

THE RURAL MUNICIPALITY OF GIMLI

BY-LAW NO. 26 0002

BEING A BY-LAW

TO ESTABLISH THE ORGANIZATIONAL STRUCTURE OF THE RURAL MUNICIPALITY OF GIMLI AND TO DEFINE CLEARLY THE ROLES OF COUNCIL, ITS COMMITTEES, AND THE MUNICIPALITY'S ADMINISTRATIVE TEAM.

WHEREAS subsection 148(1) of The Municipal Act, C.C.S.M. c. M225 provides that a Council must establish by by-law an organizational structure for the municipality, and review the by-law at least once during each term of office;

AND WHEREAS subsection 148(2) of The Municipal Act provides that an Organizational By-law must provide for the following:

- (a) the establishment of Council committees and other bodies of the Council, including their duties and functions;
- (b) the appointment of a deputy head of Council to act in place of the head of Council when the head is unable to carry out the powers, duties and functions of the head; and
- (c) the manner of appointment of persons to Council committees and other bodies;

NOW THEREFORE Council of the Rural Municipality of Gimli duly assembled enacts as follows:

PART I: INTERPRETATION

1.1 DEFINITIONS

This By-law may be referred to as The Rural Municipality of Gimli Organizational By-law. The purpose of this By-law is to provide for the process of open and effective government by establishing the organizational structure of the Municipality and clearly defining the roles of Council, its committees, and the Municipality's administrative team.

2(1) In this By-law, unless the context otherwise requires:

- (a) "Act" means The Municipal Act, as restated or amended from time to time;
- (b) "Ad Hoc Committee" means a committee formed for a specific task or objective which is dissolved after the completion of the task or achievement of the objective;

- (c) "Audit & Accountability Committee" means the standing committee established under section 7 of this By-law and governed by Schedule "D";
- (d) "Chair" means the Mayor, or other person(s) appointed by resolution of Council to preside at a regular or special meeting of Council or a Committee or a meeting of Committee of the Whole;
- (e) "Chief Administrative Officer" means the person appointed as the Municipality's Chief Administrative Officer by Council pursuant to the Act;
- (f) "Committee" means a committee of Council established under this By-law including a Standing Committee, an Ad Hoc Committee, and a Committee of the Whole;
- (g) "Committee of the Whole" means a committee of all Members present at a Council meeting sitting as a committee whereby discussion can occur but no final decisions can be made and no resolutions can be passed;
- (h) "Council" means the council, made up of the duly elected Mayor and Councillors, of the Municipality;
- (i) "Councillor" means the elected representative on Council of the Municipality;
- (j) "Deputy Mayor" means the deputy head of Council;
- (k) "Governance, Integrity & Conduct Committee" means the standing committee established under section 7 of this By-law and governed by Schedule "C";
- (l) "Mayor" means the head of Council;
- (m) "Members" means the Mayor and Councillors, and each is a "Member"; and
- (n) "Municipality" means The Rural Municipality of Gimli.

PART 2: REVIEW

2(2) Council must review this By-law and any proposed amendments within the first twelve (12) months following a general election.

2(3) The municipal office of the Municipality shall be located at 62 2nd Avenue, Gimli, Manitoba, or such other location as Council may determine by resolution.

PART 3: ROLE OF COUNCIL

3(1) Council is responsible for:

- (a) developing and evaluating the policies, strategic plan and programs of the Municipality;
- (b) ensuring that the powers, duties and functions of the Municipality are appropriately carried out; and

(c) carrying out the powers, duties and functions expressly given to Council under the Act, or any other provincial legislation.

3(2) The role of Council is to develop policies and set strategic direction and does not include the development of strategies to implement those policies.

3(3) No Member has the authority to direct or interfere with the performance of any work being done for the Municipality by a member of the staff of the Municipality, a temporary worker, a contractor, or a consultant unless authority is delegated pursuant to section 3(5) of this by-law

3(4) No Committee has authority over an administrative department of the Municipality.

3(5) As specified in section 85 of the Act, Council may by by-law delegate any of its powers, duties or functions under the Act or any other provincial legislation to the Mayor, a Committee, the Chief Administrative Officer or a designated officer, unless the by-law or Act or provincial legislation otherwise provides.

