

**Appendix No. 1 – Buy Ontario**

Purchasing/Procurement Policy No. F-2

Approved by:

Approval Date: April 21, 2026

Revision Date:

**Buy Ontario Compliance**

**1. Purpose**

To amend the Township of Douro-Dummer Procurement Policy to incorporate requirements arising from the **Buy Ontario Act (Public Sector Procurement), 2025** and the **Municipal Buy Ontario Procurement Directive**, and to ensure that the Township’s purchasing procedures remain fair, transparent, competitive, and compliant with applicable Ontario legislation and directives.

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**2. Application**

This amendment applies to all procurements of goods and services undertaken by the Corporation of the Township of Douro-Dummer, including procurements for programs, services, facilities, fleet, equipment, construction, and capital projects directly delivered by the Municipality, unless specifically exempted by legislation, directive, or this policy.

This amendment shall be read together with the Township’s Procurement Policy. Where there is a conflict, the stricter compliance requirement shall apply.

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**3. Definitions**

Add the following definitions to **Section I – Definitions**:

**49. Buy Ontario Requirements**

means the procurement requirements established under the *Buy Ontario Act (Public Sector Procurement), 2025*, its regulations, and the *Municipal Buy Ontario Procurement Directive*, as amended from time to time.

**50. Ontario Business**

means a business that meets the requirements of Ontario origin, presence, or other criteria as may be defined by applicable legislation, regulation, directive, or Township procedure.

**51. Canadian Business**

means a business that meets the requirements of Canadian origin, presence, or other criteria as may be defined by applicable legislation, regulation, directive, or Township procedure.

**52. Ontario Goods and Services**

means goods and services that satisfy the applicable requirements for Ontario preference under the Buy Ontario legislative and directive framework.

**53. Canadian Goods and Services**

means goods and services that satisfy the applicable requirements for Canadian preference under the Buy Ontario legislative and directive framework.

**54. Capital Infrastructure Procurement**

means procurement related to construction, reconstruction, improvement, or major rehabilitation of municipal infrastructure, including related materials, equipment, and services, where such procurement falls within a category identified by applicable *Buy Ontario Requirements*.

**55. Fleet Vehicle Procurement**

means procurement related to light-duty, medium-duty, heavy-duty, or other municipal fleet vehicles where such procurement falls within a category identified by applicable *Buy Ontario Requirements*.

**56. Exemption**

means a procurement or class of procurement that is excluded from *Buy Ontario Requirements* by legislation, directive, regulation, or this policy.

**57. Urgent and Unforeseen Procurement**

means a procurement required to address an emergency or circumstance that is both urgent and unforeseen and for which normal competitive procedures or *Buy Ontario Requirements* cannot reasonably be followed.

#### **4. References & Related Policies**

Revise the **References & Related Policies** section to include:

- Buy Ontario Act (Public Sector Procurement), 2025
- Municipal Buy Ontario Procurement Directive
- Municipal Act, 2001
- Accessibility for Ontarians with Disabilities Act, 2005
- Ontarians with Disabilities Act, 2001
- Occupational Health and Safety Act
- Applicable trade agreement obligations
- Township Purchasing Procedures
- Township Emergency Management / Emergency Purchasing procedures
- Township P-Card Policy

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#### **5. Consequences of Non-Compliance**

Add the following sentence to the existing section:

Non-compliance with *Buy Ontario Requirements* may also result in the Township being exposed to legal, financial, audit, reporting, reputational, and operational risk, including non-compliance with provincial procurement obligations.

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### **SPECIFIC POLICY AMENDMENTS**

#### **6. Amend Section II – Procurement Principles and Goals**

Add the following new clauses after the existing procurement principles:

**14.** To comply with all applicable provincial procurement legislation, regulations, and directives, including the *Buy Ontario Act (Public Sector Procurement), 2025* and the *Municipal Buy Ontario Procurement Directive*, as amended from time to time.

**15.** Where required by law or directive, the Township shall give priority to:

- **Ontario goods and services first**, and
- **Canadian goods and services second**,  
subject to applicable exemptions, operational requirements, and legal obligations.

**16.** Procurement planning, specifications, solicitation documents, evaluations, recommendations, and award decisions shall incorporate *Buy Ontario Requirements* where applicable.

**17.** The Township shall maintain procurement practices that are fair, transparent, and defensible while implementing *Buy Ontario Requirements* in a manner consistent with applicable legislation and trade obligations.

