3. Minutes

MOTION by Doreen Johnson to adopt the minutes of June 26, 2024, as presented.

CARRIED

4. Consent Agenda

MOTION by Dave Filipuzzi to accept the Oldman Regional River Services Commission Periodical – Summer 2024 Issue "Hamlets" for information.

CARRIED

5. Requests for Decision - Subdivision Applications

5.1 Subdivision 2024-0-088 Lot 1, Block 1, Plan 0716441 and part of NW1/4 16-7-3-W5M

MOTION by Gus Kollee to approve Subdivision Application 2024-0-088 with the resolution provided and the following amendments to Reserve items 3 & 4, as below:

In Item 3: place a full stop after "... Lot 1, Block 1, Plan 0716411", delete the wording "... and with a corresponding agreement for the same" before the word "OR", delete the last phrase after the word "OR", and place the last phrase from Item number 4 into Item number 3, after the word "OR", for Item number 3 to read as follows:

3. AND FURTHER that Environmental Reserve (ER), pursuant to Section 664 of the Municipal Government Act, to be dedicated as a minimum 6 m wide strip on both sides of Drum Creek, and along with the entirety of the adjacent wetland area, and the river island portion of the title, and a 6 m wide strip measured from the top of bank above the bed and shore of the Crowsnest River along the entire length of the river adjacent to Lot 1, Block 1, Plan 0716441 OR in the form of an Environmental Reserve Easement (ERE) with a corresponding agreement for the same.

In Item 4: delete the last phrase of the sentence "... in the form of an ER easement, along with a corresponding agreement for the same", such that Item 4 concludes with a full stop after "... within the subdivision area."

CARRIED

5.2 Subdivision 2024-0-091 SW1/4 17-7-3-W5M

MOTION by Gus Kollee to approve Subdivision Application 2024-0-091 with the resolution provided and to strike condition number 2.

CARRIED

6. Requests for Decision – Development Permit Applications

6.1 DP2023-TH002 – 13509 20 Avenue, Blairmore (Lot 7-8 Block 1 Plan 2897R)

To request an extension for DP2023-TH002 to operate a "Short-Term Rental / Bed & Breakfast" (discretionary use) and to revise the Maximum occupancy from 4 to 6 guests.

MOTION by Dave Filipuzzi to approve DP2023-TH002 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 DP2024-156 – 1736 E. Hillcrest Drive, Hillcrest (Lot 2 Block 2 Plan 0712040)

For an “Accessory Building or Use over 95.28m²” (Shop-133.75m²) (discretionary use), with a 29% variance to the maximum building height.

MOTION by Gaston Aubin to approve DP2024-156 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.3 DP2024-198 – 7033 18 Avenue, Coleman (Lot(s) 11 & 12 Block D Plan 2446AA)

For an existing “Accessory Building up to 72.8m²” (Shed - 9.61m² - permitted use) with a 95% variance to the rear yard setback from 0.6m to 0.03m and;

For an existing Accessory Building up to 72.8m² (Garage – 53.44m² – permitted use) with a 2% variance to the rear yard setback and a 27% variance to the east side yard setback; and for an existing “Accessory Building” (Raised Deck – permitted use) with an 88% variance to the east side yard setback from 0.6m to 0.07m

MOTION by Dave Filipuzzi to approve DP2024-198 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.4 DP2024-205 – 2717 Valley Ridge Rd., Frank (Lot 5 Block 1 Plan 9811164)

For an “Accessory Building or Use over 95.2m²” (Building- 125.35m²) (discretionary use) with a 28% variance to the maximum building height from 5.0m to 6.4m.

MOTION by Doreen Johnson to approve DP2024-205 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

7. Land Use Bylaw Amendments

Received as information:

- 7.1 Bylaw 1124, 2022** - Proposed Road Closure - Part of 5th Street; Plan 6432 F.E. & Ash Ave. Plan 6828 E.O. - All Within SE 1/4 SEC 29; TWP 7; RGE 3; W.5 M.
- 7.2 Bylaw 1161, 2023** - Proposed Road Closure - Plan 6432 F.E. That portion of Fifth Street contained within Area “B”, Plan _____, 0.012 ha (0.030 acres) more or less, excepting thereout all mines and minerals.
- 7.3 Bylaw 1156, 2023** - Land Use Bylaw Amendment - Rezone Lots 1-4, Block 2, Plan 6099AQ.

7.4 Bylaw 1170, 2023 - Proposed Road Closure - Plan 6099AQ All that Portion of Lane Within Block 5 and Fir Avenue forming Part of Lot 31, Block 5, Plan _____, Containing 0.181 ha (0.45 ac) More or Less.

7.5 Bylaw 1182, 2024 - Land Use Bylaw Amendment and Associated Rezoning (UTAR & NUTAR Districts)

8. Appeals

None

9. Round Table Discussion

None

10. Next Meeting

10.1 Next meeting August 28, 2024, at 2:00 pm. Doreen Johnson noted her apology for not being able to attend this meeting.

10.2 The Commission discussed re-scheduling of the September meeting from the regular scheduled date of September 25, 2024, to September 17, 2024, at 2:00 pm, as members had other commitments and would not be able to attend on the regular scheduled date.

MOTION by Sam Silverstone to accept the upcoming meeting dates.

CARRIED

11. In Camera

MOTION by Dave Filipuzzi to close the meeting to the public and go In Camera under Section 197 of the Municipal Government Act for Agenda item 11.1, for the purpose of discussion of confidential matters pertaining to the Municipal Planning Commission Agenda Package contents under Section 25 of the Freedom of Information and Protection of Privacy Act, and to take a short recess at 2:50 pm. The meeting was called to order at 2:57 pm.

Those present:

Dean Ward, Sam Silverstone, Dave Filipuzzi, Doreen Johnson, Gaston Aubin, Gus Kollee, Katherine Mertz, Johan Van Der Bank, Ryan Dyck, Shay Sawatzky, Jeremy Wickson

CARRIED

All Public Attendee(s) left the meeting

Dean Ward convened the In Camera session at 2:57 pm. Jeremy Wickson, Temporary Director of Development, Engineering & Operations in attendance to provide advice. Regular meeting reconvened at 3:10 pm.

MOTION by Doreen Johnson to open the meeting to the public at 3:10 pm.

CARRIED

MOTION by Gus Kollee that Administration provide to the Board the following additional information in the Municipal Planning Commission Agenda package pertaining to Development Permit Applications: Land Title Certificates and the original Development Permit Application form. Administration to report back to the Board regarding whether this request is compliant with the Municipal Government Act and the Freedom of Information and Protection of Privacy Act at their earliest convenience.

CARRIED

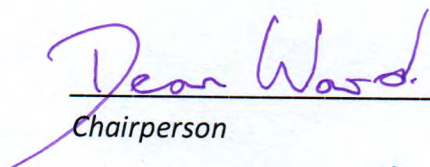
12. **Adjourn**

MOTION by Dave Phillipuzzi to adjourn the meeting at 3:12 pm.

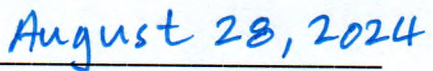
CARRIED

13. **Approval of Minutes**

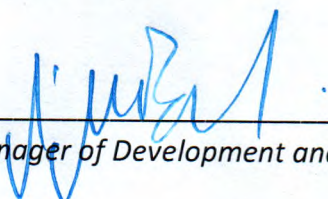
Approved By:



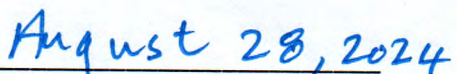
Chairperson



Date



Manager of Development and Trades



Date



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 4.a

Subject: Minutes of the Council Meeting of August 27, 2024

Recommendation: That Council adopt the Minutes of the Council Meeting of August 27, 2024 as presented.

Executive Summary:

Minutes of the previous Council meeting are provided to Council for review and adoption.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

n/a

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2024 08 27 - Council Meeting Minutes.docx](#)

Municipality of Crowsnest Pass
Council Meeting Minutes
Tuesday, August 27, 2024

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, August 27, 2024.

Council Present:

Mayor Blair Painter, Councillors: Vicki Kubik, Dave Filipuzzi, Doreen Glavin, Glen Girhiny, Lisa Sygutek, and Dean Ward

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Colucci, Deputy Chief Administrative Officer
Johan van der Bank, Manager of Development & Trades
Katherine Mertz, Development Officer
Jeremy Wickson, Temporary Director of Development Engineering & Operations
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 1:00 pm.

ADOPTION OF AGENDA

Amendments:

Consent Agenda

- b. Letters of Concern Regarding Traffic - 15th Avenue, Blairmore Residents – Move to Councillor Inquiries and Notice of Motion 10.b – Councillor Sygutek
- c. Honourable Tanya Fir, Minister of AB Arts, Culture and Status of Women - Notification of Alberta Heritage Award of August 19, 2024 - Move to Councillor Inquiries and Notice of Motion 10.c – Councillor Girhiny

01-2024-08-27: Councillor Ward moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2024-08-27: Councillor Kubik moved that Council approve the following Consent Agenda items as amended without debate:

3.a

Minutes of the Crowsnest Pass Senior Housing Board of June 17, 2024

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of June 17, 2024 as information.

Carried

ADOPTION OF MINUTES

03-2024-08-27: Councillor Girhiny moved to adopt the Minutes of the Council Meeting of August 20, 2024 as presented.

Carried

PUBLIC HEARINGS

Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments - Public Hearing

Mayor Painter declared the Public Hearing opened at 1:02 pm for Bylaw No. 1183, 2024.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter called for members of the public to speak in favor or opposition to bylaw 1183, 2024.

Mayor Painter noted there were no members of the public present who wished to speak at the hearing and declared the public hearing closed at 1:03 pm.

Bylaw 1197, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Plan 0812254, Block 1, Lot 51MR from Recreation & Open Space RO-1 to Urban Tourism Accommodation and Recreation - UTAR - Public Hearing

Mayor Painter declared the Public Hearing opened at 1:04 pm for Bylaw No. 1197, 2024.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that the following written submissions were received prior to the due date:

- Brock & Erin Fulkerth
- Tanner Murphy
- Mark Bunnah
- Karen & Philip Smith
- Linnea Brain

- Sarah Lindemann
- Scott and Linda Trippel
- Laurie Huska
- Rachel Lindemann
- Shar & Randy Cartwright
- Kyla Lazzarotto & Adam Wilkie
- Joe Goodwin
- Don & Marilyn Big Charles
- Carmen Roman, Crowsnest Pass Taxpayers' Association
- Catherine Brazzoni
- Deborah Ostrensky
- O'Brien Tarnasky & Marion Madge

Mayor Painter invited members of the public to speak in favor of or in opposition to Bylaw 1197, 2024.

The following members of the public provided an oral submission:

- Reg MacDonald – Opposed
- Don Big Charles – Opposed
- Danielle Self – In Favour
- Madeleine Perl – Opposed
- Karen Smith – In favour
- Marilyn Big Charles – Opposed
- Heather McRae – In Favour (also spoke on behalf of Melisa Atkinson – In Favour)
- Tawny Davidson – In Favour
- Robin James – Opposed
- Shar Cartwright – Opposed/Spoke on behalf of Doug Young - Opposed
- Chris Kopp – Opposed
- Josh Smith – In Favour
- Tanner Murphy – In Favour
- Lauren Toews – Opposed

Mayor Painter called for any other members of the public to speak in favor of or in opposition to Bylaw 1197, 2024.

Mayor Painter declared the hearing closed at 2:11 pm

Mayor Painter re-opened the hearing at 2:12 pm due to missing one member of the public who wished to provide a verbal submission.

- Brock Fulkerth – In Favour

Mayor Painter noted that there were no other members of the public in attendance who wished to speak, and therefore declared the public hearing closed at 2:19pm.

DELEGATIONS

Bellevue Forcemain and the Frank WWTP Phase 2 Conceptual Design Update - Colton Stiles, Stantec

Colton Stiles of Stantec was in attendance to provide an update on the Bellevue Forcemain and the Frank WWTP Phase 2 Conceptual Design.

RCMP Quarterly Update Corporal Mark Amatto

Corporal Mark Amatto of the Crowsnest Pass RCMP detachment was in attendance to present Council with the 1st quarter update from 2024.

REQUESTS FOR DECISION

Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments - Second and Third Readings

04-2024-08-27: Councillor Ward moved second reading of Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments.

Carried

05-2024-08-27: Councillor Kubik moved third and final reading of Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments.

Carried

Bylaw 1197, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Plan 0812254, Block 1, Lot 51MR from Recreation & Open Space RO-1 to Urban Tourism Accommodation and Recreation - UTAR - Second and Third Reading

06-2024-08-27: Councillor Filipuzzi moved second reading of Bylaw 1197, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Plan 0812254, Block 1, Lot 51MR from Recreation & Open Space RO-1 to Urban Tourism Accommodation and Recreation - UTAR.

Councillor Girhiny Requested a Recorded Vote:

In Favor: Councillors Filipuzzi, Sygutek, Ward and Mayor Painter

Opposed: Councillors Glavin, Kubik, and Girhiny

Carried

07-2024-08-27: Councillor Ward moved third and final reading of Bylaw 1197, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Plan 0812254, Block 1, Lot 51MR from Recreation & Open Space RO-1 to Urban Tourism Accommodation and Recreation - UTAR.

Councillor Ward Requested a Recorded Vote:

In Favor: Councillors Filipuzzi, Sygutek, Ward and Mayor Painter

Opposed: Councillors Glavin, Kubik, and Girhiny

Carried

1199, 2024 - Borrowing Bylaw to Purchase a Snow Cat – Second and Third Readings

08-2024-08-27: Councillor Filipuzzi moved second reading of 1199, 2024 - Borrowing Bylaw to Purchase a Snow Cat.

Carried

09-2024-08-27: Councillor Ward moved third and final reading of 1199, 2024 - Borrowing Bylaw to Purchase a Snow Cat.

Carried

Service Areas Update

10-2024-08-27: Councillor Ward moved to accept the Service Areas Update as information.

Carried

Category 3 Grant Request for CNP-E Coal Reunion

11-2024-08-27: Councillor Sygutek moved that Council approve the Category 3 grant request in the amount of \$1,000 for the CNP-E Coal Reunion.

Carried

COUNCIL MEMBER REPORTS

- Councillor Girhiny
 - Attended the Community Market
 - Did not receive any questions regarding taxation, but still believes it is worthwhile to attend for discussions with the public
- Councillor Glavin
 - Attended the Community Market
 - Provides opportunities for members of the public to ask questions
 - Also met with a Town of Pincher Creek councillor who commended Council for attending the markets

PUBLIC INPUT PERIOD

- Henry Koopman
 - Has a concern about the community trails that run behind the interpretive center, noted that signage was down, and was not repaired for over 4 months
 - Noted that a bear had gotten into garbage in their neighborhood for the third time
- Jay Wickens
 - Remarked that Councillors appearing at Community Markets is positive for the public and he hopes that it continues

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

Jasper Fire Community Fund - Mayor Painter

12-2024-08-27: Councillor Ward moved that Council make a donation in the amount of \$5000 to the Jasper Fire Caring Community Fund.

Carried

Letters of Concern Regarding Traffic - 15th Avenue, Blairmore Residents

13-2024-08-27: Councillor Sygutek moved that the road be closed.

Carried

Honourable Tanya Fir, Minister of AB Arts, Culture and Status of Women - Notification of Alberta Heritage Award of August 19, 2024

14-2024-08-27: Councillor Ward moved that Councillor Girhiny will attend the Heritage Award Ceremony representing the Municipality.

Carried

IN CAMERA

15-2024-08-27: Councillor Ward moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short recess at 5:19 pm:

- a. Economic Interests of the Public Body – Golf Course Water Rate - FOIP Act Section 25
- b. Economic Interests of the Public Body - Animal Pound Services Contract - FOIP Act Section 25

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 5:24 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

16-2024-08-27: Councillor Sygutek moved that Council come out of In Camera at 6:03 pm.

Carried

17-2024-08-27: Mayor Painter moved that Administration proceeds with presenting the proposed water rates to the golf course.

Carried

18-2024-08-27: Councillor Sygutek moved that Council directs Administration to engage legal in drafting a new Animal Pound Services Contract.

Carried

ADJOURNMENT

19-2024-08-27: Councillor Filipuzzi moved to adjourn the meeting at 6:04 pm.

Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.a

Subject: Bylaw 1193, 2024 - Road Closure - First reading

Recommendation: That Council give first reading to Bylaw 1193, 2024.

Executive Summary:

This bylaw proposes the closure of an Unnamed Road that is not maintained by the Municipality or used by the public, so that an adjacent landowner can complete the road purchase to enable him to use the closed road as a private access easement to two parcels that he owns.

Relevant Council Direction, Policy or Bylaws:

Section 22 of the Municipal Government Act

Motion 11-2024-03-12 - to sell road

Motion at Council Meeting August 20, 2024 - Bylaw 1196, 2024 - to rezone land from NUA-1 to GCR-1 to resolve a multiple land use parcel

Discussion:

The road is south of a portion of the York Creek Subdivision. It is an undeveloped road. In 1993 a 4-lot country residential subdivision was registered and the subject road allowance was dedicated by the developer for possible future development on the remainder of the subject land. In 2016 the road allowance became part of a larger country residential subdivision application to access the remainder of the land (file 2016-0-070). The subdivision application was approved with conditions. After pursuing multiple studies and the engineering design of the road to satisfy the subdivision conditions, in 2023 the developer ultimately decided to abandon the project. Subsequently, the subdivision application was withdrawn, and the road no longer serves a purpose for the public.

The landowner is in the process of selling the former two large parcels where the withdrawn country residential subdivision was proposed to three family members to build their private homes. The road that is proposed to be closed is the only way in which two of these parcels can be accessed. When the

road is closed and sold back to the landowner, the resulting parcel (closed road) is intended to be registered as a private access easement to the benefit of the two parcels.

On August 20, 2024 Council gave third reading to Bylaw 1196, 2024 to rezone a portion of one of the two parcels from NUA-1 to GCR-1 to resolve a multiple land use parcel, in order to facilitate the proposed construction of one of the homes by a family member of the landowner.

There is an access agreement for the Municipal Reservoir / Dam that crosses the property, and it is required to remain in place as a condition of the road sale.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1193, 2024, and schedule a public hearing.
2. Council may defer first reading of Bylaw 1193, 2024 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

[1193, 2024 Road Closure Bylaw.docx](#)

[Bylaw_No._1193__2024_Schedule_A.pdf](#)

[Bylaw No. 1193, 2024 Schedule A with 2021 Aerial.pdf](#)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1193, 2024
ROAD CLOSURE BYLAW

BEING a bylaw of the Municipality of Crowsnest Pass for the purpose of closing to public travel and creating title to and disposing of a portion of a public roadway in accordance with section 22 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS the lands hereafter described are no longer required for public travel,

AND WHEREAS application has been made to Council to have the roadway closed,

AND WHEREAS the Council of the Municipality of Crowsnest Pass deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating titles to and disposing of same,

AND WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with sections 216.4 and 606 of the Municipal Government Act,

AND WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw,

NOW THEREFORE be it resolved that the Council of the Municipality of Crowsnest Pass in the Province of Alberta does hereby close to public travel and create titles to and dispose of the following described roadway, subject to rights of access granted by other legislation:

PLAN 9311296

ALL THAT PORTION OF ROAD FORMING AREA 'A' ON PLAN _____

Containing 0.607 Hectares (1.50 Acres) More or Less

EXCEPTING THEREOUT ALL MINES AND MINERALS

As illustrated in Schedule 'A', attached to, and forming part of this bylaw.

READ a **first** time in council this _____ day of _____ 2024.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer

APPROVED this _____ day of _____ 20_____.