3(6) Council Members have a shared responsibility to support and uphold the Municipality's governance framework, reinforcing Council's collective accountability. This can include Council Members promoting compliance with the Organizational By-Law, maintaining appropriate governance-administration boundaries and raising governance concerns through established processes when appropriate.

PART 4: HEAD OF COUNCIL

4(1) The head of Council is to have the title of Mayor.

4(2). At the initial meeting of Council following the regular election, Council must appoint a council member to serve as Deputy Mayor for the term of council. The position of Deputy Mayor shall be offered to the Council Member, other than the Mayor, that obtained the highest number of votes in the Municipal Election. The appointment of a Councillor as Deputy Mayor must be approved by a resolution of Council.

4(3) The Deputy Mayor shall act in place of the Mayor when the Mayor is unable to carry out the powers, duties and functions of the Mayor.

4(4) In addition to performing the duties of a Member, the Mayor has a duty:

(a) to preside as Chair when in attendance at a Council meeting, except where the Municipality's Procedure By-law or the Act otherwise provides;

(b) to foster teamwork, provide leadership and direction to Council;

(c) to uphold the distinction between governance and administration by ensuring Council direction to Administration is provided collectively through Council and by reinforcing that operational matters are managed through the Chief Administrative Officer; and

(d) to perform any other duty or function assigned to the Mayor by this By-law, the Act, or any other provincial legislation.

PART 5: GENERAL DUTIES OF MEMBERS

5 Each Member has the following duties:

(a) to consider the well-being and interests of the Municipality as a whole and to bring to Council's attention anything that would promote the well-being or interests of the Municipality;

(b) to participate generally in developing and evaluating the policies and programs of the Municipality;

(c) to participate in meetings of Council and Committees and other bodies to which the Member is appointed by Council;

(d) to keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) of the Act in accordance with the provisions of the Municipality's Procedure By-law and that the Council or Committee decides to keep in confidence until the matter is discussed at a meeting of Council or Committee that is discussed in public;

(e) to comply with the Code of Conduct for Members of Council By-law; and

(f) to perform any other duty or function imposed on the Member by Council or the Act, or any other provincial legislation.

PART 6: COMMITTEE OF THE WHOLE

6 Council may meet as Committee of the Whole to consider budget items, strategic planning, policy issues not included in the mandate of a Standing Committee, or any other matter.

PART 7: COMMITTEES

7(1) Council hereby establishes two Standing Committees to support governance integrity, financial accountability, transparency, and structured pathways for oversight and issue resolution.

The Standing Committees of Council are:

- (a) the Governance, Integrity & Conduct Committee; and
- (b) the Audit & Accountability Committee.

7(2) Standing Committees shall operate in accordance with their Terms of Reference adopted as Schedules to this By-law.

7(3) Council shall appoint Standing Committee Members by resolution. Unless otherwise provided by resolution, each Standing Committee shall consist of three (3) Members of Council, and the first Member named shall serve as Chair until the Committee elects a Chair.

7(4) The detailed Terms of Reference for the Governance, Integrity & Conduct Committee are set out in Schedule "C" to this By-law. Schedule "C" forms part of this By-law. Council may amend Schedule "C" by resolution, provided that any amendment remains consistent with the Committee's mandate as described in this By-law and does not alter the Committee's structure or core authority without amending this By-law. Where any conflict arises between Schedule "C" and this By-law, the provisions of this By-law shall prevail.

7(5) The detailed Terms of Reference for the Audit & Accountability Committee are set out in Schedule "D" to this By-law. Schedule "D" forms part of this By-law. Council may amend Schedule "D" by resolution, provided that any amendment remains consistent with the Committee's mandate as described in this By-law and does not alter the Committee's structure or core authority without amending this By-law. Where any conflict arises between Schedule "D" and this By-law, the provisions of this By-law shall prevail.

7(6) Ad Hoc Committees will be established by resolution as required for a specific task or objective as determined by Council, which resolution shall set forth:

- (a) the mandate of the Ad Hoc Committee;
- (b) the number of members;
- (c) the composition of membership, including Members at Large and members of the Municipality's staff, if applicable, provided that a majority of the membership must consist of Members;
- (d) reporting requirements;
- (e) staff and other resources to be made available; and
- (f) a start and end date.

