

March 22, 2011

A regular meeting of Shawville Council was called to order by Mayor Albert Armstrong at the Town Hall at 7:30 p.m., March 22, 2011 with Councillors, John Beimers, James Hodgins, Sylvia Hodgins, Sandra Murray, Royce Richardson, as well as Linda Atkinson, Assistant Director General.

Councillors Frank Stafford Jr. motivates his absence.

67-11 Moved by Royce Richardson, seconded by Sylvia Hodgins, that the agenda be adopted. Carried unanimously.

68-11 Moved by Sandra Murray, second by James Hodgins, that the minutes of the regular meeting held March 8, 2011 be adopted as circulated. Carried unanimously.

Visitor's Question Period

Sûreté du Québec representatives Lieutenant Alain Langevin and Sergent Yves Martineau were present to discuss changes and past situations at the Shawville Fair. Lt. Alain Langevin advised everyone that he is leaving the Campbell's Bay detachment very soon.

Frank Stafford Jr., attends meeting at 7:48 pm.

Basil Hodgins attends meeting to discuss his written request re. Sewage hook-up located at 182 Isabella Street.

Councillor Royce Richardson goes into camera at 8:22 p.m..

Councillor Royce Richardson comes out of camera at 8:38 p.m.

69-11 Moved by Sandra Murray, seconded by Sylvia Hodgins, that the Council of the Municipality of Shawville authorize the office to inform Mr. Ken Pack of what he needs to do to bring the water services across Hwy. 148, to the proposed expansion to the Giant Tiger Store. The Municipality of Shawville will not move ahead with the work they will have to do until Mr. Pack's part is complete. Carried unanimously. Councillor John Beimers abstains.

70-11 Moved by James Hodgins, seconded by Frank Stafford Jr., that the Council of the Municipality of Shawville amend resolution 351-10 to read as follows: that the Council of the Municipality of Shawville approve a management policy contract according to the municipal code stated in article 938.1.2. The policy is applicable to all contracts, including contracts that are not described in any of the subparagraphs of the first paragraph of sub article 1 of article 935 or in article 938.0.2.

Policy Management Contract

Measures for Maintaining a Healthy Competition

Section 1 -

Measures to ensure that any bidder or any of its representatives did not contact or attempt to communicate in order to influence it, with one member of the selection committee with respect to the solicitation for which he submitted a bid.

- a) The council delegates to the Director General the authority to establish any selection committee necessary to receive, evaluate and draw conclusions for all contracts in excess of \$100,000.00 excluding contracts for professional services for exclusive use. These contracts are subject to the

specifications of municipal code. The identity of the members of the committee must remain confidential until the termination of the contract.

- B) Any council member or Councillor, every employee and agent thereof shall maintain, at all times, confidentiality of the identity of members of any selection committee.
- C) Upon any tender requiring the creation of a selection committee, the tender documents should contain provisions to the following effects:
 - 1) A bidder shall submit with its bid a statement that neither he nor any of its representatives has contacted or attempted to communicate in order to exert influence, with one member of the selection committee, the Council.
 - 2) If a bidder or a representative communicates or attempts to communicate in order to influence it, with one member of the selection committee, its bid will be automatically rejected.

Section 2 -

Measures Promoting Compliance with the Applicable Laws aimed at Combating against Bid Rigging

- a) All bidders must submit with its bid a statement that its bid was prepared and submitted without collusion, communication, agreement or arrangement with any other bidder or person to submit to agree on prices or to influence price submitted.
- b) Must be inserted in the bidding documents a provision that if a bidder has engaged in collusion, communicated or entered into an agreement or arrangement with any other bidder or competitor to influence or determine the price submitted, the bid will be automatically rejected.
- c) Any available information concerning a call for tenders must be accessible in a fair and consistent manner to all potential bidders. Specifically, the Director-General shall ensure that the documents which have been prepared by a consultant for the city and contain technical information must be accessible to all potential bidders.