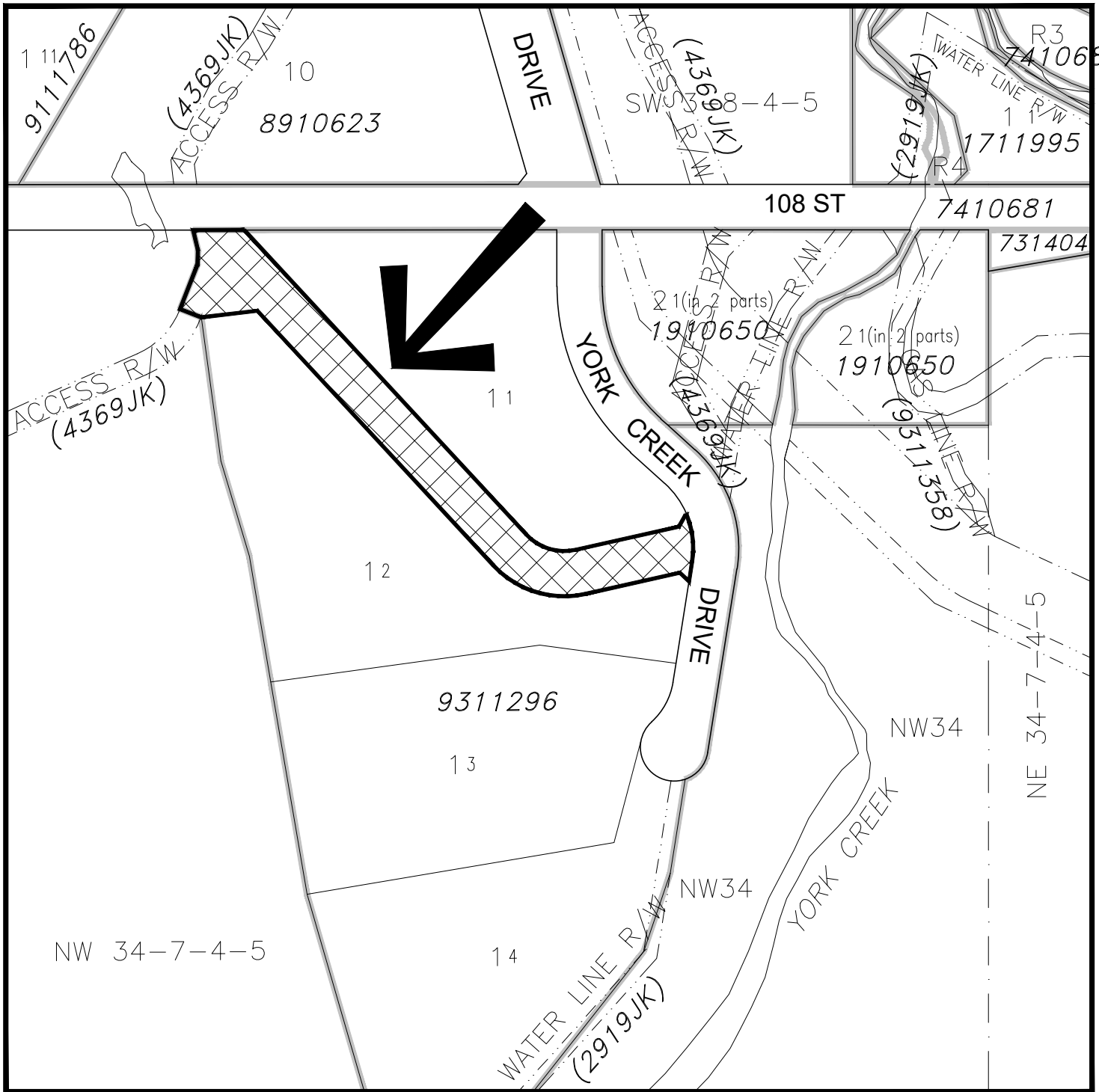
Minister of Transportation and
Economic Corridors

READ a **second** time in council this _____ day of _____ 20_____.

READ a **third and final** time in council this _____ day of _____ 20_____.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



**PROPOSED ROAD CLOSURE
SCHEDULE 'A'**

Bylaw #: **1193, 2024**

Date: _____



PLAN 9311296

ALL THAT PORTION OF ROAD FORMING AREA 'A' ON PLAN _____

Containing 0.607 Hectares (1.50 Acres) More or Less
EXCEPTING THEREOUT ALL MINES AND MINERALS

WITHIN NW 1/4 SEC 34, TWP 7, RGE 4, W 5 M

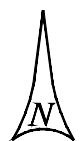
MUNICIPALITY: MUNICIPALITY OF CROWNEST PASS

DATE: MAY 23, 2024

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



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May 23, 2024 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Road Closure Plan 9311296.d





**PROPOSED ROAD CLOSURE
SCHEDULE 'A'**

Bylaw #: _____

Date: _____



PLAN 9311296

ALL THAT PORTION OF ROAD FORMING AREA 'A' ON PLAN _____

Containing 0.607 Hectares (1.50 Acres) More or Less
EXCEPTING THEREOUT ALL MINES AND MINERALS

WITHIN NW 1/4 SEC 34, TWP 7, RGE 4, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: MAY 23, 2024

Aerial Photo Date: May 19, 2021

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



0 Metres 50 100 150 200
May 23, 2024 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Road Closure Plan 9311296.d





Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.b

Subject: Bylaw 1202, 2024 - To amend Bylaw 941, 2015

Recommendation: That Council gives first, second and third reading of Bylaw 1202, 2024

Executive Summary:

Bylaw 941, 2015 received third reading on March 22, 2016. The purpose of Bylaw 941, 2015 is to close a portion of 19th Avenue in Coleman. Subsequent to third reading, the road closure was not registered at land titles. Bylaw 1202, 2024 is an amending bylaw to change the legal description and complete the registration of the original road closure.

Relevant Council Direction, Policy or Bylaws:

Section 22, Road Closure, Municipal Government Act, RSA 2000, c M-26.

Section 63(2)(i), Revising Bylaws, Municipal Government Act, RSA 2000, c M-26.

Discussion:

Bylaw 941, 2015 is a road closure bylaw to close a portion of 19th Avenue, Coleman. The bylaw was signed on February 20, 2016, at the time by the Minister of Transportation and received third reading on March 22, 2016. (See attached)

The plan of survey was completed however the road closure was never registered at Land Titles.

Bylaw 1202, 2024 is an amending bylaw to correct a technical error of the legal description in order to proceed with registration.

Once completed, the parcel of land may be considered for sale to adjacent landowners as it is currently of no use to the Municipality.

The Municipal Government Act provides that a Council may revise a bylaw to correct clerical, technical, grammatical or typographical errors in a bylaw. The title of the amending bylaw must

include the words "revised bylaw" and, prior to the bylaw receiving first reading, the CAO must certify in writing that the proposed amending bylaw was prepared in accordance with s. 63 of the MGA.

Bylaw 998, 2018 was an amending bylaw to amend Bylaw 941, 2015. While Bylaw 998, 2018 received first reading, it did not proceed to Council to consider second and third readings within two years. Bylaw 998, 2018 is therefore deemed to be defeated by default [MGA s. 188(a)].

Analysis of Alternatives:

1. Council may consider first, second, and third readings of Bylaw 1202, 2024 [MGA s. 187(4)].
2. If additional information is required by Council and/or amendments to the bylaw are proposed by Council prior to second reading, Council may postpone second reading of Bylaw 1202, 2024 and provide further direction to Administration.
3. Council may defeat Bylaw 1202, 2024.

Financial Impacts:

To complete the registration of the road closure will cost the municipality \$850.

Attachments:

[Bylaw 941, 2015.pdf](#)

[1202, 2024 - Amend the Legal Description of a Road Closure.docx](#)

[Document_240906_161415 2.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 941, 2015

A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND CREATING TITLE TO AND DISPOSING OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.

WHEREAS the lands hereafter described are no longer required for public travel, and

WHEREAS application has been made to Council to have the highway closed, and

WHEREAS the Council of the MUNICIPALITY OF CROWSNEST PASS deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and therefore disposing of same, and

WHEREAS, notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw

NOW THEREFORE BE IT RESOLVED that the Council of the MUNICIPALITY OF CROWSNEST PASS in the Province of Alberta does hereby close to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation:

Road Plan 1451Q (19th Avenue, Coleman)

All that portion of Road Plan 1451Q which lies west of 70th Street to the Intersection with 18th Avenue

Containing 0.239 Hectares (0.59 Acres) More or Less

EXCEPTING THEREOUT ALL MINES AND MINERALS

BYLAW 941, 2015

Received first reading this 20th day of October, 2015.

Carried



Blair Painter
Mayor



Sheldon Steinke
Chief Administrative Officer

Approved this 20 day of February 2016



Minister of Transportation

Received second reading this 22nd day of March, 2016.
Carried

Received third reading and finally passed this 22nd day of March, 2016.
Carried



Chief Elected Official

Seal



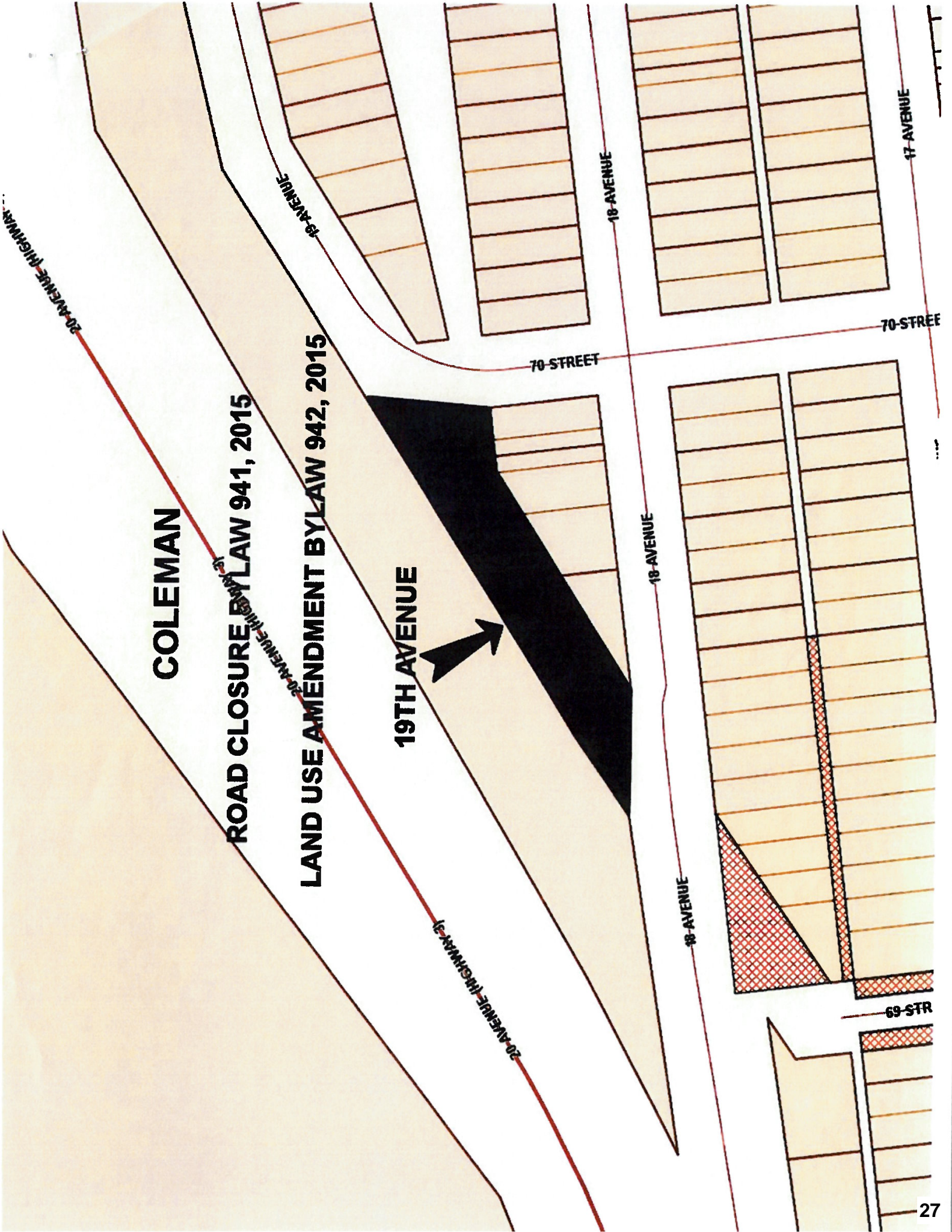
Chief Administrative Officer

COLEMAN

ROAD CLOSURE BYLAW 941, 2015

LAND USE AMENDMENT BYLAW 942, 2015

19TH AVENUE



MUNICIPALITY OF CROWNEST PASS
BYLAW NO. 1202, 2024
(Revised Bylaw)

A Bylaw to amend Bylaw 941,2015 by changing the legal description of the road closure.

WHEREAS the Municipal Government Act, Chapter M26.1, Revised Statutes Of Alberta 2000, as amended and Section 63(2)(i) permits changes to the substance of the bylaw to bring out more clearly what is considered to be the meaning of Bylaw 941, 2015.

The legal description of Bylaw 941,2015 is described as:

Road Plan 1451Q (19th Avenue, Coleman)

**All that portion of Road Plan 1451Q which lies west of 70th Street to the Intersection with 18th Avenue
Containing 0.239 Hectares (0.59 Acres) More or Less
Excepting Thereout all Mines and Minerals**

The legal description is amended in Bylaw 1202, 2024 by changing the legal description and is described as:

Road Plan 1451Q

**All that portion forming Area "A" as shown on Plan _____
Containing 0.230 Hectares (0.57 Acres) More or Less
EXCEPTING THEREOUT ALL MINES AND MINERALS**

This Bylaw shall come into force and effect on the date of third reading.

Bylaw 941,2015 is hereby amended.

READ a **first** time in council this 10th day of September 2024.

READ a **second** time in council this 10th day of September 2024.

READ a **third and final** time in council this 10th day of September 2024.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer

Schedule 'A'
Bylaw 1202, 2024

REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____
ENTERED AND REGISTERED
ON _____
INSTRUMENT NO.: _____
A.D. REGISTRAR

THE MUNICIPALITY OF CROWNEST PASS

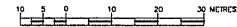
PLAN SHOWING SURVEY OF
AREA FOR ROAD CLOSURE PURPOSES

AFFECTING PART OF
ROAD PLAN 1451 Q.

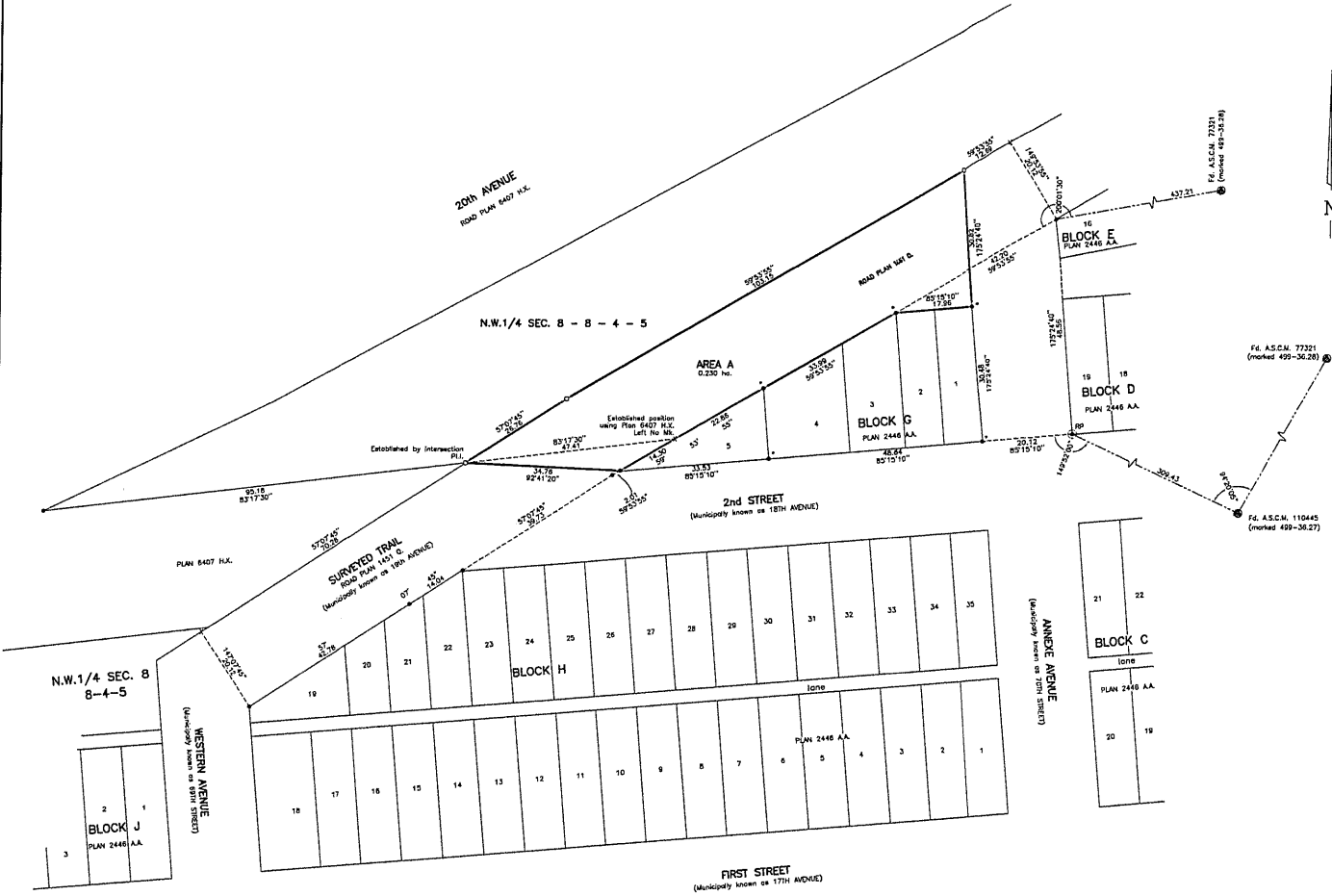
ALL WITHIN
N.W.1/4 SEC. 8; TWP. 8; RGE. 4; W.5 M.

BY: T.C. PENNER, A.L.S.

SCALE 1:500



A.S.C.M. - Alberta Survey Control Markers found shown thus .
 F.L. - Statutory Iron Pile found shown thus .
 P.L. - Statutory Iron Pile placed shown thus marked '9004'.
 Temporary points placed shown thus .
 = Denotes iron post placed by T.C. Penner, A.L.S. on the date of March 17th, 2015 (File No. 15-12680).
 Distances are shown in metres and decimal parts thereof.
 Bearings are ± 0.00 and are derived from GNSS observations.
 PROJECTION - NAD83 (original).
 DATUM - NAD83 (original).
 REFERENCE MERIDIAN - 114°.
 COMBINED SCALE FACTOR - 0.999712.
 RP = Georeference point shown thus .
 Coordinate value for Georeference point is N: 5499547.48 E: -37211.39.
 Portion to be registered is bound in heavy block lines and contains 0.230 ha.
 Found No Marks on Plan 2446 AA, except where shown.



SURVEYOR
NAME : T. C. PENNER, A.L.S.
SURVEYED ON THE DATE OF JUNE 13th, 2017
IN ACCORDANCE WITH THE PROVISIONS OF
THE SURVEYS ACT.

REQUESTED BY:
THE MUNICIPALITY OF CROWNEST PASS

DRAWING FILE : 17-13773.DWG
CLIENT : THE MUNICIPALITY OF CROWNEST PASS
FILE NO. : 17-13773 C/B (6.0 sq./L.)



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.c

Subject: Policy 1702-03 - Procurement of Goods and Services

Recommendation: That Council approves Policy 1702-03.

Executive Summary:

The purpose of the Municipality of Crowsnest Pass (CNP) purchasing policy is to establish purchasing authority, set expenditure limits and ensure consistent procedures are followed in the procurement of goods and services. The overriding objective is to ensure goods and services are acquired in a manner that results in the best overall value to the CNP through a fair, open, transparent and competitive process while complying with relevant legislation and legal requirements.

The review and update of the Procurement of Goods and Services Policy includes updates to ensure that the purchasing of goods and services is done in both a legal and ethical manner and that the requirements of section 248 of the Municipal Government Act are met.

Review includes updates to procurement methods, business trade agreements, procurement thresholds and award approval authority.

Relevant Council Direction, Policy or Bylaws:

Section 201(1)(a) of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26.
Procurement of Goods and Services Policy 1702-02

Discussion:

In conjunction with the ongoing review of CNP Policies and procedures, attached is the updated Procurement of Goods and Services Policy and Procedures that is being brought forward by Administration. The policy has been updated to the current format with the procedure attached for information purposes.

Purpose of review:

1. To align and ensure compliance with the Municipal Government Act and other relevant legislation including legislation adopting trade agreements, Municipal Bylaws and Council

Policies.

2. To enable efficient and effective procurement of goods and services.

There are three key changes to this policy:

1. Procurement Procedures

- Procurement of Goods and Services Procedures has been removed from the Policy and a Standard Operating Procedure document has been developed. CAO will establish administrative procurement procedures in accordance with all applicable laws, trade agreements and regulations.

2. Business Trade Agreements

- Inclusion of standing offer agreements, established contracts and procurements services

3. Award Approval Authority

- The procurement process will be followed as per the Procurement of Goods and Services Policy. Administration will approve award as per delegated authority. Procurement awards that are outside of approved budget will go to Council for approval.
- Purchasing authority limits for approval are as follows:
 - Up to \$15,000 – Direct Purchase and Negotiated Method – Informal Quotes. Approved by either of CAO/Directors/Managers within previously approved budget limits.
 - Over \$15,000 up to \$75,000 – Competitive Bids (RFQ by Invitation or Publicly Advertised). Approved by either CAO or Directors within previously approved budget limits.
 - Over \$75,000 up to \$500,000 – Competitive Bids (RFP and RFT by Invitation or Publicly Advertised). CAO or designate approves the Purchase Order and/or Contract if it is within previously approved budget limits.
 - Over \$500,000 – Competitive Bids (RFP and RFT Publicly Advertised). Council approves the Purchase and/or Contract and any other amounts if over previously approved budget limits.

Analysis of Alternatives:

- Procurement of Goods and Services Policy #: 1702-03 be approved as submitted.
- Council can change the policy.

Financial Impacts:


Establishment of financial guidelines that support the Municipality's ability to meet current and future operating needs and future infrastructure requirements.