7(7) Council shall appoint all Ad Hoc Committee members and members at Large by resolution. The first Member named to the Committee shall serve as the Chair. An appointment to any Committee may be repealed only by a resolution of Council.

7(8) Ad Hoc Committees will be dissolved by a resolution of Council upon completion of the Committee's assigned task or the meeting of the Committee's assigned objective or otherwise determined by resolution of Council.

PART 8: REPRESENTATIVES TO EXTERNAL ORGANIZATIONS

8(1) Council shall appoint representatives to external organizations listed in Schedule "B" considering a member's experience, interests, workload and succession planning. All appointments must be approved by a resolution of Council.

8(2) Council may amend Schedule "B" by resolution from time to time.

8(3) The responsibility of a Member appointed pursuant to subsection 8(1) shall include:

- (a) as requested by Council, to report the actions of the external organization to Council;
- (b) to participate as a member of the external organization as set forth in the bylaws By-Laws of such external organization;
- (c) where appropriate, to report to Council on the activities of the external organization; and
- (d) where appropriate, to provide Council with information concerning issues arising with respect to the external organization.

PART 9: BOARD OF REVISION

9(1) Council shall by resolution appoint a Board of Revision consisting of not less than three (3) members, some or all of whom may be Members of Council.

9(2) The Board of Revision shall have responsibility for hearing assessment appeals.

9(3) Council shall appoint:

- (a) a member of the Board of Revision to serve as presiding officer of the Board of Revision; and
- (b) a person to act as Secretary of the Board of Revision.

PART 10: ADMINISTRATIVE STRUCTURE AND THE ROLE OF THE CHIEF ADMINISTRATIVE OFFICER

10(1) Administrative Organization

The organization of the Municipality's administrative staff shall be as set out in Schedule "A". Senior appointed staff, under the direction of the Chief Administrative Officer, are responsible for managing the Municipality's operations, including the development of strategies to implement policies established by Council.

10(2) The CAO as Senior Administrative Official

The Chief Administrative Officer is the senior administrative official of the Municipality and the principal administrative link between Council and the administration. All municipal employees report to the CAO or to their designate.

10(3) Legislative and Governance Responsibilities

The CAO is authorized to manage and administer the business and affairs of the Municipality. In accordance with Section 127 of the Act, the CAO shall:

- (a) ensure that the policies and programs of the Municipality are implemented;
- (b) advise and inform the Council on the operation and affairs of the Municipality;
- (c) ensure that the appropriate staffing is in place to achieve the goals of Council as set out in the Strategic Plan; and
- (d) carry out the duties and functions and exercise the powers assigned to a chief administrative officer by the Act and other enactments or by Council

10(4) Administrative Authority of the CAO

The CAO is authorized to:

- a) Coordinate, direct, supervise, and review the performance of all staff;
- b) Establish and implement all administrative policies, procedures, standards, and guidelines within the CAO's authority;
- c) Hire, appoint, transfer, promote, evaluate, discipline, suspend, demote, or remove any staff;
- d) Determine salaries, benefits, hours of work, and other working conditions in accordance with the Municipality's approved budget and personnel policies;
- e) Prepare and submit reports and recommendations as required by Council;

- f) Prepare and submit operating and capital budgets as directed by Council;
- g) Respond to inquiries and requests for information on behalf of the Municipality, subject to any Council-approved policy or guideline; and
- h) Enter into provincial and federal grant funding agreements.

10(5) Council-Administration Relationship

Council and its members shall work through the CAO when liaising with municipal departments and employees. Individual Council members shall not give instructions or direction to any municipal employee, nor interfere in administrative or operational matters.

10(6) Council and its members shall communicate requests for information and operational inquiries via email and copy all Council Members.

PART 11: COUNCIL ADMINISTRATION DECISION PATHWAY

11(1) Mandatory Process for Direction To ensure that all direction from Council to Administration is clear, authorized, and documented, Council shall adhere to the Council-Administration Decision Pathway Policy, attached as Schedule "E" to this By-law. All direction to Administration must originate from a formal Council resolution or a validated Direction Summary as defined in said Policy.

11(2) The Communication Firewall In accordance with the Communication Protocol established in the Decision Pathway Policy:

- (a) All inquiries, follow-up questions, or requests for information from Council members must be routed through the CAO.
- (b) Direct requests or instructions from individual Council members to staff are not authorized.
- (c) Administration shall not act upon informal or unauthorized direction and is required to redirect such requests to the CAO.