Section 3 -

Measures to Ensure Compliance with the Law on Transparency and Ethics of Lobbying and the Code of Ethics for Lobbyists adopted pursuant to this Act

- a) Any council member or employee to make sure anyone who communicates with him for the purpose of obtaining a contract that it has registered with lobbyists under the Lobbying Transparency and Ethics of Lobbying.
- b) All bidders must submit with its bid a statement that neither he nor any of its representatives has engaged in a communication of influence for the purpose of obtaining the contract, or, if such communication has been influenced instead, joining its bid a statement to the effect that this communication was made after

any registration required under the Act the Registrar of Lobbyists has been made.

Section 4 -

Measures designed to prevent the Acts of Intimidation, Corruption or Influence Traffic

- a) The municipality shall, in the case of tenders invited in writing, in favour possible invitation from different companies. The identity of the persons so invited may not be made public only at the opening of bids.
- b) All bidders must submit with its bid a statement that neither he nor any of its associates or employees has engaged in intimidation, influence peddling and corruption.
- c) Any solicitation must state that if a person has engaged in one or other of the acts mentioned in the preceding paragraph, the submission thereof shall be automatically rejected.
- d) Any tender must provide that in the event that bids are higher than the market rate, municipal organization reserves the right to accept or reject any bid.

Section 5 -

Measures designed to prevent Conflict of Interests

- a) Any person participating in the preparation, execution or followed by a call for tenders or contract, as well as the Secretary and the members of a selection Committee if any, are to declare any conflict of interest and any potential conflict of interest situation.
- b) No person in conflict of interest may participate in the development, execution or monitoring of a call for tender or a contract.
- c) Any bidder shall attach to its' submission a statement attesting that there was no link building or may generate a conflict of interest because of its links with Member of the Council or an official.

Section 6 -

Measures designed to prevent any situation that could compromise the impartiality and objectivity in the process of Submission Request and Management of the Resulting Contract

- a) For purposes of any tender is identified an official of the tender which is mandated to provide any information about the tender and is expected to call for any document bids that any bidder or potential bidder should contact the sole responsibility for any clarification regarding the tender.
- b) Upon any tender, it is forbidden for any member of the Council and any employee of the municipality to respond to any request for clarification with respect to any tender other than the applicant referring to the person responsible.

- c) Any however not covered by this exclusion, the people who participated in the development of technical terms or estimate the costs of a project, insofar as the documents that were prepared, including the detailed breakdown of costs, are provided to all potential bidders.

Section 7 -

Steps to Supervise any Decision which would allow the Amendment of a Contract

- a) The municipality shall provide in the tenders to hold meetings on site regularly during the execution of works in order to ensure the monitoring of execution of the contract.
- b) The municipality must pay particular attention to the preparation of the specification to avoid opening the door to cost overruns.
- c) Due to unforeseen circumstances and if it becomes necessary to change a development agreement, the following rules must be respected:
 - 1) The amendment must be incidental to the contract and does not change in nature.
 - 2) The change must be authorized by resolution of the Council.
- d) This provision is not to preclude that a contract may be concluded on a urgent basis. In a case of force majeure such as to endanger the life or health of the population or to seriously deteriorate municipal equipment, the Mayor can go further with these rules and award the contract necessary to remedy the situation.

Section 8 -

Entry into Force.

The Municipality of Shawville will make it's policy available at all times by publishing it on the website on which it posts the statement and hyperlink required under the second paragraph of article 961.4.

Politique de Gestion Contractuelle

Les mesures de maintien d'une saine concurrence

Section 1 -

Les mesures visant à assurer que tout soumissionnaire ou l'un de ses représentants n'a pas communiqué ou tenté de communiqué, dans le but de l'influencer, avec un des membres du comité de sélection relativement à la demande de soumissions pour laquelle il a présenté une soumission

- a) Le conseil délègue au directeur général le pouvoir de former tout comité de sélection nécessaire pour recevoir, étudier les soumissions reçues et tirer les conclusions qui s'imposent, pour toute contracte superior a \$100,000.00 a l'exclusion des contracte pour des service professionnelle a usage exclusif. Ceux ci sont assujettis aux disposition législative du code municipal.
- b) Tout membre du conseil, tout employé et tout mandataire de celle-ci doit préserver, en tout

temps, la confidentialité de l'identité des membres de tout comité de sélection.