Attachments:

[1702-03_Procurement_of_Goods_and_Services_Policy_Draft.docx](#)

[SOP - Procurement of Goods and Services Procedure DRAFT.docx](#)

[1702-02 - Procurement of Goods and Services Policy - 01-26-2016.pdf](#)

	<h2>Municipality of Crowsnest Pass Policy</h2>
<p>Policy No.: Policy Title: Approval Date: Supersedes Policy: Department:</p>	<p>1702-03 Procurement of Goods and Services August 27, 2024 1702-02, 1702-01 Corporate Services</p>

1.0 POLICY PURPOSE

The purpose of the Municipality of Crowsnest Pass (CNP) purchasing policy is to establish purchasing authority, set expenditure limits and ensure consistent procedures are followed in the procurement of goods and services. The overriding objective is to ensure goods and services are acquired in a manner that results in the best overall value to the CNP through a fair, open, transparent and competitive process while complying with relevant legislation and legal requirements.

2.0 DEFINITIONS

“Alberta Purchasing Connection (APC)” is the internet based provincial electronic tendering system. This system enables the MASH sector to place tendering offers nationally without any cost.

“Approval Authority” means Council or employees who possess the authority to approve purchases up to or beyond a specified threshold.

“Best Value” means the most advantageous balance between performance, price and quality achieved through competitive procurement methods in accordance with stated selection criteria. Best Value may include the useful life of an asset and track record.

“Bid” means a submission in response to a request for tenders or proposal process.

“Bidder” means a person or company responding to a request for tender or proposal process who is capable of fulfilling the requirements, based upon an assessment of financial, technical and commercial capabilities of the person or company, of procurement.

“Bid Document” means a solicitation made by the CNP in the form of a Request for Proposal (RFP), Request for Quotations (RFQ) or as a Request for Tenders (RFT).

“Budget” means a financial plan outlining expected revenues and expenditures for operating or capital assets that is formally reviewed and approved by the CNP Council.

“Canada-European Union Comprehensive Economic and Trade Agreement (CETA)” is a progressive free trade agreement which covers virtually all sectors and aspects of Canada-EU trade in order to eliminate or reduce barriers.

“Canada Free Trade Agreement (CFTA)” is an intergovernmental trade agreement that entered into force on July 1, 2017 and replaces the former Agreement on Internal Trade (AIT). Its objective is to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services and investments within Canada and to establish an open, efficient, and stable domestic market.

“CNP” means the Corporation of the Municipality of Crowsnest Pass.

“Commercial Goods or Services” means goods or services of a type generally sold or offered for sale in the commercial marketplace to, and customarily purchased by, non-governmental buyers for non-governmental purposes.

“Competitive Pricing” means acquiring services based on lowest overall pricing, including upfront, operational, overhead and transactional costs. Competitive pricing requires that three quotes be obtained from competing businesses. (Competitive pricing is used in RFQ, RFT, and RFP processes).

“Construction” means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract.

“Contract” means an agreement between two or more parties, written or verbal, comprising of an offer, acceptance, and consideration.

“Contractor” means a person or a business that follows an independent trade, business, or profession in which they provide goods or services to the public.

“Cost-Effective & Suitable Bidder” means a Bidder who offers the best Value for Money and meets all the outlined requirements highlighted in the bid document.

“Department Director” means a person that is the head of a department, or the person designated during any absence.

“Direct Purchase” means a supplier awarded procurement without the use of competitive pricing.

“Emergency Purchases” are situations where a lack of immediate action jeopardizes operations, disrupts public services or involves the safety of employees and/or the public.

“Goods and Services” includes supplies, materials and equipment of every kind required to carry out the operations of the CNP. Services include contractors, consultants and other non-material requirements.

“Invitation to Tender” means a request for Bids for prices on specific goods and/or services from a Supplier submitted in writing.

“MASH” municipalities, municipal organizations, school boards, and publicly funded academic, health and social entities. These entities are known as the MASH sector.

“New West Partnership Trade Agreement (NWPTA)” is the economic partnership between the governments of British Columbia, Alberta, Saskatchewan and Manitoba. The agreement creates an interprovincial free trade zone.

“Procurement” is the acquisition of goods or services or combination thereof, by means of purchase, rental, lease or conditional sale.

“Purchasing Authority” is an individual who has been delegated the authority to initiate purchases from a Qualified Supplier up to a specified threshold.

“Qualified Supplier” means any entity that, based on assessment of that firm’s financial, technical and commercial capacity, is capable of fulfilling the requirements of procurement. A Qualified Supplier meets the minimum requirements with respect to service, delivery, quality and other criteria.

“Related Party” includes close family members of employees or Councillors, or an entity controlled by or under the shared control of an employee or Councillor. Close family members include a spouse, domestic partner, child or relative living in a common household, a grandparent, parent, grandchild, brother or sister, and the spouse or domestic partner of a child, a parent-in-law, a brother-in-law or a sister-in-law.

“Request for Proposal” is format used for more complex deliverables where Bidder ranking is based on price, quality, value and customer service. Bidder responses may help inform the development of final specifications or performance terms. This format allows for negotiation of the contract with the successful Bidder.

“Request for Quotation” is the format used to procure simple goods and services where specifications may not be conclusive, and a review process may be required after the quotes have been received. The Bidder is typically, but not always, assessed based on lowest price.

“Request for Tender (RFT)” is the formal written request for vendors to offer in writing pricing for goods or services whereby the exact specifications are known and providing that all tenders’ terms and conditions have been met the only determining factor for the award is price. There is no negotiation with the successful Bidder.

“Sole Source” is a term that applies to procurement of good(s) or service(s) where no competitive market exists by reasons of uniqueness of the goods or services or by vendor limitations.

“Sourcewell” describes the capital purchasing program, that Canoe Procurement Group of Canada and Sourcewell have partnered through a formal arrangement for the purchase of equipment, products and services.

“Standing Offers” means purchasing agreements and trade programs established by other government agencies, organizations; working on behalf of government in support of the procurement of goods and services through innovative techniques.

“Supplier” means any person or company that supplies goods or services to the CNP. Also known as a contractor, seller, subcontractor, or vendor.

“**Tender**” means a submission from a supplier in response to a tender notice.

“**Tender Notice**” means a notice published by the CNP inviting interested suppliers to submit a tender, a response to a request for prequalification, or both.

“**Trade, Investment and Labour Mobility Agreement (TILMA)**” is the agreement between the governments of British Columbia and Alberta. The agreement provides for open and non-discriminatory access to procurements of government entities. The agreement has created a more open, competitive economy where goods, services, workers and investments can move more freely between BC and Alberta.

“**Treasury Services**” means services or financial products relating or ancillary to borrowing, lending, investing, managing or holding money, securities or other property.

“**Value for Money**” is a foundational objective of the CNP to maximize the value it receives from use of public funds. A value for money approach aims to deliver products and services with a lower total life cycle cost while maintaining high performance and satisfaction standards. Value can be received in terms of both quantitative and qualitative measures. These measures can include cost, customer service, firm’s experience, delivery time, quality, etc. Evaluation criteria may differ for each bid and project requirements, said criteria will be identified in any bid document.

3.0 POLICY STATEMENTS

3.1 Procurement

a. General Guidelines

- i. A purchase may only be made if it has been approved through the annual budget process or otherwise authorized by separate resolution of Council; for an emergency; or legally required to be paid.
- ii. Amounts referred to in this policy do not include GST unless otherwise noted.
- iii. No contract or purchase shall be divided to avoid any requirements of this policy.
- iv. Invoices should be compared to the original purchase authorization document and/or supplier quotation and must be approved by the authorized employee prior to issuing payment.
- v. Competitive quotations and tenders are not required for goods or services (at any value) where the supplier is a department, agency, or utility of the federal, provincial, regional or municipal government or when utilizing Government Standing Offer agreements, established contracts and procurement services from Alberta Municipalities (AM), Canoe Procurement Group of Canada (Canoe) or Sourcewell. This includes, but not limited to Sourcewell and Standing Offers Programs established by the AM and the Canoe. *Employing the use of purchasing agreements and trade programs established by other government agencies and organizations; working on behalf of government in support of the procurement of goods and services through innovative techniques.*

- vi. Commonly tendered services will be reviewed at minimum every 5 years and re-tendered. These services include but are not limited to: Audit Services, Employee Benefits etc. *The transactional cost associated with tendering such services must not outweigh the potential benefits received from tendering new bids must be practical in terms of needed time investment.*
 - vii. In the event that the minimum number of quotations, proposals or tenders is not received the CNP may move forward and purchase goods and services as long as a fair, open and transparent effort was made in advertising the purchase opportunity. A fair opportunity to all suppliers will be deemed to have been provided if the above requirements and all relevant legislation is adhered to.
 - viii. Purchasing from Local Businesses is preferred where Goods and Services of an acceptable, equivalent quality are readily available at competitive prices. Preference may also be given to goods made in Canada.
 - ix. Failure to adhere to the requirements outlined in this Policy may lead to disciplinary action up to and including termination of employment.
- b. Ethics and Code of Conduct.
- i. No purchase shall be made for personal goods and/or services for employees of the CNP, any member of Council, or the public.
 - ii. Purchases of goods or services from any employee or Councillor of the CNP, or from any entity in which an employee or Councillor of the CNP has an interest, should be avoided.
 - iii. A contract for goods or services placed with a Related Party of an employee, or Councillor, of the CNP shall be declared and that employee or Councillor shall not be placed in a position to supervise or approve the execution of that contract.
 - iv. All suppliers or potential suppliers must be treated equally. Any information made available to one supplier must be made available to all potential suppliers. Information that is not available to the public on request should not be released.
 - v. Budget or cost estimates shall not be released during the bidding process.
 - vi. Municipal personnel must not solicit, or accept gifts, gratuities or favours from suppliers or potential suppliers other than promotional items of nominal value.
- c. Acquiring Goods and Services.
- i. Before initiating any purchasing transaction, an Employee must have such authority delegated to them by the CNP Department Director.
 - ii. CAO, Directors and Managers may approve purchases and contracts up to \$500,000, as per the below approval authority chart, which have been included in the budget of their respective departments. Approval Authority may be delegated by Directors and Managers to their staff in writing to the Director of Finance.
 - iii. Council must approve purchases and contracts greater than \$500,000.

- iv. Council approval is required if there is a significant change beyond the originally approved project nature and scope of work.

APPROVAL AUTHORITY:

\$ Value (exclusive of taxes, and shipping)	Minimum Requirements	Approval Authority within Approved Budget
\$0 - \$15,000¹	Direct Purchase	CAO/Directors/Managers
\$15,001 - \$74,999	RFQ	CAO/Directors
\$75,000 - \$499,999	RFP, RFT	CAO
\$500,000 and up	RFP, RFT	Council

d. Valuation.

- i. The value of a procurement shall be estimated as of the date the tender notice will be published and shall include the estimated maximum total value of the procurement over its entire duration, whether awarded to one or more suppliers, taking into account all forms of remuneration, including:
 1. Premiums, fees, commissions, and interest; and
 2. The total value of options if the procurement provides for the possibility of options.

e. Exceptions.

- i. The following are not subject to the provisions of this policy:
 1. Treasury services;
 2. Services provided by lawyers and notaries;
 3. The rental, lease, purchase and sale of property, land or accommodation;
 4. Registration for conferences, conventions, courses, workshops and seminars;
 5. Memberships in professional and vocational associations;
 6. Utilities including electric, gas, basic telephone;
 7. Insurance premiums, payroll tax and benefit remittances;
 8. Hiring of contract employees;
 9. Licenses, certificates, software and software licenses;
 10. Advertising services - newspaper, radio, television;
 11. Postage;
 12. Charges or remittances to other governmental bodies;
 13. Catering/food services;
 14. Original artwork;
 15. Emergency Procurement: where an urgent situation requires the immediate procurement of goods and services that could not be

¹ Multiple sole sources \$15,000 or less by one department to the same vendor, for the same goods or services, in the preceding twelve (12) month period cannot exceed \$35,000.

obtained in time using open tendering, the CAO or designate may purchase the required goods or services notwithstanding any other provision of this policy. Such situations include those which might involve danger to life, health or safety of employees or the public, or to prevent damage to property and the environment;

16. Sole-Source Procurement: where it can be demonstrated that only one supplier is able to meet the requirements of a procurement;

3.2 Responsibilities

- a. Municipal Council to:
 - i. Approve by resolution this policy and any amendments.
 - ii. Consider the allocation of resources for successful implementation of this policy in the annual budget process.
 - iii. Authorize purchases that exceed the delegated authority of the Chief Administrative Officer.
- b. Chief Administrative Officer to:
 - i. Implement this policy and approve procedures.
 - ii. Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.
 - iii. Act as chief purchasing agent of the CNP in accordance with the CAO Bylaw.
 - iv. Establish administrative procurement procedures in accordance with all applicable laws, trade agreements and regulations.
 - v. Support the promotion of sound procurement practices and appropriate education and training to employees involved in procurement.
 - vi. Authorize purchases that exceed the delegated authority of the Directors.
- c. Director of Finance to:
 - i. Ensure implementation of this policy and procedure.
 - ii. Ensure that this policy and procedure is reviewed every three years.
 - iii. Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.
 - iv. Ensure procurement policy is readily accessible to CNP employees, vendors and the general public.
 - v. Report corporate procurement activity to Council on a regular basis.
 - vi. Provide appropriate orientation, training and tool to employees involved in public procurement activities.
 - vii. Advise Directors and Managers on market conditions and strategies in developing budgets, planning projects, framing business cases and buying decisions.

- viii. Advise on the procurement of major projects.
 - ix. Advocate compliance with this policy and sound procurement practices.
 - x. Analyze on a continual basis the CNP's business requirements and identify opportunities for cost savings and strategic sourcing.
- d. Director or designate to:
- i. Validate purchases that exceed the delegated authority of the Manager.
 - ii. Support the promotion of sound procurement practices and appropriate education and training to employees involved in procurement.
 - iii. Ensure divisional compliance with all procurement policies, procedures, applicable laws, trade agreements and regulations.
 - iv. Advise Manager on budget availability and potential sources of funding prior to proceeding to market.
 - v. Assign an appropriate account number to be utilized for the Procurement Project.
 - vi. Identify any applicable conditions which must be adhered to if grants are to be used in whole or in part to fund the procurement.
- e. Managers or designate to:
- i. Identify the need and develop requirements and specifications to be satisfied through a procurement.
 - ii. Build a Procurement Project Plan prior to proceeding to market or soliciting bids.
 - iii. Identify an available and approved funding source and assign account number.
 - iv. Authorize purchases that are within their delegated authority as set out in this policy.
 - v. Ensure employees involved in Procurement Projects have appropriate training.
 - vi. Ensure compliance with all procurement policies, procedures, applicable laws, trade agreements and regulations.


MUNICIPALITY OF CROWSNEST PASS

Mayor

Date

Chief Administrative Officer

Date

 <p>CROWSNEST PASS <i>Naturally Rewarding</i></p>	<h2>Municipality of Crowsnest Pass Procedures</h2>
<p>Procedure Category: Worksite: Approval Date: Revision Date: Department:</p>	<p>Procurement of Goods and Services Procedure All Municipal Employees and All Worksites that are Reported within CNP Financial Statements January 26, 2016 August 27, 2024 Corporate Services</p>

1.0 Purpose of the Procedure

The purpose of this procedure is to define the business rules and establish processes under the Procurement of Goods and Services Policy 1712-03, authorizing purchasing authority and expenditure limits, and to ensure consistent procedures are followed in the procurement of goods and services. The overriding objective of this procedure is to ensure goods and services are acquired in a manner that results in the best overall value to the CNP through a fair, open, transparent and competitive process while complying with relevant legislation and legal requirements.

2.0 Definitions

- 2.1 **“Alberta Purchasing Connection (APC)”** is the internet based provincial electronic tendering system. This system enables the MASH sector to place tendering offers nationally without any cost.
- 2.2 **“Approval Authority”** means Council or employees who possess the authority to approve purchases up to or beyond a specified threshold.
- 2.3 **“Best Value”** means the most advantageous balance between performance, price and quality achieved through competitive procurement methods in accordance with stated selection criteria. Best Value may include the useful life of an asset and track record.
- 2.4 **“Bid”** means a submission in response to a request for tenders or proposal process.
- 2.5 **“Bidder”** means a person or company responding to a request for tender or proposal process who is capable of fulfilling the requirements, based upon an assessment of financial, technical and commercial capabilities of the person or company, of procurement.
- 2.6 **“Bid Document”** means a solicitation made by the CNP in the form of a Request for Proposal (RFP), Request for Quotations (RFQ) or as a Request for Tenders (RFT).

- 2.7 “Budget”** means a financial plan outlining expected revenues and expenditures for operating or capital assets that is formally reviewed and approved by the CNP Council.
- 2.8 “Canada-European Union Comprehensive Economic and Trade Agreement (CETA)”** is a progressive free trade agreement which covers virtually all sectors and aspects of Canada-EU trade in order to eliminate or reduce barriers.
- 2.9 “Canada Free Trade Agreement (CFTA)”** is an intergovernmental trade agreement that entered into force on July 1, 2017 and replaces the former Agreement on Internal Trade (AIT). Its objective is to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services and investments within Canada and to establish an open, efficient, and stable domestic market.
- 2.10 “CNP”** means the Corporation of the Municipality of Crowsnest Pass.
- 2.11 “Commercial Goods or Services”** means goods or services of a type generally sold or offered for sale in the commercial marketplace to, and customarily purchased by, non-governmental buyers for non-governmental purposes.
- 2.12 “Competitive Pricing”** means acquiring services based on lowest overall pricing, including upfront, operational, overhead and transactional costs. Competitive pricing requires that three quotes be obtained from competing businesses. (Competitive pricing is used in RFQ, RFT, and RFP processes).
- 2.13 “Construction”** means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract.
- 2.14 “Contract”** means an agreement between two or more parties, written or verbal, comprising of an offer, acceptance, and consideration.
- 2.15 “Contractor”** means a person or a business that follows an independent trade, business, or profession in which they provide goods or services to the public.
- 2.16 “Cost-Effective & Suitable Bidder”** means a Bidder who offers the best Value for Money and meets all the outlined requirements highlighted in the bid document.
- 2.17 “Department Director”** means a person that is the head of a department or the person designated during any absence.

- 2.18 “Direct Purchase”** means a supplier awarded procurement without the use of competitive pricing.
- 2.19 “Emergency Purchases”** are situations where a lack of immediate action jeopardizes operations, disrupts public services or involves the safety of employees and/or the public.
- 2.20 “Goods and Services”** includes supplies, materials and equipment of every kind required to carry out the operations of the CNP. Services include contractors, consultants and other non-material requirements.
- 2.21 “Invitation to Tender”** means a request for Bids for prices on specific goods and/or services from a Supplier submitted in writing.
- 2.22 “MASH”** municipalities, municipal organizations, school boards, and publicly funded academic, health and social entities. These entities are known as the MASH sector.
- 2.23 “New West Partnership Trade Agreement (NWPTA)”** is the economic partnership between the governments of British Columbia, Alberta, Saskatchewan and Manitoba. The agreement creates an interprovincial free trade zone.
- 2.24 “Procurement”** is the acquisition of goods or services or combination thereof, by means of purchase, rental, lease or conditional sale.
- 2.25 “Purchasing Authority”** is an individual who has been delegated the authority to initiate purchases from a Qualified Supplier up to a specified threshold.
- 2.26 “Qualified Supplier”** means any entity that, based on assessment of that firm’s financial, technical and commercial capacity, is capable of fulfilling the requirements of procurement. A Qualified Supplier meets the minimum requirements with respect to service, delivery, quality and other criteria.
- 2.27 “Related Party”** includes close family members of employees or Councillors, or an entity controlled by or under the shared control of an employee or Councillor. Close family members include a spouse, domestic partner, child or relative living in a common household, a grandparent, parent, grandchild, brother or sister, and the spouse or domestic partner of a child, a parent-in-law, a brother-in-law or a sister-in-law.
- 2.28 “Request for Proposal”** is format used for more complex deliverables where Bidder ranking is based on price, quality, value and customer service. Bidder responses may help inform the development of final specifications or performance terms. This format allows for negotiation of the contract with the successful Bidder.
- 2.29 “Request for Quotation”** is the format used to procure simple goods and services where specifications may not be conclusive and a review process may be required after the quotes have been received. The Bidder is typically, but not always, assessed based on lowest price.

- 2.30 “Request for Tender (RFT)”** is the formal written request for vendors to offer in writing pricing for goods or services whereby the exact specifications are known and providing that all tenders terms and conditions have been met the only determining factor for the award is price. There is no negotiation with the successful Bidder.
- 2.31 “Sole Source”** is a term that applies to procurement of good(s) or service(s) where no competitive market exists by reasons of uniqueness of the goods or services or by vendor limitations.
- 2.32 “Sourcewell”** describes the capital purchasing program, that Canoe Procurement Group of Canada and Sourcewell have partnered through a formal arrangement for the purchase of equipment, products and services.
- 2.33 “Standing Offers”** means purchasing agreements and trade programs established by other government agencies, organizations; working on behalf of government in support of the procurement of goods and services through innovative techniques.
- 2.34 “Supplier”** means any person or company that supplies goods or services to the CNP. Also known as a contractor, seller, subcontractor, or vendor.
- 2.35 “Tender”** means a submission from a supplier in response to a tender notice.
- 2.36 “Tender Notice”** means a notice published by the CNP inviting interested suppliers to submit a tender, a response to a request for prequalification, or both.
- 2.37 “Trade, Investment and Labour Mobility Agreement (TILMA)”** is the agreement between the governments of British Columbia and Alberta. The agreement provides for open and non-discriminatory access to procurements of government entities. The agreement has created a more open, competitive economy where goods, services, workers and investments can move more freely between BC and Alberta.
- 2.38 “Treasury Services”** means services or financial products relating or ancillary to borrowing, lending, investing, managing or holding money, securities or other property.
- 2.39 “Value for Money”** is a foundational objective of the CNP to maximize the value it receives from use of public funds. A value for money approach aims to deliver products and services with a lower total life cycle cost while maintaining high performance and satisfaction standards. Value can be received in terms of both quantitative and qualitative measures. These measures can include cost, customer service, firm’s experience, delivery time, quality, etc. Evaluation criteria may differ for each bid and project requirements, said criteria will be identified in any bid document.