**18.** Where *Buy Ontario Requirements* apply, procurement staff and Department Heads shall ensure that any preference, restriction, or evaluation criteria relating to Ontario or Canadian goods and services is clearly stated in the bid documents.

**19.** The Township shall maintain records sufficient to demonstrate compliance with *Buy Ontario Requirements*, including documentation of applicability, exemptions, rationale, and award decisions.

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## **7. Amend Section III – General Conditions**

Add the following new clauses:

**21.** The C.A.O. or designate shall ensure that *Buy Ontario Requirements* are incorporated into Township procurement procedures, templates, and evaluation practices where applicable.

**22.** No employee shall issue, award, or recommend a procurement that is subject to *Buy Ontario Requirements* unless such requirements have been reviewed and addressed in the procurement documents.

**23.** Where a procurement is subject to *Buy Ontario Requirements*, the user department shall identify and document:

- whether the procurement falls within a prescribed or strategic category,
- whether Ontario goods and services are available,
- whether Canadian goods and services are available,

- whether any exemption applies, and
- the rationale for the recommended procurement approach.

**24.** Where a non-Ontario or non-Canadian option is recommended for a procurement to which *Buy Ontario Requirements* apply, the file must contain written justification satisfactory to the C.A.O. or designate before award.

**25.** All solicitation templates issued by the Township for affected procurements shall include applicable Buy Ontario language, supplier declarations, verification rights, and any other terms required by law or directive.

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## **8. Amend Section V – Specifications**

Add the following new clauses:

**4.** Where *Buy Ontario Requirements* apply, specifications and terms of reference shall be prepared to support compliance with Ontario and Canadian preference requirements, while maintaining fairness, transparency, operational suitability, and competition to the extent permitted.

**5.** Departments shall avoid unnecessarily restrictive specifications unless required for operational, safety, compatibility, lifecycle, or regulatory reasons and such reasons are documented.

**6.** For procurements subject to *Buy Ontario Requirements*, bid documents may require proponents to provide declarations, certifications, product origin information, manufacturing information, supply chain information, or other evidence necessary to confirm eligibility or preference status.

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## **9. Amend Section VII – Responsibilities and Authorities**

Add the following new clauses:

**9.** Department Heads are responsible for identifying upcoming procurements that may be subject to *Buy Ontario Requirements* and consulting with the C.A.O. or designate before issuing procurement documents.

**10.** The C.A.O. or designate shall have authority to establish administrative procedures, forms, templates, declarations, internal guidance, and verification requirements necessary to implement *Buy Ontario Requirements*.

**11.** The C.A.O. or designate may update administrative procurement procedures to reflect changes to legislation, regulations, directives, thresholds, prescribed categories, evidentiary requirements, or provincial implementation dates, provided such updates do not conflict with this policy.

**12.** Where uncertainty exists regarding the application of *Buy Ontario Requirements*, the matter shall be referred to the C.A.O. or designate prior to issuance or award.

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**10. Amend Section VIII – Methods of Procurement**

Add the following new general provision at the start of Section VIII:

**Buy Ontario Compliance**

Notwithstanding any other provision of this Policy, all methods of procurement shall be subject to *Buy Ontario Requirements* where applicable.

Before issuing a Request for Quotation, Tender, Request for Proposal, or other procurement document, the initiating Department Head, in consultation with the C.A.O. or designate, shall determine whether the procurement is subject to *Buy Ontario Requirements*.

Where applicable, the procurement document shall clearly state:

- any Ontario or Canadian preference requirement,
- any supplier declaration or certification requirement,
- any category-specific requirement for fleet vehicles or capital infrastructure,
- any evaluation impact arising from Buy Ontario compliance, and
- any documentation required to support an exemption or exception.

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**11. Add New Section VIII-A – *Buy Ontario Requirements***

Insert the following as a new section after Section VIII:

## **Section VIII-A**

### ***Buy Ontario Requirements***

#### **1. General**

The Township shall comply with applicable *Buy Ontario Requirements* for all covered procurements.

#### **2. Preference Order**

Where required by applicable legislation or directive, the Township shall give procurement preference in the following order:

- a. Ontario goods and services
- b. Canadian goods and services
- c. other goods and services only where permitted

#### **3. Applicability Review**

Prior to issuing any procurement document, the initiating Department Head shall, in consultation with the C.A.O. or designate, determine whether the procurement:

- a. falls within a prescribed procurement category,
- b. exceeds any applicable threshold,
- c. is subject to a strategic category requirement, including fleet vehicles or capital infrastructure, and
- d. is subject to an exemption.