- c) Lors de tout appel d'offres exigeant la création d'un comité de sélection, les documents d'appel d'offres doivent contenir des dispositions aux effets suivants :

1) *Tout soumissionnaire doit joindre à sa soumission une déclaration attestant que ni lui ni aucun de ses représentants n'a communiqué ou tenté de communiquer, dans le but d'exercer une influence, avec un des membres du comité de sélection.*

2) *Si un soumissionnaire ou un de ses représentants communique ou tente de communiquer, dans le but de l'influencer, avec un des membres du comité de sélection, sa soumission sera automatiquement rejetée.*

Section 2 -

Mesures favorisant le respect des lois applicables qui visent à lutter contre le truquage des offres

- a) Tout soumissionnaire doit joindre à sa soumission une déclaration attestant que sa soumission a été préparée et déposée sans qu'il y ait eu collusion, communication, entente ou arrangement avec tout autre soumissionnaire ou personne pour convenir des prix à soumettre ou pour influencer les prix soumis.
- b) Doit être insérée dans les documents d'appel d'offres une disposition prévoyant que si un soumissionnaire s'est livré à une collusion, a communiqué ou a convenu d'une entente ou d'un arrangement avec un autre soumissionnaire ou un concurrent pour influencer ou fixer les prix soumis, sa soumission sera automatiquement rejetée.
- c) Tout renseignement disponible concernant un appel d'offres doit être accessible de manière impartiale et uniforme pour tous les soumissionnaires potentiels. Plus particulièrement, le directeur général doit s'assurer que les documents qui auraient été préparés par un consultant pour la Municipalité et qui contiennent des renseignements techniques doivent être accessibles à l'ensemble des soumissionnaires potentiels.

Section 3 -

Mesures visant à assurer le respect de la Loi sur la transparence et l'éthique en matière de lobbyisme et du Code de déontologie des lobbyistes adopté en vertu de cette loi

- a) Tout membre du conseil ou tout employé s'assure auprès de toute personne qui communique avec lui aux fins de l'obtention d'un contrat que celle-ci s'est inscrite au Registre des lobbyistes prévu par la Loi sur la transparence et l'éthique en matière de lobbyisme.
- b) Tout soumissionnaire doit joindre à sa soumission une déclaration attestant que ni lui ni aucun de ses représentants ne s'est livré à une communication d'influence aux fins de l'obtention du contrat, ou, si telle communication d'influence a eu lieu, joindre à sa soumission une déclaration à l'effet que cette communication a été faite après que toute inscription exigée en vertu de la loi au Registre des lobbyistes ait été faite.

Section 4 -

Mesures ayant pour but de prévenir les gestes d'intimidation, de trafic d'influence ou de corruption

- a) La municipalité doit, dans le cas des appels d'offres sur invitation écrite, favoriser dans la mesure du possible l'invitation d'entreprises différentes. L'identité des personnes ainsi invitées ne peut être rendue publique que lors de l'ouverture des soumissions.
- b) Tout soumissionnaire doit joindre à sa soumission une déclaration attestant que ni lui ni aucun de ses collaborateurs ou employés ne s'est livré à des gestes d'intimidation, de trafic d'influence ou de corruption.
- c) Tout appel d'offres doit indiquer que si une personne s'est livrée à l'un ou l'autre des actes mentionnés au paragraphe qui précède, la soumission de celle-ci sera automatiquement rejetée.
- d) Tout appel d'offres doit prévoir qu'advenant que les soumissions soient plus élevées que les taux du marché, l'organisme municipal se réserve le droit de accepter ou de rejeter aucune soumission.

Section 5 -

Mesures ayant pour but de prévenir les situations de conflits d'intérêts

- a) Toute personne participant à l'élaboration, l'exécution ou le suivi d'un appel d'offres ou d'un contrat, ainsi que le secrétaire et les membres d'un comité de sélection le cas échéant, doivent déclarer tout conflit d'intérêts et toute situation de conflit d'intérêts potentiel.
- b) Aucune personne en conflit d'intérêts ne peut participer à l'élaboration, l'exécution ou le suivi d'un appel d'offres ou d'un contrat.
- c) Tout soumissionnaire doit joindre à sa soumission une déclaration attestant qu'il n'existait aucun lien suscitant ou susceptible de susciter un conflit d'intérêts en raison de ses liens avec un membre du conseil ou un fonctionnaire.