11(3) Administrative Accountability

The CAO is responsible for ensuring that the Decision Pathway is followed and shall maintain a Council Direction Tracker to monitor the status of all authorized resolutions and project delivery.

PART 12: SIGNING AUTHORITY

12(1) Signing authority for agreements and cheques and other negotiable instruments shall be as set out in the Municipality's Procurement of Assets policy, attached as Schedule "F", and as otherwise established by resolution of Council.

PART 13: ACCOUNTABILITY

13(1) Council is accountable to the Municipality as a whole.

13(2) The Chief Administrative Officer is accountable to Council for the exercise of all powers, duties and functions assigned to the Chief Administrative Officer under the Act or delegated to the Chief Administrative Officer by Council.

13(3) Members of the administrative team are accountable to the Chief Administrative Officer.

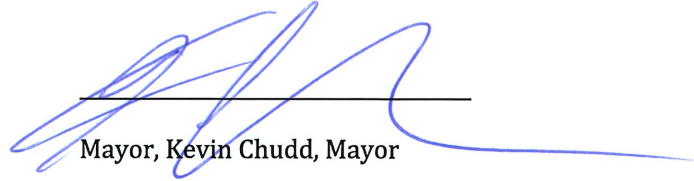
PART 14: REPEAL OF BY-LAWS AND EFFECTIVE DATE

14(1) By-law No. 23-0010 (Organizational & Procedures) and any amendments thereto are hereby repealed, and By Law 19-0002 Dog Park Committee, By Law 22-0010 Establish Gimli Youth Centre Capital Fundraising Committee, By Law 22-0009 Active Trails Advisory, 15-0015 Age Friendly Committee, Committee any other by-laws for committees that are no longer listed in this by-law.

14(2) This By-law shall come into force and effect on the day it receives third and final reading by Council.

DONE AND PASSED by the Council of the Rural Municipality of Gimli, in Council duly assembled, at Gimli, Manitoba, this 9th day of September, 2026.

RURAL MUNICIPALITY OF GIMLI



Mayor, Kevin Chudd, Mayor



Chief Administrative Officer Diana Chapman, CAO

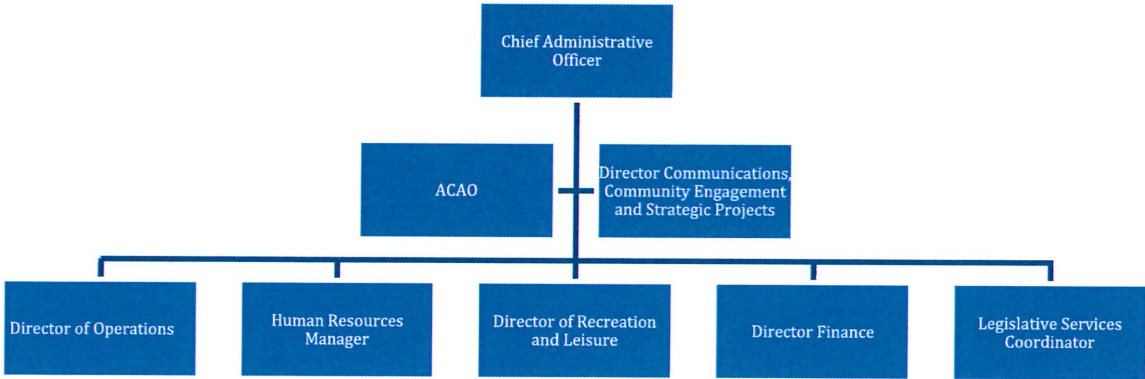
Read a First time this 25th day of February, 2026.

Read a Second time this 9th day of September, 2026.

Read a Third time this 9th day of September, 2026.