3.0 Procedures

3.1 Applicable Laws, Trade Agreements and Regulations

Procurement activities at the Municipality of Crowsnest Pass must be conducted in accordance with all laws, regulations and standards, including, but not limited to:

- a) Income Tax Act and Regulations.
- b) Excise Tax Act and Regulations.
- c) Occupational Health and Safety Act and Regulations.
- d) Worker's Compensation Act and Regulations.
- e) Freedom of Information and Protection of Privacy Act and Regulations.
- f) Municipal Government Act and Regulations.
- g) Competition Act and Regulations.
- h) Municipality of Crowsnest Pass Bylaws and all Municipal Council and administrative policies.

Procurement activities at the Municipality of Crowsnest Pass must comply with the following binding Trade Agreements:

- a) Agreement on Internal Trade (AIT) – all Provinces & Territories (except Nunavut).
- b) Trade, Investment and Labour Mobility Agreement (TILMA) – Alberta, British Columbia.
- c) New West Partnership Trade Agreement (NWPTA) – Alberta, British Columbia, Saskatchewan.

3.2 Project Planning

3.2.1 Procurement Project Plan – Overview

Effective Procurement Project planning is essential to ensure an effective result and to limit risk to the Municipality. Directors are responsible for ensuring the development and approval of a plan for each procurement project. The Chief Administrative Officer and Finance Director will act in an advisory capacity, where necessary, to develop the procurement project plan.

Directors must consider the following general principles when developing a procurement project plan:

- a. The Director must identify the appropriate stream as set out below:
 - i. **Framework, Existing Corporate Agreements or Internal Resources**
Prior to commencing a procurement project, Directors must first consider whether there is a compelling need for the acquisition and must first consider the availability of existing supply sources, including existing

frameworks or sources lists, corporate agreements or internal resources, including exploring job descriptions and capacity of Municipal employees, where applicable.

ii. **Competitive Processes**

1. Open Competition

An open competition involves the public posting of a competition document on the Municipality's prescribed electronic tendering site and must be employed for all goods and/or services whose estimated value is \$75,000 or greater or for construction where the estimated value is \$200,000 or greater.

2. Invitational Competition

Where the estimated value is less than the open competition thresholds the Municipality may choose to engage in an invitational competition.

For the purchase of goods, services or construction greater than \$15,000 and less than \$75,000 the Municipality should conduct an invitational competition by requesting bids from at least three (3) qualified suppliers. For the purchase of goods, services or construction over \$75,000 and less than the open competition thresholds the Municipality will conduct an invitational competition, as a minimum requirement, by requesting bids from at least three (3) qualified suppliers. Where the procurement project is particularly complex or the market conditions warrant it, the Municipality should conduct an open competition. An invitational competition may also be used in circumstances of limited competitions.

3. Limited Competition

A limited competition may be conducted in cases where the estimated value of the goods, services or construction exceeds the open competition thresholds, but subject to the procurement fitting one of the exceptions to competition set out in Section 3.2.3(a) and (b), an invitational competition may be undertaken as an alternative to a direct award.

iii. **Direct Award**

A Direct Award process, where the contract is awarded without using a competitive process, may only be employed in the specific circumstances set out in Section 3.2.3(a) of this policy.

iv. **Negotiated Method**

This method of purchase refers to the negotiation of an agreement for the purchase of goods and services from a supplier where there is no

open competition. It is used in cases where the following conditions may be present:

1. when goods or services are available from only one source.
2. where compatibility within an existing product or process is the overriding consideration.
3. when two or more identical lowest bids have been received.
4. when, due to market conditions, goods are in short supply.
5. when all acceptable bids exceed the amount budgeted and re-tendering would not be beneficial.
6. when the extension or reinstatement of the existing contract would be the most cost effective or beneficial method and is in the best interest of CNP.
7. in an emergency, where goods and services are deemed necessary and time and safety concerns reasonably limit the use of any other prescribed procurement process.
8. when no bids are received on a formal quotation, tender or request for proposal.
9. when goods are required for resale and thus an important factor in choosing a successful Bidder is marketability and profitability.
10. where CNP would be best served through negotiations.

A negotiated method process, where the contract is awarded without using a competitive process, may only be employed in the specific circumstances set out in Section 3.2.3(b) of this policy.

- b. The department should develop a concise initial mapping statement for the procurement project plan. The initial mapping statement clearly identifies what is to be procured. This initial mapping statement should be used to develop clear business requirements and to appropriately scope the contract. Standardized internal procurement project plan templates are available from the Finance department.
- c. Where the department is uncertain about the specifications for a procurement project or where there is insufficient internal knowledge about the market, the department should conduct a Request for Information (RFI) process. An RFI process should be openly posted in order to gather market research from prospective bidders. It should not be used as a prequalification tool.
- d. The department should employ the internal procurement project plan template to ensure that all components of project planning have been met. A copy of this template is available from the Finance department.
- e. Departments must ensure that they leave sufficient time to plan for a procurement project, including:
 - ii. Developing proper specifications and business requirements,
 - iii. Conducting stakeholder reviews,

- iv. Assembling competition documents,
- v. Obtaining necessary approvals.

The content requirements of a procurement project plan are set out in Section 3.2.2 and 3.2.3.

- f. When conducting a major project, departments should consider the following:
 - i. The appointment of an internal project lead to coordinate input from multiple departments or stakeholders;
 - ii. Where there may be insufficient internal resources your project planning should evaluate the need for the retention of external advisors to assist in developing specifications or business requirements.

3.2.2 Procurement Project Plan – Competitive Process

The following components must be included and considered by departments in a procurement project plan for both invitational competitions and open competitions:

- a. **Funding Source** – An approved funding source must be in place before proceeding with any procurement project. Funding sources may include the current operating or capital budgets, funding through special municipal resolution, externally funded grants or other cost sharing agreements. Consideration must be given to the funding source when considering a multi-year contract or multi-phase project in order to properly structure the procurement document.
- b. **Requirements and Specifications** – The department is responsible for drafting clear, detailed specifications and business requirements for each procurement project. Specifications may include any or all of the following:
 - i. Physical characteristics;
 - ii. Functional, performance or expected results characteristics;
 - iii. Quality characteristics defined by recognized, third-party standards bodies;
 - iv. Intended use descriptors such as consumer grade, industrial grade, medical or laboratory grade, or suitability for use under extreme conditions.
- c. **When Developing Specifications** - The department should take the following into consideration:

- i. Specifications cannot be written in a way that unduly restricts suppliers from bidding, but should encourage open, fair and transparent competition.
 - ii. All specifications must be generic and non-branded.
 - iii. Ensure all material disclosures are made in the competition document (i.e. information that goes to a bidder's decision to submit a bid or calculate proposed pricing.) Examples may include specific site restrictions or conditions, engineering reports or any other factors that bidders should know to submit responsive pricing.
 - iv. Governing legal terms, such as indemnification and insurance and any other relevant legal requirements affecting the delivery of the goods or services should be included in the competition document.
Departments may need to consult a Solicitor for questions concerning these specific requirements.

- d. Pricing Structure – Departments must develop a clear pricing structure for each procurement project. Pricing structures will depend on the specific purchase, but types of pricing structures to consider may include lump sum, unit rates, or time and materials. Pricing structures can also include price adjustment formulas and extension options, where applicable.

- e. Evaluation Plan – Departments are responsible for developing an evaluation plan for each competitive process. The following principles of public procurement must be considered when developing an evaluation plan:
 - i. Mandatory requirements should be kept to a minimum. Where there are mandatory threshold criteria, the requirements must be clear and capable of review upon submission.
 - ii. There are two basic evaluation models for the ranking of eligible bidders:
 - 1. Lowest price
 - 2. Highest score, where qualitative criteria are rated and then combined with price for a total score.
 - iii. Where rated criteria are employed, all factors that will be considered in evaluating those criteria must be disclosed in the competition document. Further, the methods and weightings that will be used to evaluate the bids must also be disclosed. Departments should allocate the maximum justifiable amount to price. The minimum amount that must be allocated to price is 20% of the total points available.
 - iv. The formula for calculating price must be clearly established.

- v. Where qualitative factors are also being evaluated, the formula for adding price to the qualitative factors in order to calculate total score must be disclosed.
 - vi. Any short-listing process or qualifying or minimum scores must be disclosed and defensible and if presentations, interviews or references form part of the evaluation process, their weighting and impact on the eligibility or ranking of bidders must be disclosed.
- f. Format Selection – Departments are responsible for selecting the most appropriate competition document format based on the range of template formats. Types of competition document formats include:
- i. Request for Quotation (RFQ) – Used to procure simple goods and services where bidder ranking is typically assessed based on lowest price.
 - ii. Invitation to Tender (ITT) – Used to procure goods or construction projects where the specifications or requirements are well-defined, the terms of the contract are clear and where bidder ranking is assessed on lowest price.
NOTE: The ITT format usually includes soliciting bid security or irrevocable bids from bidders and gives rise to a legally binding process called Contract A. Where a procurement project is operating within Contract A, the risk to the Municipality is greatly increased and departments may need to consult legal advice to fully understand the Municipality’s legal obligations during such procurement projects.
 - iii. Requests for Proposals (RFP) – Used for more complex deliverables where bidder ranking is assessed based on high score and where bidder responses may help inform the development of final specifications or performance terms. This format allows negotiation of the contract with the selected bidder.
 - iv. Requests for Supplier Qualifications (RFSQ) – Used to prequalify suppliers in the first stage of a two-stage open competition. Bidders who meet the requirements of the RFSQ are eligible to participate in the second stage and are invited to respond to a subsequent competition document (i.e. ITT or RFP).
- g. Factors to consider - in choosing the appropriate competition document format include:
- i. Value and complexity of the purchase.
 - ii. Whether bid security is required. Bid security and irrevocable bids should only be used in consultation with legal advice and where there are legitimate business requirements for doing so,

- iii. Where bidder responses may inform the final specifications or performance terms and the final contract will need to be negotiated with the top-ranked bidder.
- h. Limited Competition – Where a limited competition is justified, the procurement project plan must also include an explanation for why the procurement project fits into one of the exceptions set out in Section 3.2.3(a) and (b).

3.2.3 Procurement Project Plan – Direct Award or Negotiated Method

The department must also develop a procurement project plan in direct award and limited competition situations. A procurement project plan for a direct award or negotiated method must address funding source; requirements and specifications; and pricing in the same manner as would be included in procurement project plans for a competitive process. In addition, justification for not utilizing a competitive process must form part of a procurement project plan for a direct award or negotiated method:

- a. Direct Award Justification – Goods/Services less than \$75,000 or Construction less than \$200,000.

Under this policy, the purchase can only be made by direct award in the specific circumstances listed in Section 3.2.3(b). The department must provide full details to explain why the procurement project fits into one of the allowable direct award exceptions:

- i. Cost: goods or services are valued less than \$15,000
- ii. One-of-a-Kind: goods or service has no competitive product and is available from one source.
- iii. Compatibility: goods or service must match existing brand of equipment for compatibility and is available from only one supplier.
- iv. Replacement part/item: replacement part/item for a specific brand of existing equipment that is available from only one supplier.
- v. Delivery Date: only one supplier can meet necessary delivery requirements.
- vi. Continuity: goods or service must comply with established Municipal specifications and standards and is available from only one supplier.
- vii. Unique design: goods or service must meet physical design or quality requirements and is available from only one supplier.
- viii. Emergency: risk of safety and health, acts of God, urgent need for the item or service does not permit soliciting competitive bids.

These justifications are in accordance with the Agreement on Internal Trade (AIT).

- b. Negotiated Method Justification – Goods/or Services \$75,000 or greater or Construction \$200,000 or greater.

Under this policy, the purchase can only be made by negotiated method in the following specific circumstances. The department must provide full details to explain why the procurement project fits into one of these allowable negotiated method exceptions:

- i. Where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of a competitive process. Note: In cases of emergency purchases, it is not necessary to have a project plan in advance of the negotiated method; however, an explanatory project plan must be drafted after the emergency purchase is complete in order to justify the use of the negotiated method procedure.
- ii. Where goods or services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through a competitive process could reasonably be expected to compromise confidentiality, cause economic disruption or otherwise be contrary to the public interest.
- iii. Where construction materials are to be purchased and it can be demonstrated that transportation costs or technical considerations impose geographic limits on the available supply base, specifically in the case of sand, stone, gravel, asphalt, compound and pre-mixed concrete for use in the construction or repair of roads.
- iv. In the absence of a receipt of any bids in response to a competitive process made in accordance with this policy.
- v. Where it can be demonstrated that only one supplier is able to meet the requirements of a procurement project.
- vi. The goods are intended for resale to the public.
- vii. The goods or services that are being procured from philanthropic institutions, prison labour or persons with disabilities.
- viii. The goods or services are being purchased from a public body or a non-profit organization.
- ix. The goods are being purchased for representational or promotional purposes.
- x. The services are being purchased for representational or promotional purposes outside of Alberta.
- xi. The goods or services are being procured on behalf of an entity not covered by a trade treaty to which Alberta is a party.
- xii. The goods or services are being procured from an entity that operates a sporting or convention facility in order to respect a commercial agreement containing provisions that contradict this policy.

- xiii. In procuring health and social services.
- xiv. The services are provided by lawyers and notaries.
- xv. The services or financial products related to borrowing, lending, investing, managing or holding money, securities or other property. This includes managing debt, loan, asset or investment portfolios, entering into commodity or other derivative transactions or acquiring, exchanging, disposing of, or transacting in securities, foreign currencies or any property acquired as a result of borrowing, lending, managing or investing money or securities.

These justifications are in accordance with the New West Partnership Trade Agreement (NWPTA).

- c. Selection Plan – Notwithstanding that a direct award or negotiated method purchase is not subject to a competitive process, the department must still explain how the supplier being awarded the contract will be selected, including reference to how qualifications will be evaluated and how departments will ensure that the Municipality is getting value for money through the selection of the supplier.

3.2.4 Procurement Project Approvals

After developing a procurement project plan, the department must verify approval in accordance with the thresholds set out in Procurement of Goods and Services Policy #: 1702-03 section 3.1. Upon verification, a department may proceed with the procurement project. Final approval to select a vendor and award the contract must be obtained in accordance with Procurement of Goods and Services Policy #: 1702-03 section 3.1.

3.3 Competition

Once a procurement project plan for a competitive process has been completed, the procurement project should proceed to the competitive phase in accordance with the following steps:

3.3.1 Issuing Competition Document – For open competitions, the department is responsible for posting the competition document on the electronic tendering site prescribed by the applicable trade agreements. For invitational competitions, the department can issue the competition document, if the estimated value is less than \$25,000, to the invited bidders as set out in the procurement project plan.

3.3.2 Addenda Process

- a. All changes to the competition document and all communications to bidders after issuance of the competition document must be conducted through formal addenda. All

responses to bidder questions should be issued as a formal question and answer document in the form of an Addendum. All addenda must be issued in the same manner as the competition document.

- b. It is essential that all contact during the competitive phase be through the single, designated contact person as disclosed in the procurement document. Other employees who receive inquiries from bidders must direct those bidders to the designated contact person.
- c. All questions received from bidders must be collected by the individual named in the competition document. Once the questions have been reviewed and answered by the department for technical content, they should be included in an addendum.
- d. If an addendum containing significant new information is released within three (3) business days of the submission deadline, the Municipality should extend the submission deadline to allow bidders time to review and incorporate the addendum.

3.3.3 Bid Receipt

- a. All bids should be received centrally at Reception.
- b. Physically submitted bids must be time and date stamped and initialled upon receipt, even if received after the submission deadline.
- c. Bids received after the submission deadline are ineligible for consideration and must be returned to the bidder unopened.

3.3.4 Bid Evaluations

- a. Each evaluation process must be fair, defensible and transparent and must comply with the evaluation methodology disclosed in the competition document.
- b. Evaluators should ensure that all written notes relating to an evaluation process are kept and maintained in the appropriate procurement file.
- c. Where an open competition is evaluated only on price, the bids should be reviewed by at least one representative from the department and one representative from Finance.
- d. Where an open competition is evaluated based on a combination of price and non-price factors and which requires Council approval, the evaluation team must include a representative from Finance who will monitor and observe the entire evaluation process, including all group scoring sessions and any interviews, demonstrations or presentations required.

3.4 Contract Formalization

The following steps must be followed for all procurement projects in order to approve, award and finalize the contract:

3.4.1 Final Recommendation – The department should draft a final recommendation that outlines all pertinent details of the procurement project. This recommendation will be treated as a public document and it should be crafted with utmost care and attention.

3.4.2 Award Approval – The final recommendation to select a vendor and award a contract must be provided to the appropriate approval authority in accordance with the thresholds set out in Section 3.1 of the Procurement of Goods and Services policy 1702-03.

3.4.3 Supplier Selection Letter – Once the necessary approval has been obtained, a selection letter should be sent to the successful supplier. This selection letter should indicate that they have been selected and will be receiving the necessary contract documents shortly.

3.4.4 Contract Finalization – Once the supplier selection letter has been sent, the procurement project file should be sent to the Municipality’s Solicitor to finalize the contract (if required). The Solicitor will finalize the contract with the successful supplier. The contract should be executed by the supplier and executed by the Municipality. The Municipal Government Act confers the sole authority to sign contracts to Municipal Council. This authority is delegated to the Chief Administrative Officer, or their designate, through the Municipality’s CAO Bylaw. Other Municipal employees do not have authorization to sign contracts or agreements, unless this authority has been delegated in writing by the CAO.

3.5 Post-Award Process

Once the supplier has executed the contract, there are a number of processes that are necessary to conclude the procurement project and fulfill the public procurement obligations:

3.5.1 Procurement Notification – The department is responsible for posting the results of open competition on the prescribed electronic tendering website and for reporting procurement activity to Council.

3.5.2 Debriefings – Unsuccessful bidders may request a debriefing. Debriefings should be scheduled with and conducted by the department. Debriefing content should be limited to the requesting bidder’s submission and not disclose any information related to other bidder’s pricing or scores.

3.5.3 Bid Protest Procedure – Unsuccessful bidders may also formally protest the outcome of a procurement project. In order to avail itself of the Municipality’s bid protest procedure, the bidder must first request and receive a debriefing. If the bidder still wishes to challenge the outcome of the procurement project, they must formally protest the outcome in writing. The department must respond in a timely fashion to any bid protest and must respond with a schedule to address the bidder’s concerns. The appropriate department representative and a Solicitor must attend any bid protest meeting.

3.6 Contract Management

Once the contract has been signed, it is essential that it be properly managed. Departments are responsible for all aspects of contract management. The following principles must be followed with respect to the management of all Municipality contracts:

3.6.1 Formal Contract – The contract should be fully finalized and signed prior to the commencement of the services or the delivery of the goods.

3.6.2 Scope Management – The scope of each contract must be appropriately managed to ensure that all deliverables are properly received, payments are appropriately made, all timelines are met and any extension options are appropriately exercised.

3.6.3 Payments to Suppliers – Departments are responsible for ensuring that all payments are made in accordance with the contract and for reviewing and approving supplier invoices.

3.6.4 Scope and Contract Changes

- a. If a planned contract change results in a net increase to the expenditure amount previously approved, approval must be sought from the Chief Administrative Officer in accordance with The Chief Administrative Officer Bylaw.
- b. Contract scope changes that are cost neutral can be approved at the department level but must be appropriately documented.

3.6.5 Contract Disputes – All potential contract disputes with suppliers must be managed in accordance with the dispute resolution mechanisms outlined in the contract. Where a contract is silent on dispute resolution, departments should ensure that potential disputes are proactively managed and appropriately escalated. Written copies of all communications and correspondence with suppliers concerning a contract dispute must be maintained by the department.

3.6.7 Performance Tracking – Departments must also ensure that the performance of all suppliers is appropriately monitored and recorded. Departments must maintain written records of any performance issues, including correspondence or notifications to suppliers. Ensuring that performance problems are addressed quickly and effectively and that a written record is kept of all matters connected with performance tracking is essential to proper contract management.

3.6.8 Termination – A contract can only be terminated prior to its expiry date on the advice of a Solicitor.

3.6.9 Bidder Barring – Problematic suppliers can be potentially barred from future contracts with the Municipality if performance issues have been properly documented and upon seeking the advice of a Solicitor.

3.7 Governance

3.7.1 Procurement Record Keeping, Access to Information and Confidentiality

Proper documentation should be maintained for all stages of the procurement project.

- a. Access to Information – The Municipality is subject to the Freedom of Information and Protection of Privacy Act and as such the maintenance, release

and management of all procurement records must be in accordance with the Act. The department must cooperate with the Information Management Clerk in connection with any requests for access to procurement related documents.