#### **4. Fleet Vehicle Procurement**

For fleet vehicle procurements subject to *Buy Ontario Requirements*:

- a. procurement documents shall incorporate applicable Ontario and Canadian preference requirements;
- b. departments shall consider available Ontario and Canadian compliant options when developing specifications;
- c. where a non-preferred option is recommended, written justification shall be included in the procurement file;
- d. no award shall be made without review by the C.A.O. or designate.

#### **5. Capital Infrastructure Procurement**

For capital infrastructure procurements subject to *Buy Ontario Requirements*:

- a. procurement planning and specifications shall consider applicable Ontario and Canadian preference requirements;

- b. tender and proposal documents shall include any required Buy Ontario provisions;
- c. departments shall document where Ontario or Canadian goods and services were considered and how compliance was addressed;
- d. where a non-preferred option is recommended, written justification shall be included in the procurement file and reviewed by the C.A.O. or designate prior to award.

## **6. Supplier Declarations and Verification**

The Township shall require suppliers to provide declarations, certifications, or supporting documents regarding Ontario or Canadian status, origin of goods, place of manufacture, business presence, or other information required to assess compliance.

The Township reserves the right to verify supplier declarations and to reject bids, cancel awards, or pursue remedies where false or misleading information is provided.

## **7. Exemptions**

*Buy Ontario Requirements* do not apply where:

- a. the procurement is exempt under legislation, regulation, or directive;
- b. the procurement is required to address an urgent and unforeseen situation or emergency;
- c. compliance would conflict with other applicable legislation; or
- d. another lawful exemption applies and is documented.

## **8. Documentation**

For all procurements subject to *Buy Ontario Requirements*, the procurement file shall contain, where applicable:

- the applicability review,
- category determination,
- supplier declarations,
- evaluation notes,
- exemption rationale,
- justification for non-preferred selection, and
- approval documentation.

## **12. Amend Exceptions to Methods of Acquisition**

Revise the **Emergency Procurement** section as follows:

### **c. Emergency Procurement**

Notwithstanding the provisions of this policy, the following shall only apply in case of an emergency, when an event occurs that is determined by a Department Head or the CAO to be:

- a threat to public health
- the maintenance of essential Township services
- the welfare of persons or public property, or
- the security of the Township's interests

and the occurrence requires the immediate delivery of goods or services and time does not permit for competitive bids.

For greater certainty, emergency or urgent and unforeseen procurements may be exempt from *Buy Ontario Requirements* where permitted by applicable legislation or directive. All such procurements shall be documented and reported in accordance with this policy.

Add the following sentence to the end of the emergency section:

All emergency or urgent and unforeseen procurements shall include written documentation describing the circumstances, the goods or services acquired, the vendor selected, the price paid, and the reason normal procurement procedures and/or *Buy Ontario Requirements* could not be followed.

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## **13. Amend Section IX – Bid Analysis**

Add the following clause:

### **5.**

For procurements subject to *Buy Ontario Requirements*, bid analysis shall also include assessment of compliance with Ontario and Canadian preference requirements, supplier declarations, and any documented exemption or justification relied upon.

**14. Amend Section X – Reporting**

Add the following new clause:

**5.**

In addition to existing reporting requirements, a report to Council shall be required where:

- a. a procurement subject to *Buy Ontario Requirements* recommends a non-preferred supplier and such recommendation is significant in value, risk, or public interest;
- b. *Buy Ontario Requirements* are proposed to be waived or an exemption is relied upon other than emergency procurement;
- c. the procurement relates to fleet vehicles or capital infrastructure and Council approval is otherwise required under this policy; or
- d. the C.A.O. determines that Council should be advised of a compliance, exemption, or implementation matter.

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**15. Amend Schedule “A” – Exemptions from Provisions of the Procurement Policies**

Add the following note at the top of Schedule “A”:

**Note:** Exemptions listed in this Schedule are exemptions from the Township’s standard procurement procedures only. A listed exemption shall not automatically be interpreted as an exemption from the *Buy Ontario Act (Public Sector Procurement), 2025*, applicable regulations, or the *Municipal Buy Ontario Procurement Directive*, unless specifically permitted by law or directive.

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**16. Add Transitional / Administrative Clause**

Add the following new section near the end of the policy:

**Transitional Administration**

The C.A.O. or designate is authorized to implement interim administrative procedures, revised templates, supplier declaration forms, and internal guidance necessary to give effect to this amendment pending consolidation of the full Procurement Policy.