SCHEDULE "A"

ORGANIZATIONAL CHART



(Handwritten signature)

SCHEDULE "B"

COMMITTEE LISTING

Standing Committees

Council Members

Governance, Integrity, and Conduct Committee
Audit and Accountability Committee

Municipal Partnership Committees

Community Futures East Interlake
East Interlake Emergency Management Region
East Interlake Watershed District
Eastern Interlake Planning Board
Evergreen Regional Library Board
Interlake Weed District
Eastern Interlake Handi-Van
Interlake Rec Association

Operational Committees

Gimli West Housing
Gimli Garden Club
Gimli Environment committee
Gimli Municipal Heritage Advisory Committee
Gimli Community Development Corporation
Board of Revision & Assessment
Gimli Harbour Authority

Ad Hoc Committees

Gimli Wetlands Nature Preserve Committee

SCHEDULE "C"

GOVERNANCE, INTEGRITY & CONDUCT COMMITTEE – TERMS OF REFERENCE

1. Purpose

The Governance, Integrity & Conduct Committee exists to support and strengthen good governance, professional conduct, Council–Administration relations, and municipal integrity through oversight, education, policy review, and structured dispute-resolution pathways.

2. Mandate

The Committee is responsible for governance oversight, conduct review, CAO performance support, and Code of Conduct processes, as detailed below.

2.1 CAO Performance, Recruitment & Oversight

- Recommend a CAO recruitment process when required.
- Coordinate the annual CAO performance evaluation process, including gathering Council input and aligning evaluation with Council-approved Strategic Plan.
- Review and recommend updates to the CAO contract and performance frameworks.

2.2 Member Conduct, Boundaries & Governance Compliance

- Monitor adherence to governance by-laws, including the Organizational By-law, Procedural By-law, and CAO By-law.
- Review concerns involving member direction to staff, operational interference, and policy non-compliance.
- Recommend corrective governance actions and training to strengthen compliance and respectful conduct.

2.3 Integrity & Dispute Resolution Pathways

- Serve as an advisory body for the CAO to raise governance concerns safely and confidentially, including concerns regarding the Mayor or Council members.
- Facilitate informal resolution where appropriate and document recommended corrective actions.
- Recommend whether matters should proceed to the formal Code of Conduct complaint process.
- Provide advice and recommendations to restore effective relations when governance tensions arise.

2.4 Code of Conduct Review & Enforcement Oversight



- Act as the Committee of Council for Code of Conduct investigations when permitted under the Code of Conduct By-law.
- Review investigation reports and prepare recommendations for Council's decision.
- Recommend preventative governance measures including training and policy reform.

3. Authority

- Request governance-related information from the CAO (not operational details).
- Request legal advice through Council resolution.
- Recommend improvements to governance by-laws and policies.
- Act as a Code of Conduct investigatory committee when appropriate.
- The Committee may not direct staff, investigate staff conduct, or interfere in operations.

4. Composition

- Three (3) Members of Council appointed annually.
- Chair elected by the Committee.
- CAO attends as non-voting resource.
- Members must recuse themselves if they are complainant/respondent or conflicted.

5. Meeting Frequency

The Committee meets as required for governance and conduct matters.

6. Procedures

- Committee follows the Municipality's Procedural By-law for meeting conduct.
- Recommendations made by majority vote.
- Reports to Council must be in writing.

7. Confidentiality

- All complaint-related information is confidential as permitted by law.
- Breach of confidentiality may trigger Code of Conduct implications.

8. Reporting

Committee submits governance recommendations, compliance reviews, and conduct findings to Council.

Sensitive matters may be presented in camera as permitted by legislation.

9. Review The Terms of Reference shall be reviewed annually and may be amended by Council resolution.

SCHEDULE "D"

AUDIT & ACCOUNTABILITY COMMITTEE – TERMS OF REFERENCE

1. Purpose

The Audit & Accountability Committee exists to enhance the integrity, transparency, and accountability of the Municipality's financial management by providing independent oversight of external audit findings, financial reporting, risk controls, and transparency practices.

2. Mandate

2.1 Auditor Appointment & Scope

- Review proposals and recommend to Council the appointment, reappointment, or replacement of the external municipal auditor.
- Recommend the scope of the annual audit, including areas requiring elevated scrutiny.
- Recommend special audits (financial, compliance, forensic) when warranted, including the proposed scope and reporting requirements.

2.2 Independent Reporting

- Receive audit reports directly from the external auditor prior to general circulation to Council, where practicable.
- Meet with the external auditor to review audit findings, management letters, and internal control observations.
- Meet in camera with the external auditor, where permitted by legislation and where the Committee determines it is necessary to preserve independence.
- Review management responses and corrective action plans and monitor progress on agreed actions.