- b. Confidentiality – The Municipality must ensure that bidder and supplier information submitted in confidence as part of a procurement project is adequately protected. The department must ensure that all bids and contracts are kept in a secure location and only accessible by those individuals directly involved with the procurement project.
- c. Procurement Record Keeping – Departments are responsible for ensuring that all documentation relating to the procurement project is properly filed in the procurement project file. The following are the minimum requirements of what should be kept in each procurement project file:
 - i. Internal drafts of all competition documents, including internal correspondence concerning same,
 - ii. Original copies of all final competition documents,
 - iii. Copies of the procurement project plan, together with evidence of all necessary conditional approvals,
 - iv. If using an invitational process, evidence of quotations obtained from suppliers,
 - v. Records of any communications with bidders or potential bidders
 - vi. Copies of all addenda,
 - vii. Copies of all original bids received from bidders,
 - viii. All records of evaluation processes, including evaluator notes and final scores,
 - ix. Copy of the final recommendation memo together with all required approvals,
 - x. Copies of debriefing or bid protest procedure requests and outcomes.

4.0 Revisions

5.0 Approved

Chief Administrative Officer: _____ Date: _____
(print name)

(signature)

6.0 End



Municipality of Crowsnest Pass Policy

Policy No.:	1702-02
Policy Title:	Procurement of Goods and Services
Approval Date:	
Revision Date:	
Supersedes Policy:	1702-01 Purchasing Policy and Procedure
Department:	Corporate Services

1.0 PURPOSE

Strong financial leadership and planning ensures the long-term viability of the corporation. The purpose of this policy is to achieve the best value for the corporation through procurement processes that are open, fair and transparent.

2.0 PERSONS AFFECTED

Municipal Council/Employees/Special Purpose Bodies

3.0 POLICY STATEMENT

It is the policy of the Municipality of Crowsnest Pass to conduct procurement processes that conform to the following principles:

- a. Compliance with all applicable laws, regulations, by-laws, policies and trade agreements as further set out in Schedule 1 to this policy;
- b. Using a competitive process for all purchases except where the procurement meets specific justification as defined in this policy and in accordance with the applicable trade agreements;
- c. Open, fair and transparent procurement that affords equal access to all qualified suppliers;
- d. Reciprocal non-discrimination and geographic neutrality with respect to Alberta's trading partners;
- e. Achieving best value for the Municipality for the expenditure of public funds through consideration of the full range of procurement formats and the adoption of commercially reasonable business practices;
- f. Effective balance between accountability and efficiency;
- g. Ensuring adherence to the highest standards of ethical conduct.

4.0 RESPONSIBILITIES

Managers or designate to:

- Identify the need and develop requirements and specifications to be satisfied through a procurement
- Build a Procurement Project Plan and obtain appropriate conditional approval prior to proceeding to market or soliciting bids
- Identify an available and approved funding source and assign account number
- Authorize purchases that are within their delegated authority as set out in this policy
- Ensure employees involved in Procurement Projects have appropriate training
- Ensure compliance with all procurement policies, applicable laws, trade agreements and regulations
- Support the provision of appropriate education and training to employees involved in Procurement Projects

Director or designate to:

- Validate purchases that exceed the delegated authority of the Manager
- Support the promotion of sound procurement practices and appropriate education and training to employees involved in procurement
- Ensure divisional compliance with all procurement policies, applicable laws, trade agreements and regulations
- Advise Manager on budget availability and potential sources of funding prior to proceeding to market
- Assign an appropriate account number to be utilized for the Procurement Project
- Identify any applicable conditions which must be adhered to if grants are to be used in whole or in part to fund the procurement

Finance Director to:

- Ensure procurement policy is readily accessible to Municipal employees, vendors and the general public
- Report corporate procurement activity to Council on a regular basis
- Provide appropriate orientation, training and tools to employees involved in public procurement activities
- Advise Directors and Managers on market conditions and strategies in developing budgets, planning projects, framing business cases and buying decisions
- Advise on the procurement of major projects
- Advocate compliance with this policy and sound procurement practices
- Analyze on a continual basis the Municipality's business requirements and identify opportunities for cost savings and strategic sourcing

Chief Administrative Officer

- Act as chief purchasing agent of the Municipality in accordance with the Council-Manager Bylaw
- Establish administrative procurement policies in accordance with all applicable laws, trade agreements and regulations
- Ensure organizational compliance with all procurement policies, applicable laws, trade agreements and regulations
- Support the promotion of sound procurement practices and appropriate education and training to employees involved in procurement
- Authorize purchases that exceed the delegated authority of the Directors

Municipal Council

- Determine the allocation of resources through an approved operating and capital budget
- Authorize purchases that exceed the delegated authority of the Chief Administrative Officer

5.0 PROCEDURES

Detailed procedures are set out in Schedule 2 of this policy. The procedures listed in Schedule 2 do not apply to the following transactions:

- a. Insurance premiums, payroll tax and benefit remittances
- b. Real property acquisition and dispensation
- c. Education/training courses, seminars, conferences provided by third parties which are delivered off-site of any Municipal facility
- d. Memberships or dues
- e. Subscriptions for newspapers, magazines and periodicals
- f. Postage
- g. Charges or remittances to other governmental bodies
- h. Operating grants to community and social groups
- i. Original art work

Notwithstanding that the transactions listed above are not subject to the competitive process outlined in this policy, departments should ensure that the Municipality is achieving good value for all purchases.

6.0 PROCUREMENT VALUE

In order to fulfill trade agreement obligations and to ensure that procurement projects are appropriately streamed, an accurate estimate of the total value of the procurement project is required. The estimated procurement value should include all the costs payable to the contractor or supplier which are integrally linked to the acquisition including delivery, installation, training and maintenance fees.

Subdividing projects or splitting contracts to reduce the procurement value in order to avoid the requirements of this policy is not permissible.

7.0 APPROVAL AND VALIDATION AUTHORITY

Individuals performing procurement activities on behalf of the Municipality must have authorization to do so. The Municipal Government Act confers the sole authority to expend Municipal funds to Municipal Council. This authority is delegated to the Chief Administrative Officer through the Council-Manager Bylaw and then further to the Directors and Managers through this policy.

The thresholds established for Conditional Approval of Project Procurement Plan and Final Approval of vendor selection and procurement of goods and services are set out in Schedule 3 of this policy.

8.0 CONFLICT OF INTEREST AND ETHICS

The Municipality's procurement process must be conducted with integrity so as to maintain the public's trust.

The Municipality must ensure that it effectively manages internal and external conflicts of interest.

a. Internal Conflict of Interest

All participants in the procurement project including members of the evaluation team must ensure that there are no internal conflicts of interest.

The Municipal Government Act also regulates the manner in which current elected officials and their family members may engage in business with the Municipality where they have a pecuniary interest. Businesses in which a current elected official or their family has a pecuniary interest are eligible to bid on work with the Municipality, provided that:

- i. They do not have a role in creating, conducting or evaluating bids
- ii. The pecuniary interest is disclosed to Council prior to any discussions on the matter
- iii. The matter is submitted to Council for approval prior to an agreement or other form of commitment being signed
- iv. They remove themselves and abstain from voting on any question relating to the matter.

b. External Conflict of Interest

- i. In addition to ensuring that there are not internal conflicts of interest, Procurement Projects must also be free of external conflicts of interest. All suppliers are required to declare, as part of their bid in a procurement process, that there are no conflicts of interest or provide details of any actual or apparent conflicts of interest. The Directors must ensure that all procurement templates include appropriate conflict of interest language and declarations.
- ii. A conflict of interest can arise when a supplier is retained to participate in the development of a Competition Document (including the specifications) or to provide consulting services in connection with an initial or earlier phase of a multi-phase project.

In such situations, Directors must assess whether such a supplier would have an unfair advantage over other bidders as a result of their previous work on the project. If it is determined that such an advantage exists, the Municipality must then further determine whether it can be effectively mitigated. If an advantage exists and it cannot be effectively mitigated, the supplier should be precluded from submitting a bid or directly or indirectly participating in the submission of any bid in response to a subsequent or related competition document.

Directors should conduct this assessment at the beginning of the entire procurement project before any suppliers have been retained. Where it is determined that a potential bidder will be disqualified from participating in downstream phases because of a conflict of interest, it must be disclosed in the initial procurement process by which the supplier is retained.

9.0 NON-COMPLIANCE AND REPORTING

Municipal employees must adhere to the Municipality's procurement policies. Directors and the Chief Administrative Officer are responsible for ensuring compliance. If non-compliance is detected it is to be reported to the Director and/or the Chief Administrative Officer.

10.0 DEFINITIONS

- a. Addenda/Addendum means written changes after issuance of a competition document which are meant to correct errors or to clarify or disclose additional information and that will form part of the final contract
- b. Bid means a submission in response to a competition document
- c. Bidder means a supplier that submits a bid
- d. Bid Security means a surety bond or other financial instrument submitted by a bidder to the Municipality, upon request, which obligates the bidder to honour their submitted bid or forfeit the bid security value which may be up to 10% of the total value of the bid.
- e. Chief Administrative Officer means the person appointed by Municipal Council to manage the Municipality's business
- f. Competition Document means the document used to solicit bids and includes Invitation to Tender (ITT); a Request for Proposals (RFP); a Request for Quotations (RFQ); and a Request for Supplier Qualification (RFSQ)
- g. Competitive Process means either an open competition or an invitational process
- h. Direct Award means a contract award outside of a competitive process, as further defined in Schedule 2 of this policy
- i. Emergency Purchases means a situation where the purchase of the goods or services was necessary because of an immediate risk to the safety or health of Municipal employees or the general public or because of the possibility of serious damage to Municipal or private property

- j. Invitational Competition means an invitation to at least three suppliers to submit bids, as further defined in Schedule 2 of this policy
- k. Limited Competition means a procurement project whose value would otherwise require an open competition, but the circumstances fall within one of the exceptions prescribed in Schedule 2 and as an alternative to a direct award, permits an invitational competition
- l. Major Project means a project that is of a value, complexity, risk level or profile that requires it be given a significant allocation of attention and time by Municipal employees and stakeholders
- m. Open Competition means a publicly posted competition document, as defined in Schedule 2 of this policy
- n. Procurement means the process by which the Municipality of Crowsnest Pass obtains goods and services to support the delivery and maintenance of municipal programs, services and infrastructure. Effective procurement is a critical support function for the Municipality in responsibly managing public funds.
- o. Procurement Project means any purchase of goods, services or construction by the Municipality and includes major projects and direct awards

MUNICIPALITY OF CROWSNEST PASS

Blair Painter, Mayor

Date

February 10, 2016

Sheldon Steinke, CAO

Date

04 / Feb / 16

Schedule 1

Applicable Laws, Trade Agreements and Regulations

1. Procurement activities at the Municipality of Crowsnest Pass must be conducted in accordance with all laws, regulations and standards, including, but not limited to:
 - a. Income Tax Act and Regulations
 - b. Excise Tax Act and Regulations
 - c. Occupational Health and Safety Act and Regulations
 - d. Worker's Compensation Act and Regulations
 - e. Freedom of Information and Protection of Privacy Act and Regulations
 - f. Municipal Government Act and Regulations
 - g. Competition Act and Regulations
 - h. Municipality of Crowsnest Pass Bylaws and all Municipal Council and administrative policies.

2. Procurement activities at the Municipality of Crowsnest Pass must comply with the following binding Trade Agreements:
 - a. Agreement on Internal Trade (AIT) – all Provinces & Territories (except Nunavut)
 - b. Trade, Investment and Labour Mobility Agreement (TILMA) – Alberta, British Columbia
 - c. New West Partnership Trade Agreement (NWPTA) – Alberta, British Columbia, Saskatchewan

Schedule 2

PROCEDURES

Section 1: Project Planning

1.1 Procurement Project Plan – Overview

Effective Procurement Project planning is essential to ensure an effective result and to limit risk to the Municipality. Directors are responsible for ensuring the development and approval of a plan for each procurement project. The Chief Administrative Officer and Finance Director will act in an advisory capacity, where necessary, to develop the procurement project plan.

Directors must consider the following general principles when developing a procurement project plan:

a. The Director must identify the appropriate stream as set out below:

i. **Framework, Existing Corporate Agreements or Internal Resources**

Prior to commencing a procurement project, Directors must first consider whether there is a compelling need for the acquisition and must first consider the availability of existing supply sources, including existing frameworks or sources lists, corporate agreements or internal resources, including exploring job descriptions and capacity of Municipal employees, where applicable.

ii. **Competitive Processes**

1. Open Competition

An open competition involves the public posting of a competition document on the Municipality's prescribed electronic tendering site and must be employed for all goods and/or services whose estimated value is \$75,000 or greater or for construction where the estimated value is \$200,000 or greater.

2. Invitational Competition

Where the estimated value is less than the open competition thresholds the Municipality may choose to engage in an invitational competition. For the purchase of goods, services or construction greater than \$5,000 and less than \$25,000 the Municipality should conduct an invitational competition by requesting bids from at least three (3) qualified suppliers. For the purchase of goods, services or construction over \$25,000 and less than the open competition thresholds the Municipality will conduct an invitational competition, as a minimum requirement, by requesting bids from at least three (3) qualified suppliers. Where the procurement project is particularly complex or the market conditions warrant it, the Municipality should conduct an open competition. An

invitational competition may also be used in circumstances of limited competitions.

3. **Limited Competition**

A limited competition may be conducted in cases where the estimated value of the goods, services or construction exceeds the open competition thresholds, but subject to the procurement fitting one of the exceptions to competition set out in Section 1.4(a) and (b), an invitational competition may be undertaken as an alternative to a direct award.

iii. **Direct Award**

A Direct Award process, where the contract is awarded without using a competitive process, may only be employed in the specific circumstances set out in Section 1.4(a) and (b) of this policy.

- b. The department should develop a concise initial mapping statement for the procurement project plan. The initial mapping statement clearly identifies what is to be procured. This initial mapping statement should be used to develop clear business requirements and to appropriately scope the contract. Standardized internal procurement project plan templates are available from the Finance department.
- c. Where the department is uncertain about the specifications for a procurement project or where there is insufficient internal knowledge about the market, the department should conduct a Request for Information (RFI) process. An RFI process should be openly posted in order to gather market research from prospective bidders. It should not be used as a prequalification tool.
- d. The department should employ the internal procurement project plan template to ensure that all components of project planning have been met. A copy of this template is available from the Finance department.
- e. Departments must ensure that they leave sufficient time to plan for a procurement project, including:
 - i. Developing proper specifications and business requirements,
 - ii. Conducting stakeholder reviews,
 - iii. Assembling competition documents,
 - iv. Obtaining necessary approvals.

The content requirements of a procurement project plan are set out in Section 1.3 and 1.4.

1.2 **Major Projects**

When conducting a major project, departments should consider the following:

- a. The appointment of an internal project lead to coordinate input from multiple departments or stakeholders;

- b. Where there may be insufficient internal resources your project planning should evaluate the need for the retention of external advisors to assist in developing specifications or business requirements.

1.3 Procurement Project Plan – Competitive Process

The following components must be included and considered by departments in a procurement project plan for both invitational competitions and open competitions:

- a. Funding Source – An approved funding source must be in place before proceeding with any procurement project. Funding sources may include the current operating or capital budgets, funding through special municipal resolution, externally funded grants or other cost sharing agreements. Consideration must be given to the funding source when considering a multi-year contract or multi-phase project in order to properly structure the procurement document.
- b. Requirements and Specifications – The department is responsible for drafting clear, detailed specifications and business requirements for each procurement project. Specifications may include any or all of the following:
 - i. Physical characteristics;
 - ii. Functional, performance or expected results characteristics;
 - iii. Quality characteristics defined by recognized, third-party standards bodies;
 - iv. Intended use descriptors such as consumer grade, industrial grade, medical or laboratory grade, or suitability for use under extreme conditions.

When developing specifications, the department should take the following into consideration:

- i. Specifications cannot be written in a way that unduly restricts suppliers from bidding, but should encourage open, fair and transparent competition.
 - ii. All specifications must be generic and non-branded.
 - iii. Ensure all material disclosures are made in the competition document (i.e. information that goes to a bidder's decision to submit a bid or calculate proposed pricing.) Examples may include specific site restrictions or conditions, engineering reports or any other factors that bidders should know to submit responsive pricing.
 - iv. Governing legal terms, such as indemnification and insurance and any other relevant legal requirements affecting the delivery of the goods or services should be included in the competition document. Departments may need to consult a Solicitor for questions concerning these specific requirements.
- c. Pricing Structure – Departments must develop a clear pricing structure for each procurement project. Pricing structures will depend on the specific purchase, but types of pricing structures to consider may include lump sum, unit rates, or time and

materials. Pricing structures can also include price adjustment formulas and extension options, where applicable.

- d. **Evaluation Plan** – Departments are responsible for developing an evaluation plan for each competitive process. The following principles of public procurement must be considered when developing an evaluation plan:
- i. Mandatory requirements should be kept to a minimum. Where there are mandatory threshold criteria, the requirements must be clear and capable of review upon submission.
 - ii. There are two basic evaluation models for the ranking of eligible bidders:
 1. Lowest price
 2. Highest score, where qualitative criteria are rated and then combined with price for a total score.
 - iii. Where rated criteria are employed, all factors that will be considered in evaluating those criteria must be disclosed in the competition document. Further, the methods and weightings that will be used to evaluate the bids must also be disclosed. Departments should allocate the maximum justifiable amount to price. The minimum amount that must be allocated to price is 20% of the total points available.
 - iv. The formula for calculating price must be clearly established.
 - v. Where qualitative factors are also being evaluated, the formula for adding price to the qualitative factors in order to calculate total score must be disclosed.
 - vi. Any short-listing process or qualifying or minimum scores must be disclosed and defensible and if presentations, interviews or references form part of the evaluation process, their weighting and impact on the eligibility or ranking of bidders must be disclosed.
- e. **Format Selection** – Departments are responsible for selecting the most appropriate competition document format based on the range of template formats. Types of competition document formats include:
- i. Request for Quotation (RFQ) – Used to procure simple goods and services where bidder ranking is typically assessed based on lowest price.
 - ii. Invitation to Tender (ITT) – Used to procure goods or construction projects where the specifications or requirements are well-defined, the terms of the contract are clear and where bidder ranking is assessed on lowest price.
NOTE: The ITT format usually includes soliciting bid security or irrevocable bids from bidders and gives rise to a legally binding process called Contract A. Where a procurement project is operating within Contract A, the risk to the Municipality is greatly increased and departments may need to consult legal advice to fully understand the Municipality's legal obligations during such procurement projects.
 - iii. Requests for Proposals (RFP) – Used for more complex deliverables where bidder ranking is assessed based on high score and where bidder responses may

help inform the development of final specifications or performance terms. This format allows negotiation of the contract with the selected bidder.

- iv. Requests for Supplier Qualifications (RFSQ) – Used to prequalify suppliers in the first stage of a two-stage open competition. Bidders who meet the requirements of the RFSQ are eligible to participate in the second stage and are invited to respond to a subsequent competition document (i.e. ITT or RFP).

Factors to consider in choosing the appropriate competition document format include:

- i. Value and complexity of the purchase.
 - ii. Whether bid security is required. Bid security and irrevocable bids should only be used in consultation with legal advice and where there are legitimate business requirements for doing so,
 - iii. Where bidder responses may inform the final specifications or performance terms and the final contract will need to be negotiated with the top-ranked bidder.
- f. Limited Competition – Where a limited competition is justified, the procurement project plan must also include an explanation for why the procurement project fits into one of the exceptions for direct awards set out in Section 1.4(a) and (b).

1.4 Procurement Project Plan – Direct Award

The department must also develop a procurement project plan in direct award and limited competition situations. A procurement project plan for a direct award must address funding source; requirements and specifications; and pricing in the same manner as would be included in procurement project plans for a competitive process. In addition, justification for not utilizing a competitive process must form part of a procurement project plan for a direct award:

- a. Direct Award Justification – Goods/Services less than \$75,000 or Construction less than \$200,000.

Under this policy, the purchase can only be made by direct award in the specific circumstances listed in Section 1.4(b). The department must provide full details to explain why the procurement project fits into one of the allowable direct award exceptions:

- i. Cost: goods or services are valued less than \$5,000
- ii. One-of-a-Kind: goods or service has no competitive product and is available from one source.
- iii. Compatibility: goods or service must match existing brand of equipment for compatibility and is available from only one supplier.
- iv. Replacement part/item: replacement part/item for a specific brand of existing equipment that is available from only one supplier.
- v. Delivery Date: only one supplier can meet necessary delivery requirements.
- vi. Continuity: goods or service must comply with established Municipal specifications and standards and is available from only one supplier.

- vii. Unique design: goods or service must meet physical design or quality requirements and is available from only one supplier.
- viii. Emergency: risk of safety and health, acts of God, urgent need for the item or service does not permit soliciting competitive bids.

These justifications are in accordance with the Agreement on Internal Trade (AIT).

b. Direct Award Justification – Goods/or Services \$75,000 or greater or Construction \$200,000 or greater.