Section 6 -

Mesures ayant pour but de prévenir toute autre situation susceptible de compromettre l'impartialité et l'objectivité du processus de demande de soumissions et de la gestion du contrat qui en résulte

- a) Aux fins de tout appel d'offres, est identifié un responsable de l'appel d'offre à qui est confié le mandat de fournir toute information concernant l'appel d'offres et il est prévu dans tout document d'appel d'offres que tout soumissionnaire potentiel ou tout soumissionnaire doit s'adresser à ce seul responsable pour obtenir toute précision relativement à l'appel d'offres.
- b) Lors de tout appel d'offres, il est interdit à tout membre du conseil et à tout employé de la municipalité de répondre à toute demande de précision relativement à tout appel d'offres autrement qu'en référant le demandeur à la personne responsable.
- c) Ne sont toutefois pas visées par la présente exclusion, les personnes qui ont participé à l'élaboration de clauses techniques ou à l'estimation des coûts d'un projet, dans la mesure où les documents qu'ils ont préparés, incluant la ventilation détaillée des coûts, sont fournis à l'ensemble des soumissionnaires potentiels.

Section 7 -

Mesures visant à encadrer la prise de toute décision ayant pour effet d'autoriser la modification d'un contrat

- a) La municipalité doit prévoir dans les appels d'offres de tenir des réunions de chantier régulièrement pendant l'exécution de travaux afin d'assurer le suivi de l'exécution du contrat;
- b) La municipalité doit porter une attention particulière à la confection du cahier de charges pour éviter d'ouvrir la porte aux dépassements de coûts.
- c) En cas d'imprévu et s'il devient nécessaire de modifier un contrat en cours de réalisation, les règles suivantes doivent être respectées :
 - 1) La modification doit être accessoire au contrat et ne pas en changer la nature
 - 2) La modification doit être autorisée par résolution du conseil
- d) La présente disposition n'a pas pour effet d'empêcher qu'un contrat puisse être conclu de manière urgente. Dans un cas de force majeure de nature à mettre en danger la vie ou la santé de la population ou à détériorer sérieusement les équipements municipaux, le maire peut passer outre aux présentes règles et adjuger le contrat nécessaire afin de pallier à la situation.

Section 8 -

Entrée en vigueur

La Municipalité de Shawville mettra sa politique disponible en tout temps en la publiant sur le site Web sur lequel sont affichés l'état et les hyperliens nécessaires sous le second paragraphe de l'article 961.4.

- 71-11 Moved by John Beimers, seconded by Royce Richardson, that the Council of the Municipality of Shawville authorize payment in the amount of \$1,505.16 to McGuire Equipment Rentals, for work that was done on the Hwy 148 sewer line. Carried unanimously.
- 72-11 Moved by Sandra Murray, seconded by John Beimers, that the Council of the Municipality of Shawville authorize to hire WEPC inc. in the amount of \$1,896.85 taxes included to upgrade all 4 computers in the municipal office. Carried unanimously.
- 73-11 Moved by Frank Stafford Jr., seconded by John Beimers, that the Council of the Municipality of Shawville authorize a request of support from MAMROT and the MRC Pontiac, to translate into English, the mandatory Ethics course that will be given to all Council members. Carried unanimously.