2.3 Transparency & Accountability

- Develop, review, and recommend policies and practices to enhance financial transparency and accountability across municipal departments.
- Review and recommend improvements to financial reporting formats, disclosure practices, and internal control standards.
- Review key financial oversight documents, including annual financial statements, reserve fund reports, debt summaries, financial risk assessments, and asset management reporting (where available).

2.4 Annual Work Plan

- Annually review audits, financial statements, risk management initiatives and internal control processes.

3. Authority

The Committee may:

- Request attendance of the external auditor to present findings and answer questions.
- Request governance-level financial information from the CAO and/or Director of Finance relevant to the Committee's mandate.
- Recommend financial controls, transparency policies, and corrective actions to Council.
- Request legal, audit, or risk management advice through a resolution of Council.
- The Committee does not have authority to:
- Direct, manage, or supervise municipal employees.
 - Interfere with daily financial operations or the implementation of Council-approved budgets.
 - Authorize expenditures or amend budget allocations.
 - Conduct operational or forensic investigations itself (such investigations must be performed by Administration under the CAO or by independent third parties, as directed by Council).
 - Approve financial statements (Council approves).

4. Composition

- Three (3) Members of Council appointed annually by resolution of Council.
- The Committee elects its Chair.
- The CAO attends as non-voting resource.
- Members must recuse themselves where a conflict of interest exists or where they are otherwise unable to act impartially.

5. Meetings

- The Committee meets at least twice annually, including at key audit milestones (planning and post-audit reporting).
- Additional meetings may be called by the Chair as required.
- Meetings are conducted in accordance with the Municipality's Procedural By-law.

6. Confidentiality

Audit reports, draft financial statements, management letters, and related materials are confidential until formally released in accordance with applicable legislation and Council direction. In camera sessions are permitted only where authorized by law.

7. Reporting

Provide written recommendations to Council regarding auditor appointment and audit scope.

Report audit findings and recommended corrective actions to Council in a manner that supports transparency while respecting confidentiality requirements.

Track and report progress on audit corrective actions, where applicable.

8. Review

This Terms of Reference shall be reviewed annually by the Committee and may be amended by Council resolution, subject to consistency with the Committee's mandate and structure as set out in the Organizational By-law.

A handwritten signature in blue ink, consisting of a stylized 'P' followed by a cursive flourish.

SCHEDULE "E"

	MUNICIPALITY OF GIMLI POLICY: Council Direction & Administrative Follow-Through Protocol
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REFERENCE:	Council
CLASSIFICATION:	Council Direction & Administrative Follow-Through Protocol
DATE ADOPTED:	February 11th 2026
ADOPTED BY:	Council
RESOLUTION NO.	2026 088
PAGES:	3
POLICY NUMBER:	COU9

1. Purpose

The purpose of this policy is to ensure that all direction from Council to Administration is clear, authorized, and documented. This policy supports transparency, good governance, accountability, and effective municipal administration by eliminating ambiguity and preventing informal or unauthorized direction.

2. Scope

This policy applies to Council, the Mayor, the Chief Administrative Officer (CAO), and all municipal employees of the Municipality of Gimli.

3. Principles

- Council acts as a collective governing body; individual members do not direct staff.
- Administration receives direction only through formal, documented, and authorized mechanisms.
- Direction must identify what Council has decided, not how Administration must operationally carry it out.
- Documentation of decisions ensures consistency, transparency, and defensibility.

4. Authorized Sources of Direction

Administration may only act on direction originating from one of the following:

- A Council resolution adopted at a duly convened meeting of Council or a committee with delegated authority.
- A Direction Summary validated following a Council meeting as per Section 5 of this policy.
- Delegated authority granted by bylaw, policy, or operational discretion of the CAO.

5. Direction Summary Process

To ensure clarity and accuracy of Council direction, the following Direction Summary process shall apply:

1. Within 24 hours of each Council meeting, the CAO shall provide Council with a written Direction Summary listing all motions and recorded directions.
2. Councillors may respond only to clarify accuracy, not to modify decisions or introduce new direction.
3. If any direction is disputed or unclear, the matter will be automatically added to the agenda of the next Council meeting for clarification or reconsideration.
4. After the 24-hour review period, undisputed items will be added to the Council Direction Tracker.