Under this policy, the purchase can only be made by direct award in the following specific circumstances. The department must provide full details to explain why the procurement project fits into one of these allowable direct award exceptions:

- i. Where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of a competitive process.
Note: In cases of emergency purchases, it is not necessary to have a project plan in advance of the direct award; however, an explanatory project plan must be drafted after the emergency purchase is complete in order to justify the use of the direct award procedure.
- ii. Where goods or services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through a competitive process could reasonably be expected to compromise confidentiality, cause economic disruption or otherwise be contrary to the public interest.
- iii. Where construction materials are to be purchased and it can be demonstrated that transportation costs or technical considerations impose geographic limits on the available supply base, specifically in the case of sand, stone, gravel, asphalt, compound and pre-mixed concrete for use in the construction or repair of roads.
- iv. In the absence of a receipt of any bids in response to a competitive process made in accordance with this policy.
- v. Where it can be demonstrated that only one supplier is able to meet the requirements of a procurement project.
- vi. The goods are intended for resale to the public.
- vii. The goods or services that are being procured from philanthropic institutions, prison labour or persons with disabilities.
- viii. The goods or services are being purchased from a public body or a non-profit organization.
- ix. The goods are being purchased for representational or promotional purposes.
- x. The services are being purchased for representational or promotional purposes outside of Alberta.
- xi. The goods or services are being procured on behalf of an entity not covered by a trade treaty to which Alberta is a party.

- xii. The goods or services are being procured from an entity that operates a sporting or convention facility in order to respect a commercial agreement containing provisions that contradict this policy.
- xiii. In procuring health and social services.
- xiv. The services are provided by lawyers and notaries.
- xv. The services or financial products related to borrowing, lending, investing, managing or holding money, securities or other property. This includes managing debt, loan, asset or investment portfolios, entering into commodity or other derivative transactions or acquiring, exchanging, disposing of, or transacting in securities, foreign currencies or any property acquired as a result of borrowing, lending, managing or investing money or securities.

These justifications are in accordance with the New West Partnership Trade Agreement (NWPTA).

- c. Selection Plan – Notwithstanding that a direct award purchase is not subject to a competitive process, the department must still explain how the supplier being awarded the contract will be selected, including reference to how qualifications will be evaluated and how departments will ensure that the Municipality is getting value for money through the selection of the supplier.

1.5 Conditional Procurement Project Approvals

After developing a procurement project plan and before either posting the competition document or seeking bids from suppliers, the department must seek conditional approval in accordance with the thresholds set out in Schedule 3 of this policy.

Conditional approval permits a department to proceed with the procurement project. Final approval to select a vendor and award the contract must still be obtained in accordance with Schedule 3. Once a direct award has been conditionally approved, the department may engage in negotiations with the prospective vendor before finalizing the selection in accordance with Schedule 3 of this policy.

Section 2: Competition

Once a procurement project plan for a competitive process has been completed and conditionally approved, the procurement project should proceed to the competitive phase in accordance with the following steps:

2.1 Issuing Competition Document – For open competitions, the department is responsible for posting the competition document on the electronic tendering site prescribed by the applicable trade agreements. For invitational competitions, the department can issue the competition document, if the estimated value is less than \$25,000, to the invited bidders as set out in the procurement project plan.

2.2 Addenda Process

- a. All changes to the competition document and all communications to bidders after issuance of the competition document must be conducted through formal addenda. All responses to bidder questions should be issued as a formal question and answer document in the form of an Addendum. All addenda must be issued in the same manner as the competition document.
- b. It is essential that all contact during the competitive phase be through the single, designated contact person as disclosed in the procurement document. Other employees who receive inquiries from bidders must direct those bidders to the designated contact person.
- c. All questions received from bidders must be collected by the individual named in the competition document. Once the questions have been reviewed and answered by the department for technical content, they should be included in an addendum.
- d. If an addendum containing significant new information is released within three (3) business days of the submission deadline, the Municipality should extend the submission deadline to allow bidders time to review and incorporate the addendum.

2.3 Bid Receipt

- a. All bids should be received centrally at Reception.
- b. Physically submitted bids must be time and date stamped and initialled upon receipt, even if received after the submission deadline.
- c. Bids received after the submission deadline are ineligible for consideration and must be returned to the bidder unopened.

2.4 Bid Evaluations

- a. Each evaluation process must be fair, defensible and transparent and must comply with the evaluation methodology disclosed in the competition document.
- b. Evaluators should ensure that all written notes relating to an evaluation process are kept and maintained in the appropriate procurement file.
- c. Where an open competition is evaluated only on price, the bids should be reviewed by at least one representative from the department and one representative from Finance.
- d. Where an open competition is evaluated based on a combination of price and non-price factors and which requires Council approval, the evaluation team must include a representative from Finance who will monitor and observe the entire evaluation process, including all group scoring sessions and any interviews, demonstrations or presentations required.

Section 3: Contract Formalization

The following steps must be followed for all procurement projects in order to approve, award and finalize the contract:

3.1 Final Recommendation – The department should draft a final recommendation that outlines all pertinent details of the procurement project.

This recommendation will be treated as a public document and it should be crafted with utmost care and attention.

3.2 Award Approval – The final recommendation to select a vendor and award a contract must be provided to the appropriate approval authority in accordance with the thresholds set out in Schedule 3 of this policy.

3.3 Supplier Selection Letter – Once the necessary approval has been obtained, a selection letter should be sent to the successful supplier. This selection letter should indicate that they have been selected and will be receiving the necessary contract documents shortly.

3.4 Contract Finalization – Once the supplier selection letter has been sent, the procurement project file should be sent to the Municipality's Solicitor to finalize the contract (if required). The Solicitor will finalize the contract with the successful supplier. The contract should be executed by the supplier and executed by the Municipality.

The Municipal Government Act confers the sole authority to sign contracts to City Council. This authority is delegated jointly to the Mayor and the City Clerk, or their designate, through the Municipality's Signing Authority Policy. Other Municipal employees do not have authorization to sign contracts or agreements.

Section 4: Post-Award Process

Once the supplier has executed the contract, there are a number of processes that are necessary to conclude the procurement project and fulfill the public procurement obligations:

4.1 Procurement Notification – The department is responsible for posting the results of open competition on the prescribed electronic tendering website and for reporting procurement activity to Council.

4.2 Debriefings – Unsuccessful bidders may request a debriefing. Debriefings should be scheduled with and conducted by the department. Debriefing content should be limited to the requesting bidder's submission and not disclose any information related to other bidder's pricing or scores.

4.3 Bid Protest Procedure – Unsuccessful bidders may also formally protest the outcome of a procurement project. In order to avail itself of the Municipality's bid protest procedure, the bidder must first request and receive a debriefing. If the bidder still wishes to challenge the outcome of the procurement project, they must formally protest the outcome in writing. The department must respond in a timely fashion to any bid protest and must respond with a

schedule to address the bidder's concerns. The appropriate department representative and a Solicitor must attend any bid protest meeting.

Section 5: Contract Management

Once the contract has been signed, it is essential that it be properly managed. Departments are responsible for all aspects of contract management. The following principles must be followed with respect to the management of all Municipality contracts:

- 5.1 Formal Contract** – The contract should be fully finalized and signed prior to the commencement of the services or the delivery of the goods.
- 5.2 Scope Management** – The scope of each contract must be appropriately managed to ensure that all deliverables are properly received, payments are appropriately made, all timelines are met and any extension options are appropriately exercised.
- 5.3 Payments to Suppliers** – Departments are responsible for ensuring that all payments are made in accordance with the contract and for reviewing and approving supplier invoices.
- 5.4 Scope and Contract Changes**
 - a. If a planned contract change results in a net increase to the expenditure amount previously approved, approval must be sought from the Chief Administrative Officer in accordance with The Council Manager Bylaw.
 - b. Contract scope changes that are cost neutral can be approved at the department level but must be appropriately documented.
- 5.5 Contract Disputes** – All potential contract disputes with suppliers must be managed in accordance with the dispute resolution mechanisms outlined in the contract. Where a contract is silent on dispute resolution, departments should ensure that potential disputes are proactively managed and appropriately escalated. Written copies of all communications and correspondence with suppliers concerning a contract dispute must be maintained by the department.
- 5.6 Performance Tracking** – Departments must also ensure that the performance of all suppliers is appropriately monitored and recorded. Departments must maintain written records of any performance issues, including correspondence or notifications to suppliers. Ensuring that performance problems are addressed quickly and effectively and that a written record is kept of all matters connected with performance tracking is essential to proper contract management.
- 5.7 Termination** – A contract can only be terminated prior to its expiry date on the advice of a Solicitor.

- 5.8 **Bidder Barring** – Problematic suppliers can be potentially barred from future contracts with the Municipality if performance issues have been properly documented and upon seeking the advice of a Solicitor.

Section 6: Governance

6.1 Procurement Record Keeping, Access to Information and Confidentiality

Proper documentation should be maintained for all stages of the procurement project.

- a. **Access to Information** – The Municipality is subject to the Freedom of Information and Protection of Privacy Act and as such the maintenance, release and management of all procurement records must be in accordance with the Act. The department must cooperate with the Information Management Clerk in connection with any requests for access to procurement related documents.
- b. **Confidentiality** – The Municipality must ensure that bidder and supplier information submitted in confidence as part of a procurement project is adequately protected. The department must ensure that all bids and contracts are kept in a secure location and only accessible by those individuals directly involved with the procurement project.
- c. **Procurement Record Keeping** – Departments are responsible for ensuring that all documentation relating to the procurement project is properly filed in the procurement project file. The following are the minimum requirements of what should be kept in each procurement project file:
 - i. Internal drafts of all competition documents, including internal correspondence concerning same,
 - ii. Original copies of all final competition documents,
 - iii. Copies of the procurement project plan, together with evidence of all necessary conditional approvals,
 - iv. If using an invitational process, evidence of quotations obtained from suppliers,
 - v. Records of any communications with bidders or potential bidders
 - vi. Copies of all addenda,
 - vii. Copies of all original bids received from bidders,
 - viii. All records of evaluation processes, including evaluator notes and final scores,
 - ix. Copy of the final recommendation memo together with all required approvals,
 - x. Copies of debriefing or bid protest procedure requests and outcomes.

Schedule 3

Section A – Conditional Procurement Project Approval Matrix

After developing a procurement project plan and before either posting the competition document or seeking bids from suppliers, the department must seek conditional approval in accordance with the following tables and the approved budget:

a. Competitive Process

Value	Approval Level Required	Validation Level Required
\$5,000 or greater and less than \$25,000	Department Manager	N/A
\$25,000 or greater and less than \$75,000	Manager	Director
\$75,000 or greater	Director	Chief Administrative Officer

b. Direct Award

Value	Approval Level Required	Validation Level Required
Less than \$5,000 ¹	Manager	N/A
\$5,000 or greater and less than \$15,000	Manager	Director
\$15,000 or greater	Director	Chief Administrative Officer

The approvals listed above are only conditional approvals to proceed with the procurement project. Final approvals to select a vendor and award the contract must still be obtained in accordance with Section B of this Schedule. A variance of 5% or less between conditional and final approval should be tolerated on most projects whenever the project is within the approved budget. Once a direct award has been conditionally approved, then it should be finalized in accordance with Section B of this Schedule.

¹Multiple sole sources \$5,000 or less by one department to the same vendor, for the same goods or services, in the preceding twelve (12) month period cannot exceed \$15,000.

Section B – Final Award Approval Matrix

The recommendation for vendor selection and award of contract must be submitted to the appropriate approval authority in accordance with the following thresholds:

a. Competitive Process

Value	Approval Level Required	Validation Level Required
\$5,000 or greater and less than \$25,000	Department Manager	N/A
\$25,000 or greater and less than \$75,000	Manager	Director
\$75,000 or greater and less than \$500,000	Director	Chief Administrative Officer
\$500,000 or greater	Municipal Council	

b. Direct Award

Value	Approval Level Required	Validation Level Required
Less than \$5,000 ¹	Manager	N/A
\$5,000 or greater and less than \$15,000	Manager	Director
\$15,000 or greater and less than \$75,000	Director	Chief Administrative Officer
\$75,000 or greater	Municipal Council	

¹Multiple sole sources \$5,000 or less by one department to the same vendor, for the same goods or services, in the preceding twelve (12) month period cannot exceed \$15,000.

Schedule 4

Payment Methods

Method	Value	Use
Petty Cash	\$25 or less	Reimbursement upon receipt of paid sales slip authorized and coded
Purchase Order	Greater than \$25	Preferred method for all purchases
Procurement Card (when applicable s/b in conjunction w/PO)	Amount up to cardholder transaction limit	On-line purchases, hotel reservations, emergency
Travel Expense Approval	Amount up to authorized travel expense limit	Reimbursement of approved per diem and/or authorized travel expenses. Payment issued upon receipt of paid sales slip and travel voucher.



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.d

Subject: Subdivision Extension Request 2022-0-074

Recommendation:

That Council gives the subdivision endorsement extension request for Subdivision 2022-0-074 for a period of six months to March 10, 2025.

Executive Summary:

The Oldman River Regional Services Commission is in receipt of a subdivision endorsement extension request for the subdivision known as 2022-0-074 in Bellevue, on Lot 14, Block 19, Plan 1011620 and portion of the NE1/4 20-7-3-W5M. The purpose of the subdivision is to adjust a boundary between an R-1 residential property and the Bellevue Underground Mine. The original subdivision approval was given on May 25, 2022, and one extension was previously granted in October 2023. The first extension expired on May 25, 2024. The applicant has now finalized all conditions of approval and wishes to complete the subdivision registration. To do this, the expired subdivision approval needs to be extended a second time, for a six month period.

Relevant Council Direction, Policy or Bylaws:

Section 657, Municipal Government Act, RSA 2000, c M-26. (MGA)

Discussion:

See the attached report from the Oldman River Regional Services Commission.

Analysis of Alternatives:

- Council may approve the extension for six months to March 10, 2025.
- Council may approve the extension, but for a different time period.

- Council may deny the extension request.

Financial Impacts:

N/A

Attachments:

[MEMO - 2nd extension request \(\[REDACTED\] - 2022-0-074\).pdf](#)

Memo

To: Municipality of Crowsnest Pass Council

File: 2022-0-074

From: Ryan Dyck, Planner

Date: Sept. 5, 2024

Re: Subdivision Endorsement Extension Request

Background & Proposal

The Oldman River Regional Services Commission is in receipt of a subdivision endorsement extension request for the property known as Lot 14, Block 19, Plan 101 1620 and a portion of the NE¼ 20-7-3-W5M – being a small portion of residential yard area (0.09 acre) under title to the Crowsnest Pass Ecomuseum Trust Society (Bellevue Underground Mine) for subdivision and consolidation with an adjacent residential parcel. Subdivision approval was originally granted on May 25, 2022, and one extension was previously granted in October of 2023 (expired May 25, 2024). This is the applicant's second extension request.

As per section 657(1) of the Municipal Government Act (MGA), if a plan of subdivision is not endorsed by the subdivision authority for a municipality within 12 months from the date on which the subdivision approval is given, the plan may not be accepted by Alberta Land Titles unless the time period is extended by Council. There is not a legislated expiry date for subdivision approval extensions. However, generally accepted best practice is that subdivision extensions should not exceed 12 months, which is the MGA statutory time limit for the original approval to be finalized.

Recommended Action

The applicant has now finalized all conditions of approval, and the file can be endorsed once an extension has been granted. A 6-month extension has been requested.

Council has the following options to consider:

1. Grant the extension in order for the applicant to finalize the conditions of the approval. A time extension must be granted by a resolution of Council pursuant to Section 657(6) of the MGA.
2. Refuse to grant the extension. Note that there is no appeal of a decision on a time extension request.

Once Council has reviewed the request and made a decision, we would appreciate notification of the decision in writing for our file. If you have any questions or need clarification, please contact me at your convenience.

RD/jm
ATTACHMENTS

Subdivision Application – Request for Extension

ORRSC file number: 2022-0-074 Expired Date: May 25, 2024

Previous Extension Approved: Yes No Extension Period Requested: 6 months
(not to exceed one year)

ORRSC Fee submitted: 1st Request (\$350.00) 2nd Request (\$450.00) 3rd Request (\$550.00)

Name of registered owner(s): Crowsnest Pass Ecomuseum Trust Society

Owner's address: P.O. Box 519
Bellevue, AB T0K 0C0

City	Province	Postal Code	Cell Phone
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(403) 564-4700

Home Phone	Email
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Name of Applicant: Luke Ratzlaff (North & Co LLP) for Personal Privacy - FOIP Act Section 17 and
Crowsnest Pass Ecomuseum Trust Society
(if different from owner)

Applicant's address: 12537 21 Avenue Box 810 Blairmore AB T0K 0E0

City	Province	Postal Code	Cell Phone
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Personal Privacy - FOIP Act Section 17	Home Phone
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Home Phone	Email
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Legal description: Lot _____ or Condo unit _____ Block _____ Plan _____

Quarter ____ Section ____ Township ____ Range ____ Meridian ____

NE1/4 Sec. 20 & Part of Lot 14, Block 19, Descriptive Plan 1011620

Reason(s) for Request: All within NE1/4 Sec. 20, Twp. 7, RGe. 3, W5M.

There was a time extension granted in October 2023 until May 25, 2024.

~~At that time, the last outstanding item was condition 4 to amend the zoning of the land being subdivided.~~

~~The zoning amendment was approved February 12, 2024 (BYLAW NO. 1175, 2023)~~

All conditions are now complete. We require an extension to allow for the submission of the survey's package (which is ready) to ORRSC, then submission to Land Titles Office for registration. Six months should allow enough time for the above and for registration at land titles.



Signature of the Applicant/Owner

August 22, 2024

Date



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

SUBDIVISION APPLICATION DECISION

Our File: 2022-0-074
Your File: 22-15599

NOTICE DATE: May 26, 2022

TO: Crowsnest Pass Ecomuseum Trust Society, Personal Privacy - FOIP Act Section 11, David J. Amantea, A.L.S., Municipality of Crowsnest Pass, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Cayford, AB Transportation, Historical Resources Administrator, AER, Canada Post, CPR

RE: Lot 14, Block 19, Plan 1011620 & a portion of NE1/4 20-7-3-W5M / Municipality of Crowsnest Pass

DECISION: APPROVED ON CONDITION
(See attached resolution for conditions)

DECISION DATE: May 25, 2022

Your subdivision application has been *Approved on Condition* and a copy of the decision is attached.

We advise that it is the applicant's responsibility to ensure that all conditions of approval have been met. This process will require coordination between yourself, your surveyor, ORRSC and your municipality.

The subdivision may be finalized following the required 14-day appeal period as outlined below. If no appeals have been filed within the specified time period, you may proceed with the finalization. You have **one year from the approval date** to finalize your subdivision. *(If you are unable to finalize the subdivision within this time frame please contact the ORRSC in order to request a possible time extension. A minimum extension fee of \$330.00 will be required.)*

Right to Appeal

Pursuant to the Municipal Government Act, the applicant, government departments, and local authorities have a right to appeal the decision, any conditions, or the reserve requirement of the subdivision **within 14 days of receipt of this notice** to the appropriate appeal board. The date of receipt of the decision is deemed to be 7 days from the date the decision is mailed. The appeal may be commenced by providing a written statement of the grounds of appeal to:

Land and Property Rights Tribunal - Subdivision Appeals Case Manager
1229 – 91 Street SW, Edmonton, Alberta T6X 1E9
lprt.appeals@gov.ab.ca

The appeal board must receive your notice of appeal within 21 days of the date of this letter informing you of the subdivision authority's decision. ***(Please contact the municipality to determine any applicable fees.)***

In order for your surveyor to register your subdivision at the Land Titles Office, they must receive an “Endorsement” document from our office. ORRSC will provide the Endorsement upon receipt of the following:

- **Finalization fee** – pay to ORRSC the finalization fee of \$205.00 for each new lot to be created by the subdivision.
- **Fulfilling the Conditions** – ensure that all the conditions of your approval have been met (*refer to attached Resolution*) and provide the Oldman River Regional Services Commission documented evidence to that effect.
- **Surveyor’s package** which includes the Plan of Survey, signed consents, etc. (or your separation of title document as prepared by your lawyer or surveyor).

After endorsement, we will return the documents to your surveyor who will register them with the Land Titles Office.

Should you require any further clarification please contact ORRSC at (403) 329-1344 or visit our website at www.orrsc.com for more details regarding the finalization process.

Yours truly,



Ryan Dyck
Planner

RD/jm
Attachment

RESOLUTION

2022-0-074

Municipality of Crowsnest Pass Residential subdivision of Lot 14, Block 19, Plan 1011620 & a portion of NE1/4 20-7-3-W5M

THAT the Residential subdivision of Lot 14, Block 19, Plan 1011620 & a portion of NE1/4 20-7-3-W5M (Certificate of Title No. 151 191 518 +1, 991 087 857), to adjust the boundary line and increase the size of a residential parcel; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Municipality of Crowsnest Pass.
2. That the applicant is responsible for submitting a Historic Resources (HR) Application to Alberta Culture and Tourism via the Online Permitting and Clearance (OPaC). The applicant must provide to the Subdivision Authority a copy in writing of the Historical Resources Act clearance prior to final endorsement.
3. That the 0.09 acre lands being subdivided be consolidated with prtn NE1/4 20-7-3-W5M (C of T 991 087 857), in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That the land use designation (zoning) of the 0.09 acre lands being subdivided and consolidated be amended in order to align the zoning with that of the adjacent residential parcel in order to reflect the proposed use of the lands.
5. That an encroachment agreement be entered into for the encroachments into the adjacent lane pursuant to Section 651.2 of the Municipal Government Act.
6. That the subdivision area be expanded to include the $\pm 19 \text{ m}^2$ (200 ft^2) fenced area located immediately east of the subdivision area, at the option of the applicants.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The existing C-1 zoning of Lot 14, Block 19, Plan 101 1620, includes a retail use in addition to other uses and, pursuant to Section 654 of the Municipal Government Act, is deemed consistent with the Land Use Bylaw for the purposes of the Subdivision Application. The 0.09 acre area being subdivided must be redesignated in order to align with the proposed residential use of the lands, the application for which could include Lot 14, Block 19, Plan 101 1620, at the discretion of the Municipality.
3. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(c) of the Municipal Government Act, Reserve is not required.