Correspondence:

- Letter from Municipality of Pontiac re. Res. Snowmobile Trails and ATV Trails
 - Report from Building Inspector Norm Pilon re. property located at 123 Centre Street
 - Pontiac Chamber of Commerce re. 2011-2012 Membership Renewal
 - Letter from Beaudry Bertrand re. File number 9763-33185-25 Barnabé
 - Thank You Note from Daisy Devine for Flowers sent on 90th Birthday
 - Request from Pontiac Printshop to submit Ad in Paper in support of Cancer Research - \$35.00
 - Thank You Note from Nancy York for the Library Committee, for the use of the Library Blue Room.
 - Pontiac Agricultural Society - payment of water & sewerage services and request for reimbursement.
 - Request from Armstong Heritage Farm to use the Pontiac Archives for monthly meetings.
 - Request from Basil Hodgins to have the Municipal septic system hooked up at 182 Isabella Ave..
 - Request from Heritage Radio in Renfrew for Annual renewal fee \$150.00
 - Library Report for March 2011
 - Pontiac County L.O.L. C-12 invitation to Grand Orange Lodge of Quebec Banquet on May 6, 2011
 - Rotary Club of Shawville will donate \$1,000.00 for Splash Pad project at Mill Dam Park.
 - Quote from Petro Pontiac to supply and install a power vent.
- 74-11 Moved by Royce Richardson, seconded by Sylvia Hodgins, that the council of the Municipality of Shawville authorize to support the request from the Municipality of Pontiac to develop a permanent solution for snowmobile trails in the Outaouais Region, as well as support to the Pontiac Quad Club in developing a trail circuit that will serve all of Pontiac. Carried unanimously.

- 75-11 Moved by John Beimers, seconded by Royce Richardson, that the Council of the Municipality of Shawville renew the 2011-2012 Pontiac Chamber of Commerce membership in the amount of \$100.00. Carried unanimously.
- 76-11 Moved by Sandra Murray, seconded by James Hodgins, that the Council of the Municipality of Shawville place a \$35.00 ad in The Equity to show their support for Cancer Research. Carried unanimously.
- 77-11 Moved by Royce Richardson, seconded by John Beimers that the Council of Municipality of Shawville reimburse the Pontiac Agricultural Society for their water and sewage services for the year 2011. Carried by a vote of 5 to 1. Councillor Frank Stafford Jr. is opposed.
- 78-11 Moved by Sandra Murray, seconded by Frank Stafford Jr., that the Council of the Municipality of Shawville agree to let the Armstrong Heritage Farm use the Archives for their monthly meetings, as long as the Municipality of Clarendon agree. Carried by a vote of 5 to 1. Councillor Sylvia Hodgins is opposed.
- 79-11 Moved by James Hodgins, seconded by Royce Richardson, that the Council of the Municipality of Shawville pay the Annual Membership Fee to Heritage Radio in Renfrew, in the amount of \$150.00. Carried unanimously.
- 80-11 Moved by Royce Richardson, seconded by Frank Stafford Jr., that the Council of the Municipality of Shawville accept the quote received from Petro Pontiac to supply and install 1 power vent on the newly installed hot water tank at the Shawville Arena. Carried unanimously.

Committee Reports:

Sandra Murray:

- Many untidy properties in the Village -
"Clean-Up-Our-Town" signs should be posted
- Discussion - Family Policy surveys

Frank Stafford Jr, :

- R.A. General Meeting will be held on March 30/2011
- Leslie Trudeau re. Town Hall sign and Highway signs
- Barney Richardson re. installing the lights at the arena

Sylvia Hodgins:

- Complaints re. manhole located at Lang & Main Street
- Problem with Dogs in Shawville

- 81-11 Moved by Royce Richardson, seconded by John Beimers that the Council of the Municipality of Shawville send a request to the MRC Pontiac to maintain the culvert and Wrights Lake Road, near Colton Lake as soon as possible. At present, it is impossible for the passage of tourists and campers. Also a letter requesting support will be sent to the Municipality of Bristol, Municipality of Clarendon, Municipality of Thorne, Municipality of Otter Lake and Municipality of Portage du Fort. Carried unanimously.
- 82-11 Moved by Royce Richardson, seconded Sylvia Hodgins, that the Council of the Municipality of Shawville send a request to the MRC Pontiac and all the Municipalities in the MRC Pontiac to ask the Municipality of Clarendon to develop snowmobile and ATV trails in order to link Shawville trails with the rest of the Pontiac. Carried unanimously.

83-11 Moved by Sylvia Hodgins, that the meeting be adjourned at 10:55 p.m.

Mayor

Assistant Sec-Tres.