6. Council Direction Tracker

The CAO shall maintain a Council Direction Tracker that records all active and completed Council direction, including:

- Motion number
- Meeting date
- Summary of direction
- Assigned department or staff member

- Status
- Target completion date
- Relevant notes

7. Communication Protocol

- All inquiries, follow-up questions, or requests for information from Council members must be routed through the CAO.
- Direct requests from individual Council members to staff are not considered direction and shall be redirected to the CAO.
- Administration shall notify the CAO if any communication from Council members appears to constitute direction outside the authorized mechanisms.

8. Decision Authority Verification

Before proceeding with work identified as Council direction, the CAO shall verify that:

- A motion or delegated authority exists.
- The direction is consistent with Council's previously recorded decisions.
- The direction is strategic in nature and does not intrude into administrative or operational decision-making.

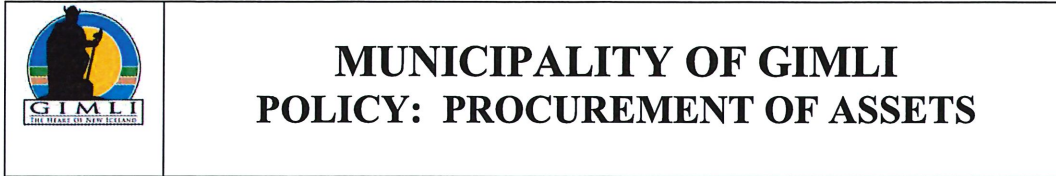
9. Review

This policy shall be reviewed every two years or sooner if required. Administration may recommend updates to ensure alignment with governance best practices

<i>Date for Review:</i>	<i>Reviewed By:</i>	<i>Revision Approved By:</i>

SCHEDULE "F"

PROCUREMENT OF ASSETS



REFERENCE:	FINANCE & ADMINISTRATION
CLASSIFICATION:	PROCUREMENT OF ASSETS
DATE ADOPTED:	FEBRUARY 25, 2026
ADOPTED BY:	COUNCIL
RESOLUTION NUMBER:	2026
PAGES:	4
POLICY NUMBER:	FA7

PURPOSE

The purpose of this Policy is to ensure the affairs of the Municipality are managed responsibly and that purchases are made in a cost-effective manner.

1.0 POLICY STATEMENT

Each Department Manager shall have vested authority and responsibility, subject to the terms of this policy, for all aspects of the control of material within their Department or under their assigned area of responsibility. This includes the procurement of supplies, material, machinery, equipment and services, receiving, using and declaring surplus or obsolete material in their Department.

The Chief Administrative Officer (CAO), with the approval of Council, shall be responsible for establishing overall purchasing procedures within the terms of this policy, and will monitor the effectiveness of the policy on an ongoing basis.

Any purchase or disposal of an asset that has the potential to significantly alter the services provided by the municipality requires Council authorization.

2.0 PROCUREMENT:

Procurement must adhere to all requirements set forth by the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), the Canadian Free Trade Agreement (CFTA), and the New West Partnership Trade Agreement (NWPTA).

The procurement of supplies and services shall be through a Purchase Order, Standing Purchase Order, Public Tender, Invitational Tender, Request for Proposal or Request for Quotation with the exception of supplies and services less than \$5,000.00 or where an exclusive supplier or contract or other exception is desirable but specifically

documented. The Department Manager or designate is responsible for coding, signing, or initialing invoices at point of sale.

A list of qualified suppliers may be developed and then maintained by each Department. Suppliers must have the necessary skills, licenses, experience, equipment, meet all WSH regulations, and compliant with WCB to provide the required goods and/or services to the Municipality. The list will be based on due diligence, prior experience, price quotations, requests for proposals, tender responses, and subject to review by Council on an ongoing basis.

Co-operative Purchasing. The Municipality may participate in co-operative purchasing initiatives with other government or broader public sector entities where it is in the best interests of the Municipality to do so. The co-operative purchasing process may be conducted in accordance with the procurement policies and procedures of the entity that is responsible for coordinating and leading the process, provided that those policies and procedures are consistent with the Municipality's obligations under applicable trade agreements and the Municipality's procurement goals and objectives set out in this policy.