- (b) It has been identified that the existing physical laneway located west of the residential parcel, which serves the subject parcel as well as adjacent residential parcels, is a titled parcel (Lot 21 & 22, Block 7, Plan 6099AQ) in the name of the Crown. Administration will seek the provincial government's consent to register a road plan over this laneway facility.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (f) ATCO Gas has no objections.
- (g) Historical Resources – Barry Newton, Land Use Planner:

"We have reviewed the captioned Subdivision Application and determined that the property in question has an HRV value of 3h, p and 5a.

Consequently, the applicant must obtain *Historical Resources Act* approval prior to proceeding with any land surface disturbance associated with development by submitting a Historic Resources Application through Alberta Culture and Status of Women's Online Permitting and Clearance (OPaC) system – www.opac.alberta.ca.

The applicant should review the Land Use Procedures Bulletin: Subdivision Development Historical Resources Act Compliance (<https://open.alberta.ca/publications/subdivision-historical-resources-act-compliance>) prior to OPaC submission (attached)."

- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

"This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 14 and 15 of the Subdivision and Development Regulation, due to the proximity of Highway 3.

Alberta Transportation has the following additional comments and/or requirements with respect to this proposal:

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017("the regulation").

Alberta Transportation's primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway network.

To that end, this is merely a boundary adjustment of which currently and as proposed the parcels to be created will gain indirect access to the provincial highway system solely by way of the local road system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the boundary adjustment as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance a permit from Alberta Transportation will not be required and development of the residential parcels could proceed under the direction, control and management of the municipality. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.

If you have any questions or require additional information, please contact the undersigned.”

- (i) Canada Post has no comment.

Subdivision *Historical Resources Act* Compliance

PURPOSE: To identify the circumstances under which proposed subdivisions require *Historical Resources Act* approval and to provide guidelines for the submission of applications to obtain approval.

SCOPE: Subdivision applicants, developers, municipalities, and other planning authorities in Alberta.

BACKGROUND: In accordance with Section 5(5) of the [Subdivision and Development Regulation](#), applications for subdivision of areas containing or likely to contain historic resources must be referred to Alberta Culture and Status of Women. This requirement applies equally to private and public lands.

PROCEDURES - ROUTINE:

Subdivision

The subdivision authority and/or the owner/developer must consult the **Listing of Historic Resources**¹ to determine if the lands that are subject to subdivision have been flagged as having a **Historic Resource Value (HRV)**.

1. **If the subject lands do not overlap areas identified in the Listing of Historic Resources**, *Historical Resources Act* approval is not required, although the provisions of Section 31 of the *Historical Resources Act* still apply.²

¹ The Listing of Historic Resources is a publicly available list of lands that contain, or are likely to contain, significant historic resources. Updated twice yearly, the Listing is an information resource for residential, commercial, and industrial developers and can guide the regulatory approval process. The Listing and Instructions for Use are available at: <https://www.alberta.ca/listing-historic-resources.aspx>.

² It is important to note that, even if *Historical Resources Act* approval is not required prior to the initiation of land surface disturbance activities, or if *Historical Resources Act* approval has been granted, Section 31 of the *Act* requires that anyone who discovers a historic resource, such as an archaeological, palaeontological, historic structures or Aboriginal Traditional Use site, during the course of development activities must cease work and notify Alberta Culture and Status of Women immediately for further direction on the most appropriate action. Details about who to contact can be found in [Standard Requirements under the *Historical Resources Act*. Reporting the Discovery of Historic Resources](#).

2. **If the subject lands wholly or partially overlap areas identified as having an HRV of 1, 3, or 4 in the Listing of Historic Resources, *Historical Resources Act*** approval is required. A Historic Resources (HR) Application must be submitted via the Online Permitting and Clearance ([OPaC](#)) system.³ Development activities, including any land disturbance, may not proceed until *Historical Resources Act* approval has been obtained in writing.⁴
3. **If the subject lands wholly or partially overlap areas identified as having an HRV of 5 (and no other value) in the Listing of Historic Resources, *Historical Resources Act*** approval must be obtained through the submission of an HR Application, with the following exceptions:
 - First parcel out
 - 80-acre split
 - Lot line/boundary adjustment
 - Parcel consolidation

Subdivisions for these four purposes do not require *Historical Resources Act* approval if situated in lands assigned an HRV of 5 only. Subdivision of HRV 5 lands for all other purposes do require *Historical Resources Act* approval, and development, including any land disturbance, may not proceed until this approval has been obtained in writing.

Lands that contain, or are likely to contain, significant historic resources may require the conduct of a [Historic Resources Impact Assessment](#) (HRIA) prior to development. If required, this direction will be communicated in Alberta Culture and Status of Women's response to the HR application. All HRIAs are to be conducted by a qualified heritage consultant on behalf of the developer, at the developer's expense. Results of the HRIA must be reported to Alberta Culture and Status of Women and subsequent *Historical Resources Act* approval must be granted before development proceeds.

Where a proposed subdivision includes lands that overlap areas with HRVs in the Listing, a subdivision authority may choose to submit the details for review in an HR Application prior to subdivision approval or condition *Historical Resource Act* approval as part of their subdivision approval. In these instances, no development activities are to commence until *Historical Resources Act* approval has been granted.

³ Information regarding Historic Resources Applications and the OPaC system can be found at: <https://www.alberta.ca/online-permitting-clearance.aspx>. In addition, help buttons within the application provide guidance on how to complete the form.

⁴ The Historic Resources Application must include all lands in the subdivision area, not just those identified as having an HRV.

Area Structure and Redevelopment Plans

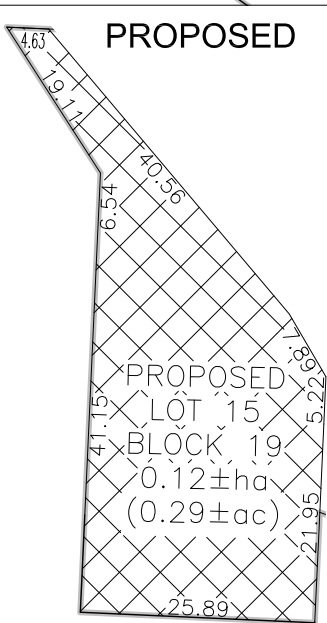
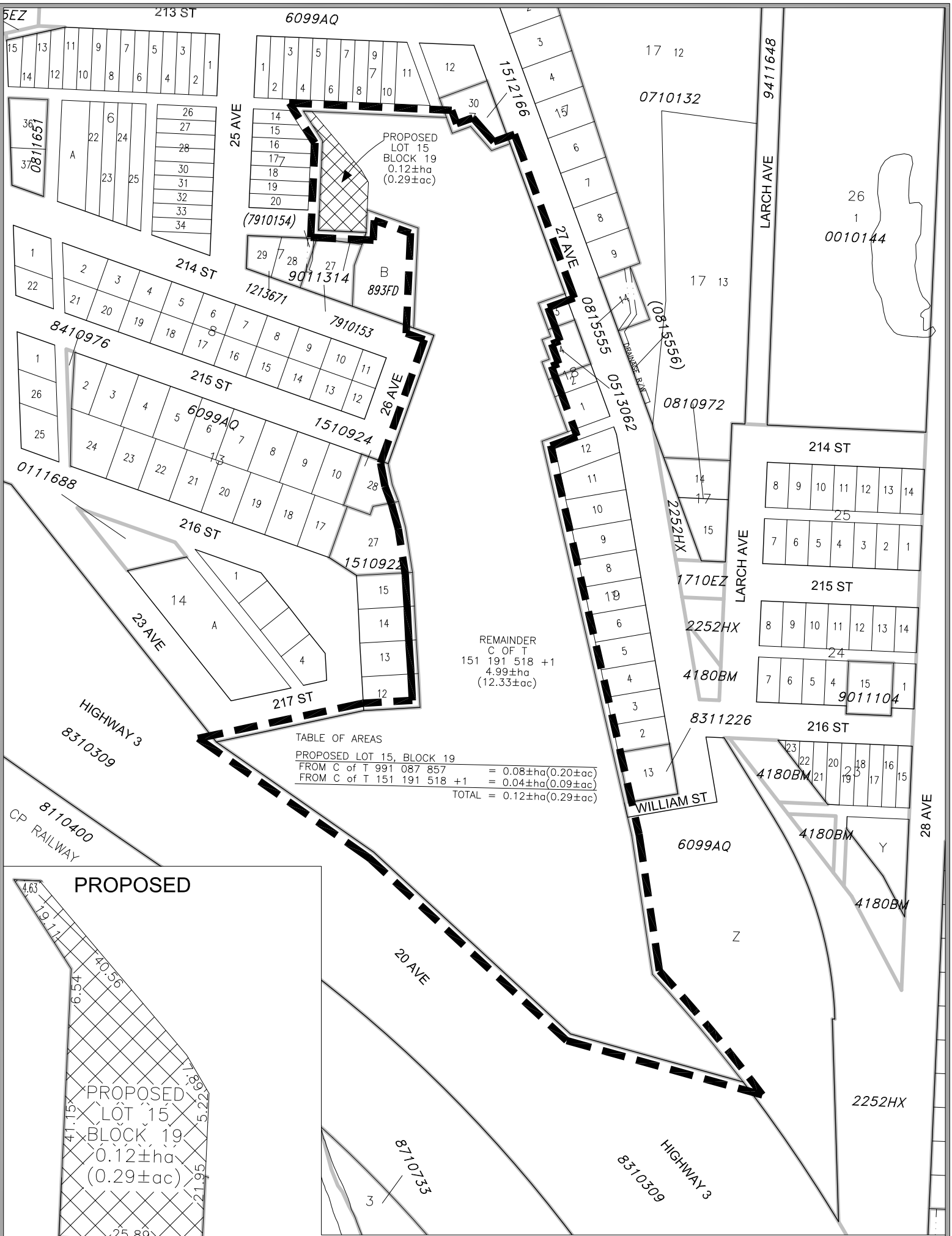
It is recommended that municipalities and/or developers submit for review through the OPaC system, all Area Structure Plans, Area Redevelopment Plans, and other long-term planning documents. Submission is made via a Historic Resources Application. The outcome of application review will provide the applicant with information about historic resource concerns in the planning areas and may offer guidance for developing strategies to address these concerns.

PROCEDURES – NON-ROUTINE:

Notwithstanding the instruction provided above, if Alberta Culture and Status of Women is made aware of historic resource concerns associated with lands not included in the Listing of Historic Resources, direction may be given to submit an HR application. This direction is made under Section 37(2) of the [Historical Resources Act](#) and can be applied to any type of project.

Questions?

For further information please contact HRA.Team@gov.ab.ca.



SUBDIVISION SKETCH - PROPOSED
 PORTION OF NE 1/4 & LOT 14; BLOCK 19; PLAN 1011620
 ALL WITHIN NE 1/4 SEC 20, TWP 7, RGE 3, W 5 M
 MUNICIPALITY: CROWSNEST PASS
 DATE: APRIL 27, 2022
 FILE: 2022-0-074

APPROVED

Approved
 Approved subject to revised parcel configuration

Approved Subdivision is subject to the conditions listed in the Approval Letter attached.

Oldman River Regional Services Commission



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.e

Subject: Crown Mountain Site Visit - Dates for Consideration

Recommendation: That Council have discussion regarding choosing a date for the Crown Mountain site tour.

Executive Summary:

An invitation was received on May 28th to schedule a tour for Council to view the site of the Crown Mountain Project. Council did not agree to a date at that time. Administration has made a further inquiry to see if a tour can still be arranged for this year.

Relevant Council Direction, Policy or Bylaws:

1041, 202 Procedure Bylaw

Discussion:

Administration is requesting that Council have further discussion to tour the site of the Crown Mountain Coking Coal project. Dates available for a tour are shown on the attached calendar in white for Council's consideration.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2024 Site Tours Calendar - Crown Mountain Project.docx](#)

Crown Mountain Site Visit Opportunities								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
Sept	1	2	3	4	5	6	7	Sept
	8	9	10	11	12	13	14	
	15	16	17	18	19	20	21	
	22	23	24	25	26	27	28	
Oct	29	30	1	2	3	4	5	Oct
	6	7	8	9	10	11	12	
	13	14	15	16	17	18	19	
	20	21	22	23	24	25	26	

Days shown in white are available to book for site tours of the Crown Mountain project.



**Municipality of Crowsnest Pass
Request for Decision**

Meeting Date: September 10, 2024

Agenda #: 7.f

Subject: 2024 Q2 Financial Report

Recommendation: That Council receive the 2024 Q2 Financial Report for Information.

Executive Summary:

The second quarter financial statements, for the six months ending June 30, 2024, has been attached for Council's review.

Relevant Council Direction, Policy or Bylaws:

Administration brings forward financial information for Council's review.

Discussion:

This is the second quarterly report for the 2024 budget year. In general, the Municipality should be at 50 percent spend. The operating report is broken down by Object Type, Department Summary, followed by each department breakdown.

Some revenue and expenses occur at specific points in time. On the revenue side, Property Taxes are the largest source of revenue and are recorded in June. From an expenditure side there are several one time expenses that occur at specific points in time. Examples are: Insurance and Grants to Organizations which are paid in full early in the year (January/February). while Transfers to Reserves and Interdepartmental Transfers happen in December.

Overall, the Municipality has received 77 percent of the annual revenues and spent 44 percent of the expenses.

Revenue Variance

ASFF Taxes

At the time of budget The School amount is not known
Province provides amount they need.

Conditional Grant

CIP Waste Water (FWWTP) to be transferred to Capital \$390,000.

Donations

Finance donation Suncor for Teton School Project \$44,737

Community Services Rec Program Fit for Life \$8,353
Green Space funds carried forward from 2023 \$21,257.

Franchise Fees

Gas receive funds quarterly have only received Q1 \$178,863. Power receive funds monthly have received 5 months of revenue \$357,892.

Gain/Loss on Disposal

Transportation Sale of 4 vehicles (net gain \$19,283) funds to be transferred to Fleet Reserve

Interest and Penalties

Property Tax Prior year (Budget \$30,000) actual \$20,452

Property Tax Current (Budget \$120,000) Penalties are applied July 7%, August 6%, and September 5%.

Utility bill monthly charges (Budget \$25,000) actual \$14,807.

Rebate Dividend Health and Safety WCB Rebate \$6,170

Investment Interest

Investment Interest General Government Long Term Investment \$63,538

Bank Acct Interest Finance Short Term \$291,022

	Development and Trade Permits \$195,329, Land Rent \$48,500
Licenses and Fees	Finance Business Licenses \$148,238, Tax Searches \$4,595 and NSF Charges \$2,345
	Enforcement Fines \$83,881
	Animal Control Pet Licenses 7,900
	Council CNP Waste remuneration \$1,295
	Culture Library wage recovery \$62,298
Other Revenue/Recovery	Finance CRA prior year credit \$66,621
	Fire Services Hazmat training \$2,250
	Billable Response time \$9,469
	Culture lease Bellevue Senior \$1,264 Coleman Senior \$1,264
	Development (Muni Land Rental) \$62,736 (Trailer Park and Communication Towers)
	Community Services Green Space – Rental \$4,005
Rental Income	Recreation Facilities Facility rental \$70,865 most rentals paid at beginning of year.
	Equipment Rental \$4,405
	Facility Lease \$102,556 billed beginning of year
	Pool Facility Rental \$1,575
	Ski Hill Facility Rental \$16,978
	Ski Hill Equipment Rental \$23,416

Utilities monthly billing for Water, Sewer, Garbage and Recycle \$2,068,139

Ski Hill Sales, services, daily admission, season pass, lessons \$383,427

Sale of Goods and Services

Pool Sales, services, daily admission, season pass, lessons \$32,366 (1 month revenue)

Community Services FCSS Meals on Wheels \$27,938

Rec Facilities and Programs \$35,595

Transfer from Reserve

The majority of the transfer from reserve will happen in the final quarter of the year as expenses have been paid.

Expense Variance

Administration

Resides in all departments largest variance is CAO legal fees are down.

Community Services new initiatives \$875,000 to be started over the summer.

Development - Facilities new initiatives \$724,000 (\$650,000 MDM windows on hold)

Transportation new initiatives \$690,000 work commenced completed in the fall.

Finance - one time cost for Hazardous material assessment \$41,125, IT server upgrade \$28k

Contract Services

Pool Slide repair \$3,249, Pipe break repair \$7,989.

Ski Hill new initiative Snow Gun Purchase deposit \$58,538 to me moved to capital

Protective services enhanced policing billing to come at end of year.

Protective Services Environmental services spraying contract (budget 130,000) billing end of season.

	FCSS give out quarterly or semiannual
Grants to Organizations	Council one time grant given to United Riders - Brush Truck \$49,143. Culture Category 1, 2 and 3 given out at beginning of year \$436,511
	General Government - Senior housing grant paid in full \$362,500
Operations	On Track
Rebates	General Government Senior Property Tax Rebate (budget \$34,000) paid in August \$32,175.
	Property Tax 305 adjustment (Budget \$20,000) actual \$6,404
Repairs and Maintenance	On Track
Requisitions	General Government ASFF paid quarterly based on last year 2024 correction in December.
	On Track as majority of costs are long term debt interest.
Service Charges and Interest	One new loan with anticipated debt payment in December \$58,000.
	Utilities Sewer Land fill tipping fees sludge (Budget \$30,000) actual \$20,689
Waste Disposal	Solid Waste Collection Tipping Fees (budget \$145,000) actual \$84,941

There is a great deal of outside work under way in both Community Services and Operations. Work is billed out either when the work is complete or on a progress basis. This results in invoicing and payment happening later. A large percentage of payments will show up on the the September quarterly report.

Analysis of Alternatives:

N/A

Financial Impacts:

The Municipality is on track to be within budget by year end.

Attachments:

[IncomeStatement_Category_Sum \(1\).pdf](#)

[IncomeStatement_Depart_Sum \(1\).pdf](#)

[Q2 2024 by Departement.pdf](#)

Crowsnest Pass, Municipality of

Income Statement

6 months ending June 30th, 2024

	2024 Budget	2024 Actuals	\$ Variance	% Variance
- ASFF Taxes	3,160,000	3,515,502	355,502	11.3
- Conditional Grants	446,638	532,099	85,462	19.1
- DIP Taxes	4,666	-	(4,666)	-
- Donations	15,200	80,008	64,808	426.4
- Franchise Fees	1,360,000	536,755	(823,245)	(60.5)
- Gain/Loss on Disposal	-	19,933	19,933	100.0
- Inter-Department Revenues	630,464	-	(630,464)	-
- Interest and Penalties	175,000	26,512	(148,488)	(84.9)
- Investments Interests	415,000	360,730	(54,270)	(13.1)
- Licenses and Fees	636,600	498,009	(138,591)	(21.8)
- Other Revenues and Cost Recoveries	234,000	208,327	(25,673)	(11.0)
- Property Taxes	11,565,802	11,968,199	402,397	3.5
- Rental Income	390,404	289,083	(101,321)	(26.0)
- Sale of Goods and Services	5,087,117	2,595,740	(2,491,377)	(49.0)
- Seniors Housing Taxes	-	-	-	-
- Transfers from Reserves	2,686,200	-	(2,686,200)	-
Total Revenues	26,807,091	20,630,896	(6,176,195)	(23.0)
- Administration	677,307	293,687	(383,620)	(56.6)
- Contracted Services	5,188,155	1,527,264	(3,660,891)	(70.6)
- DIP Requisition	4,700	4,971	271	5.8
- Grants to Organizations	946,730	889,044	(57,686)	(6.1)
- Inter-Department Expenses	630,465	-	(630,465)	-
- Operations	5,000,715	2,367,728	(2,632,987)	(52.7)
- Rebates	54,000	6,404	(47,596)	(88.1)
- Repairs and Maintenance	315,200	153,789	(161,411)	(51.2)
- Requisitions	3,160,000	1,570,971	(1,589,029)	(50.3)
- Salaries, Wages and Benefits	8,053,358	4,166,494	(3,886,864)	(48.3)
- Service Charges and Interest	454,423	183,747	(270,676)	(59.6)
- Transfer to Reserves	1,536,336	66,868	(1,469,468)	(95.6)
- Waste Disposal	175,000	105,630	(69,370)	(39.6)
Total Expenses	26,196,389	11,336,597	(14,859,792)	(56.7)
Net Income	610,702	9,294,299	8,683,597	

Crowsnest Pass, Municipality of

Income Statement by Department
6 months ending June 30th, 2024

	2024 Budget	2024 Actuals	\$ Variance	% Variance
CAO Office	-	-	-	-
Community Services	1,443,342	385,272	(1,058,070)	(73.3)
Corporate Services	-	10,435	10,435	100.0
Council	-	1,295	1,295	100.0
Culture	138,400	64,825	(73,575)	(53.2)
Development, Engineering & Operations	6,812,902	2,896,158	(3,916,744)	(57.5)
Finance	706,900	559,813	(147,087)	(20.8)
General Government	16,365,468	16,110,917	(254,551)	(1.6)
Pass Pool	135,700	34,300	(101,400)	(74.7)
Pass Powder Keg Ski Hill	734,600	425,371	(309,229)	(42.1)
Protective Services	469,779	142,510	(327,270)	(69.7)
Total Revenues	26,807,091	20,630,896	(6,176,195)	(23.0)
CAO Office	976,401	406,453	(569,948)	(58.4)
Community Services	3,045,870	1,089,701	(1,956,169)	(64.2)
Corporate Services	820,312	400,639	(419,673)	(51.2)
Council	348,022	186,611	(161,411)	(46.4)
Culture	706,940	523,637	(183,303)	(25.9)
Development, Engineering & Operations	11,133,087	4,160,545	(6,972,542)	(62.6)
Finance	1,675,680	993,876	(681,804)	(40.7)
General Government	3,826,646	1,944,622	(1,882,024)	(49.2)
Pass Pool	388,726	142,365	(246,361)	(63.4)
Pass Powder Keg Ski Hill	1,269,176	705,938	(563,238)	(44.4)
Protective Services	2,005,528	782,211	(1,223,317)	(61.0)
Total Expenses	26,196,388	11,336,597	(14,859,791)	(56.7)
Net Income	610,703	9,294,299	8,683,596	

Actual vs Budget Year To Date by Department

Department CAO Office

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	-	-	0.00%
- Donations	-	-	-	0.00%
- Other Revenues and Cost Recoveries	-	-	-	0.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	-	-	-	0.00%
- Administration	249,900	66,194	(183,706)	-73.51%
- Contracted Services	115,000	44,892	(70,108)	-60.96%
- Grants to Organizations	-	-	-	0.00%
- Operations	20,500	1,485	(19,015)	-92.76%
- Salaries, Wages and Benefits	544,522	293,883	(250,639)	-46.03%
- Transfer to Reserves	46,479	-	(46,479)	-100.00%
Total Expenses	976,401	406,453	(569,948)	-58.37%
Net Total	(976,401)	(406,453)	569,948	-58.37%

Actual vs Budget Year To Date by Department

Department Community Services

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	205,138	103,881	(101,256)	-49.36%
- Donations	15,200	34,771	19,571	128.75%
- Gain/Loss on Disposal	-	-	-	0.00%
- Licenses and Fees	3,000	-	(3,000)	-100.00%
- Other Revenues and Cost Recoveries	11,000	466	(10,534)	-95.77%
- Rental Income	254,504	181,831	(72,673)	-28.55%
- Sale of Goods and Services	114,500	64,323	(50,177)	-43.82%
- Transfers from Reserves	840,000	-	(840,000)	-100.00%
Total Revenues	1,443,342	385,272	(1,058,070)	-73.31%
- Administration	32,680	9,414	(23,266)	-71.19%
- Contracted Services	1,076,400	121,299	(955,101)	-88.73%
- Grants to Organizations	91,000	40,890	(50,110)	-55.07%
- Inter-Department Expenses	-	-	-	0.00%
- Operations	659,600	353,734	(305,866)	-46.37%
- Rebates	-	-	-	0.00%
- Repairs and Maintenance	41,900	4,399	(37,501)	-89.50%
- Salaries, Wages and Benefits	1,024,015	542,475	(481,540)	-47.02%
- Service Charges and Interest	34,627	17,491	(17,136)	-49.49%
- Transfer to Reserves	85,648	-	(85,648)	-100.00%
Total Expenses	3,045,870	1,089,701	(1,956,169)	-64.22%
Net Total	(1,602,528)	(704,429)	898,099	-56.04%

Actual vs Budget Year To Date by Department

Department Corporate Services

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	-	-	0.00%
- Investments Interests	-	6,170	6,170	100.00%
- Other Revenues and Cost Recoveries	-	165	165	100.00%
- Sale of Goods and Services	-	4,100	4,100	100.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	-	10,435	10,435	100.00%
- Administration	68,927	32,037	(36,890)	-53.52%
- Contracted Services	6,500	5,761	(739)	-11.36%
- Operations	128,100	61,424	(66,676)	-52.05%
- Salaries, Wages and Benefits	567,247	301,417	(265,830)	-46.86%
- Transfer to Reserves	49,538	-	(49,538)	-100.00%
Total Expenses	820,312	400,639	(419,673)	-51.16%
Net Total	(820,312)	(390,204)	430,108	-52.43%

Actual vs Budget Year To Date by Department

Department Council

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Donations	-	-	-	0.00%
- Other Revenues and Cost Recoveries	-	1,295	1,295	100.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	-	1,295	1,295	100.00%
- Administration	29,700	10,699	(19,001)	-63.98%
- Contracted Services	-	-	-	0.00%
- Grants to Organizations	-	49,143	49,143	100.00%
- Operations	2,000	392	(1,608)	-80.39%
- Salaries, Wages and Benefits	299,749	126,377	(173,372)	-57.84%
- Transfer to Reserves	16,573	-	(16,573)	-100.00%
Total Expenses	348,022	186,611	(161,411)	-46.38%
Net Total	(348,022)	(185,316)	162,706	-46.75%

Actual vs Budget Year To Date by Department

Department Culture

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	-	-	0.00%
- Donations	-	-	-	0.00%
- Gain/Loss on Disposal	-	-	-	0.00%
- Licenses and Fees	-	-	-	0.00%
- Other Revenues and Cost Recoveries	136,000	62,298	(73,702)	-54.19%
- Rental Income	2,400	2,527	127	5.30%
- Sale of Goods and Services	-	-	-	0.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	138,400	64,825	(73,575)	-53.16%
- Administration	51,000	5,992	(45,008)	-88.25%
- Contracted Services	136,000	61,774	(74,226)	-54.58%
- Grants to Organizations	493,230	436,511	(56,719)	-11.50%
- Operations	26,710	19,360	(7,351)	-27.52%
- Repairs and Maintenance	-	-	-	0.00%
- Salaries, Wages and Benefits	-	-	-	0.00%
- Transfer to Reserves	-	-	-	0.00%
Total Expenses	706,940	523,637	(183,303)	-25.93%
Net Total	(568,540)	(458,811)	109,729	19.30%

Actual vs Budget Year To Date by Department

Department Development, Engineering & Operations

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	395,969	395,969	100.00%
- Donations	-	-	-	0.00%
- Gain/Loss on Disposal	-	19,583	19,583	100.00%
- Inter-Department Revenues	630,464	-	(630,464)	-100.00%
- Licenses and Fees	306,700	251,003	(55,697)	-18.16%
- Other Revenues and Cost Recoveries	-	60,700	60,700	100.00%
- Rental Income	52,000	62,736	10,736	20.65%
- Sale of Goods and Services	4,375,738	2,106,167	(2,269,571)	-51.87%
- Transfers from Reserves	1,448,000	-	(1,448,000)	-100.00%
Total Revenues	6,812,902	2,896,158	(3,916,744)	-57.49%
- Administration	79,850	43,933	(35,917)	-44.98%
- Contracted Services	2,902,500	738,535	(2,163,965)	-74.56%
- Grants to Organizations	-	-	-	0.00%
- Inter-Department Expenses	573,728	-	(573,728)	-100.00%
- Operations	2,682,900	1,329,365	(1,353,535)	-50.45%
- Rebates	-	-	-	0.00%
- Repairs and Maintenance	238,000	143,226	(94,774)	-39.82%
- Salaries, Wages and Benefits	3,280,822	1,618,182	(1,662,640)	-50.68%
- Service Charges and Interest	322,082	114,806	(207,276)	-64.35%
- Transfer to Reserves	878,205	66,868	(811,337)	-92.39%
- Waste Disposal	175,000	105,630	(69,370)	-39.64%
Total Expenses	11,133,087	4,160,545	(6,972,543)	-62.63%
Net Total	(4,320,185)	(1,264,387)	3,055,798	-70.73%

Actual vs Budget Year To Date by Department

Department Finance

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	240,000	-	(240,000)	-100.00%
- Donations	-	44,737	44,737	100.00%
- Gain/Loss on Disposal	-	650	650	100.00%
- Investments Interests	315,000	291,022	(23,978)	-7.61%
- Licenses and Fees	151,900	155,174	3,274	2.16%
- Other Revenues and Cost Recoveries	-	67,973	67,973	100.00%
- Sale of Goods and Services	-	257	257	100.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	706,900	559,813	(147,087)	-20.81%
- Administration	131,650	104,616	(27,034)	-20.53%
- Contracted Services	307,200	313,810	6,610	2.15%
- Grants to Organizations	-	-	-	0.00%
- Operations	426,700	187,439	(239,261)	-56.07%
- Rebates	-	-	-	0.00%
- Repairs and Maintenance	-	-	-	0.00%
- Salaries, Wages and Benefits	704,335	371,421	(332,914)	-47.27%
- Service Charges and Interest	26,000	16,589	(9,411)	-36.20%
- Transfer to Reserves	79,795	-	(79,795)	-100.00%
Total Expenses	1,675,680	993,876	(681,804)	-40.69%
Net Total	(968,780)	(434,063)	534,717	-55.19%

Actual vs Budget Year To Date by Department

Department General Government

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- ASFF Taxes	3,160,000	3,515,502	355,502	11.25%
- Conditional Grants	-	-	-	0.00%
- DIP Taxes	4,666	-	(4,666)	-100.00%
- Donations	-	-	-	0.00%
- Franchise Fees	1,360,000	536,755	(823,245)	-60.53%
- Gain/Loss on Disposal	-	-	-	0.00%
- Interest and Penalties	175,000	26,512	(148,488)	-84.85%
- Investments Interests	100,000	63,538	(36,462)	-36.46%
- Licenses and Fees	-	50	50	100.00%
- Other Revenues and Cost Recoveries	-	360	360	100.00%
- Property Taxes	11,565,802	11,968,199	402,397	3.48%
- Sale of Goods and Services	-	-	-	0.00%
- Seniors Housing Taxes	-	-	-	0.00%
- Transfers from Reserves	-	-	-	0.00%
Total Revenues	16,365,468	16,110,917	(254,551)	-1.56%
- Contracted Services	-	-	-	0.00%
- DIP Requisition	4,700	4,971	271	5.76%
- Grants to Organizations	362,500	362,500	-	0.00%
- Operations	-	-	-	0.00%
- Rebates	54,000	6,404	(47,596)	-88.14%
- Requisitions	3,160,000	1,570,971	(1,589,029)	-50.29%
- Salaries, Wages and Benefits	-	-	-	0.00%
- Service Charges and Interest	-	(224)	(224)	-100.00%
- Transfer to Reserves	245,446	-	(245,446)	-100.00%
Total Expenses	3,826,646	1,944,622	(1,882,024)	-49.18%
Net Total	12,538,822	14,166,295	1,627,473	12.98%

Actual vs Budget Year To Date by Department

Department Pass Pool

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	59	59	100.00%
- Donations	-	-	-	0.00%
- Other Revenues and Cost Recoveries	2,500	300	(2,200)	-88.00%
- Rental Income	9,000	1,575	(7,425)	-82.50%
- Sale of Goods and Services	100,000	32,366	(67,634)	-67.63%
- Transfers from Reserves	24,200	-	(24,200)	-100.00%
Total Revenues	135,700	34,300	(101,400)	-74.72%
- Administration	5,700	4,175	(1,525)	-26.75%
- Contracted Services	15,260	23,920	8,660	56.75%
- Operations	95,300	47,346	(47,954)	-50.32%
- Repairs and Maintenance	8,400	510	(7,890)	-93.93%
- Salaries, Wages and Benefits	218,911	52,774	(166,137)	-52.54%
- Service Charges and Interest	29,136	13,640	(15,496)	-53.19%
- Transfer to Reserves	16,019	-	(16,019)	-100.00%
Total Expenses	388,726	142,365	(246,361)	-63.38%
Net Total	(253,026)	(108,065)	144,961	-57.29%

Actual vs Budget Year To Date by Department

Department Pass Powder Keg Ski Hill

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	-	-	-	0.00%
- Donations	-	-	-	0.00%
- Licenses and Fees	-	-	-	0.00%
- Other Revenues and Cost Recoveries	12,500	1,551	(10,949)	-87.60%
- Rental Income	72,500	40,394	(32,106)	-44.28%
- Sale of Goods and Services	490,600	383,427	(107,173)	-21.85%
- Transfers from Reserves	159,000	-	(159,000)	-100.00%
Total Revenues	734,600	425,371	(309,229)	-42.09%
- Administration	10,125	6,067	(4,058)	-40.08%
- Contracted Services	56,450	77,293	20,843	36.92%
- Inter-Department Expenses	-	-	-	0.00%
- Operations	480,705	204,670	(276,035)	-57.42%
- Repairs and Maintenance	25,600	5,655	(19,946)	-77.91%
- Salaries, Wages and Benefits	636,430	409,072	(227,358)	25.68%
- Service Charges and Interest	7,000	3,182	(3,818)	-54.55%
- Transfer to Reserves	52,866	-	(52,866)	-100.00%
Total Expenses	1,269,176	705,938	(563,238)	-44.38%
Net Total	(534,576)	(280,566)	254,010	-47.52%

Actual vs Budget Year To Date by Department

Department Protective Services

January 2024 To June 2024 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
- Conditional Grants	1,500	32,190	30,690	2,046.00%
- Donations	-	500	500	100.00%
- Gain/Loss on Disposal	-	(300)	(300)	-100.00%
- Licenses and Fees	175,000	91,781	(83,219)	-47.55%
- Other Revenues and Cost Recoveries	72,000	13,219	(58,781)	-81.64%
- Rental Income	-	20	20	100.00%
- Sale of Goods and Services	6,279	5,100	(1,179)	-18.78%
- Transfers from Reserves	215,000	-	(215,000)	-100.00%
Total Revenues	469,779	142,510	(327,270)	-69.66%
- Administration	17,775	10,560	(7,215)	-40.59%
- Contracted Services	572,845	139,980	(432,865)	-75.56%
- Grants to Organizations	-	-	-	0.00%
- Inter-Department Expenses	56,736	-	(56,736)	-100.00%
- Operations	478,200	162,515	(315,685)	-66.02%
- Repairs and Maintenance	1,300	-	(1,300)	-100.00%
- Salaries, Wages and Benefits	777,327	450,892	(326,435)	-41.99%
- Service Charges and Interest	35,578	18,263	(17,315)	-48.67%
- Transfer to Reserves	65,767	-	(65,767)	-100.00%
Total Expenses	2,005,528	782,211	(1,223,317)	-61.00%
Net Total	(1,535,749)	(639,701)	896,048	-58.35%



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 7.g

Subject: 2023 Surplus Report

Recommendation: That Council accepts the 2023 surplus report as information.

Executive Summary:

Each year the external auditors prepare audited financial statements for the Municipality. Once the statements are completed, Administration examines the results to determine the annual surplus for the year.

Relevant Council Direction, Policy or Bylaws:

n/a

Discussion:

The audited financial statements for 2023 were presented to Council by BDO. The annual activity is broken down into three components; Operations, Reserves (internally restricted) and Capital. For Operations, the auditors only include external revenues and expenses (excludes transfers to and from reserves and transfers between departments). In analyzing the audited financial statements, specifically the Consolidated Statement of operations (page 5 of the audited financial statements) there are several items that need to be removed from the revenue or expenses (see Schedule A attached). Specifically, adding back depreciation as this is a non cash transaction and relates to Capital. Transfers to and from reserves are considered internal and not reflected in external statements, as well as the pay down of principal portion of debt. With the adjustment to the financial statement, as listed in schedule A, the net surplus is \$110,937.

Analysis of Alternatives:

N/A

Financial Impacts:

\$110,937 is available for transfer to the Millrate Stabilization Reserve.

Attachments:

[Reconciliation of Net Surplus for 2023.docx](#)

Reconciliation of Net Surplus for 2023

Schedule A

Audited Financial Statement (page 5) Annual Surplus	2,491,567
Transfer to Reserve (Budget and Council Resolutions)	(3,796,669)
Transfer from Reserve (Budget Initiatives and Council Resolutions)	780,402
Current Year Funding for Capital (Grants and Operating)	(3,423,858)
Disposal of Capital Assets	202,542
Amortization	4,385,724
ARO (Asset Retirement Obligation) Future cost	21,162
Debt Charges (Principal Portion) paid in 2023	<u>(549,933)</u>
Net Surplus for 2023	<u>110,937</u>



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 10.a

Subject: Notice of Motion - Coal Referendum (non-binding Vote of the Electors on a Question)-
Councillor Ward

Recommendation: That Council directs Administration to hold a vote of the electors of the Crowsnest Pass within ninety days (using the same criteria as a municipal election for eligibility and process) with the following question "Do you believe the Municipality of Crowsnest Pass should support the development and operation of coal mines, within both the Crowsnest Pass and adjacent municipalities?"

Executive Summary:

Councillor Ward submitted the following motion for Council's consideration.

Relevant Council Direction, Policy or Bylaws:

N/A

Discussion:

The last major industry in the Crowsnest Pass closed many years ago.

With a very minimal industrial/commercial tax base the residents of the Crowsnest Pass pay the vast majority of the municipal tax levy keeping residential taxes much higher than if the community did have a significant industrial/commercial tax base.

In the last ten years Northback and its predecessors have been attempting to develop a coal mine to the north of our municipality. Many individuals, organizations and levels of government have expressed an opinion on whether this project should move forward or not. Unfortunately very few of these groups have asked the opinion of the residents of the Crowsnest Pass.

Recognizing that if this project moves forward, the Crowsnest Pass will be the location of housing, increased infrastructure needs, the supplier of emergency services and numerous other municipal facilities for the employees of this mine.

The Crowsnest Pass will also be the recipient of a tremendous economic impact from a greater tax base, hundreds of high paying jobs, and numerous secondary jobs.

In recognition of the above points, and the fact that this is a very controversial issue. It is time that the opinion of the residents of the Crowsnest Pass were taken into consideration on this issue.

Therefore, I motion the following:

That Council directs Administration to hold a vote of the electors of the Crowsnest Pass within ninety days (using the same criteria as a municipal election for eligibility and process) with the following question "Do you believe the Municipality of Crowsnest Pass should support the development and operation of coal mines, within both the Crowsnest Pass and adjacent municipalities?"

Analysis of Alternatives:

1. Pass the motion
2. Pass the motion with different wording- *Administration recommends Council consider specifying metallurgical coal (steel, coking coal) vs. any coal including thermal, as the coal projects in our region are typically metallurgical and people may have support for met coal but not thermal. Without specifying, met people may vote no, when in fact they may support the current project interests in the region.*
3. Pass the motion with a different time frame
4. Defeat the motion

Financial Impacts:

\$27,000 unbudgeted to come from Mill Rate Stabilization Reserves.

Attachments:



Municipality of Crowsnest Pass Request for Decision

Meeting Date: September 10, 2024

Agenda #: 10.b

Subject: Resolutions for Alberta Municipalities Convention - Mayor Painter

Recommendation: That Council review the submitted motions going to the AB Municipalities convention in order to provide input for the delegates attending.

Executive Summary:

Mayor Painter requested that the proposed resolutions be added to this agenda for the Alberta Municipalities Convention for input from Council.

Relevant Council Direction, Policy or Bylaws:

n/a

Discussion:

N/A

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[2024 08 28 - AUMA Notification for Resolutions at Convention.pdf](#)

Dear Mayors, Councillors and CAOs:

On July 31, we [announced the release of the 27 resolutions](#) that members will vote on at our Convention in Red Deer on September 25-27, 2024. The resolutions process is a vital component of our annual convention because it is your municipality's opportunity to give us direction on what issues we invest our time and resources to advocate on your behalf.

Each resolution is brought forward by a member municipality who deems the issue to be important and seeks approval from the membership for ABmunis to take action. Each elected official of a Regular Member municipality who is registered for Convention has the right to vote on each resolution.

Suggested Action

If you are sending one or more delegates to this year's Convention, we highly encourage your council to:

1. Review the [2024 Resolutions Book](#) together.
2. Discuss if your council supports or disagrees with the proposed call to action in each resolution.
 - Each elected delegate may vote at their discretion so discussing within your council is beneficial to ensure your representative(s) at Convention are fully aware of your council's perspective on each resolution.
3. If a representative of your municipality plans to speak for or against a resolution at Convention, please consider the following tips:
 - You have a maximum of two minutes to speak. The timer starts as soon as you introduce yourself at the microphone.
 - Sometimes members run out of time because they use part of their two minutes to extend thanks or make general remarks unrelated to the resolution. We suggest you avoid these remarks or practice your address including everything you want to say within two minutes.

For a detailed description of the rules of our resolution process, please view our [Resolutions Policy AP002](#).

We look forward to hosting you at the Convention and facilitating a healthy debate of the resolutions that have been put forward by your peers. If you have any questions about this year's resolutions or the resolution process, please email resolutions@abmunis.ca.

Sincerely,
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