2.1 EMERGENCY PROCUREMENT:

Procurement guidelines will be followed for the purchase of goods and services, except during a disaster or emergency declared by a council or head of council under The Emergency Measures Act.

2.2 LIST OF EXCEPTIONS:

Department Managers shall have the authority, duly approved, to purchase goods, materials, machinery, and equipment and services except the following:

- Unbudgeted professional good and services, unless approval is first granted by the Council.
- Land purchase.
- Capital purchases including but not limited to furniture, equipment, buildings or other fixed asset type contracts in excess of \$25,000 unless Council first grants approval or the item is identified in the annual budget.

3.0 SPENDING AUTHORITY AND METHOD OF PROCUREMENT:

The following spending authority and method of procurement shall apply in the ordinary course of administering the affairs or the normal operation of the department, for the purchase or contract for the purchase of goods and services, **within the budgeted parameters** of the R.M. of Gimli:

All Departments (departmental variations noted):

- A. **Up to \$ 5,000.00** - picked up with the invoice by the Department. The Department is expected to be responsible in its procurement practises, (i.e. obtain quotes from other suppliers where practical from a time and dollar value perspective.) The Department Manager is authorized to commit the municipality to the expenditure.
- B. **Between \$ 5,001.00 and \$ 10,000.00** - must solicit a minimum of 3 verbal competitive quotes (record of which must be kept on file). The Department Manager is authorized to commit the municipality to the expenditure.
- C. **Between \$ 10,001.00 and \$ 25,000.00** – must solicit a minimum of 3 written competitive quotes (record of which must be kept on file) The Department Manager and CAO are authorized to commit the municipality to the expenditure.
- D. **Equipment Contract Services – up to \$30,000** - (Public Works and Operations Only) - must be hired out based upon request for tender (RFT) or request for proposals (RFP) of hourly rates, submitted at the beginning of each year, provided the funding for the work is included in the annual budget and approved by Council.
- E. **Over \$25,000.00** - must be tendered (RFT) or go through a request for proposal (RFP or RFQ) process, except as identified in clause 3.E above. Refer to FA 15 – Tender Policy. Must also be approved by resolution of Council.
- F. **Tenders or Contracts for services exceeding three years** – must be approved by resolution of Council of the Rural Municipality of Gimli.

4.0 SPENDING AUTHORITIES:

Department Managers and the CAO shall be provided with discretionary purchasing authority congruent with their professional responsibilities to the RM and be subject to the spending limitations outlined in section 3.0 of this policy.

Each Department Manager may assign justifiable spending authorities to supervisory staff for the purpose of acquiring routine or normal operating goods or services. On an annual basis, each Department Manager shall advise the CAO in writing of the spending limits assigned throughout the department, said limits not to exceed \$200.00, unless a higher limit is approved by council.

On a monthly basis each Department Manager shall review the financial position of their Department and take the necessary steps to ensure that the annual spending of the Department is within budgeted amounts. Where individual accounts exceed the budgeted amount, an explanation should be provided to the CAO who shall determine what if any other action must be taken (e.g. Allocation of funds from a different account).

Administration is authorized to make required, budgeted payments including those pertaining to Education, Utility Services, Payroll, Provincial or Federal Departments, Debentures, and other payments due by contract or prior approval of Council.

The accounts payable listing in its entirety is to be submitted to Council at a Regular Meeting for payment approval by resolution of Council.

5.0 AUTHORITY TO RETAIN PROFESSIONAL SERVICES – GOVERNANCE ALIGNMENT AND DIRECTION

Council-Initiated Legal Review

Council may, by resolution, direct that any proposed by-law, policy, contract, or enforcement matter be referred for legal review prior to approval or implementation. The CAO shall obtain legal services in accordance with the Procurement of Assets Policy and within approved budgets; if costs exceed the CAO's authority, Administration shall return to Council.

Developer-Funded Professional Services

Where professional services are required and a signed Agreement to Proceed confirms all costs are borne by a developer or third party, the CAO is authorized to retain such services without a separate Council resolution.

Reporting Administration will provide a quarterly summary of professional services retained under CAO authority.

6.0 RECEIVING:

The onus to verify the satisfactory receipt of requisitioned supplies and services is on the department initiating the order. "Receiving" includes both the physical receiving of the material or services and the timely processing of applicable documentation.

