

Agenda

Committee of the Whole Meeting (COW 2019-03)

October 30, 2019 – 4:30 PM

Meeting Room #2, Central Branch

1. Call to Order / Regrets
2. Adoption of the Agenda
3. Policy Review
 - 3.1. Executive Limitations (L1-L10) (report and policy attached)
 - 3.2. Sponsorships (report and policy attached)
 - 3.3. Accessibility for Users with Disabilities (report and policy attached)
 - 3.4. Community Engagement (report and policy attached)
 - 3.5. Procurement of Goods and Services (**added:** report and policy attached)
 - 3.6. Asset Disposal (**added:** report and policy attached)
 - 3.7. KFPL Employee Online and Social Media (deferred to January 2020)
 - 3.8. Public Use of KFPL Online Forums and Social Media (deferred to January 2020)
4. Other Business
 - 4.1. OLA Super Conference 2020
5. Adjournment
6. Next Meeting: Regular Board Meeting, Wednesday, November 20, 2019 at 4:30 PM, Meeting Room #2, Central Branch

The Kingston Frontenac Public Library exists to offer all people throughout our service area access to broadly based resources in support of personal enrichment, life long learning, and community interaction, in person or in virtual space. These services are provided by expending revenues in a fiscally responsible manner.

KFPL Report to the Board

Subject: Carver Policy Governance®: Executive Limitations Policy

Date: October 22, 2019

Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

Under the Carver Policy Governance® model written values and perspectives are called policies and occur in four categories: Ends, Executive Limitations, Governance Process, and Board-Staff Relationship policies.

It is recommended that the policies are reviewed at least once per Board term. The purpose of the review is to ensure that the Board is satisfied that the policy is clear and detailed enough to ensure acceptable activity, decisions, and reporting on the part of the CEO.

The Executive Limitations policy was last reviewed on October 22, 2015.

Analysis:

Policy L-1 is a global statement that establishes the fundamental relationship between the Board and the Chief Librarian/CEO. This policy is augmented by second level statements L-2 to L-10. Each of these has been expanded into a third level of policy detail: the numbered qualifiers related to each statement.

If the majority of Board members feel that the existing policy language is insufficient, it is recommended that adjustments be made to either the language or the number of qualifiers.

Recommendations:

That the Library Board review the Executive Limitations policy to ensure that the existing policy provides the clarity and detail to ensure acceptable activity, decisions, and reporting on the part of the CEO.

Policy Type: Executive Limitations

Policy Title: General Executive Constraint

The Chief Librarian shall not cause or allow any practice, activity, decision or organizational circumstance which is either imprudent or in violation of commonly accepted business, environmental and professional ethics, the Public Libraries Act, RSO 1990, c.P.44, other relevant statutes, or contractual agreements the Board has made.

Policy Type: Executive Limitations

Policy Title: Staff Relations and Volunteers

With respect to relations with paid staff and volunteers, the Chief Librarian may not cause or allow conditions which are unreasonably unfair or undignified.

With respect to staff, the Chief Librarian may not:

1. Operate without personnel procedures which clarify personnel rules for staff, provide for effective handling of grievances, and protect against wrongful conditions.
2. Discriminate against any staff member for expressing an ethical dissent.
3. Fail to acquaint staff with their rights under this policy.
4. Allow an employment environment that is detrimental to the morale and productivity of staff.

Policy Type: Executive Limitations

Policy Title: Treatment of Public

With respect to interactions with patrons, potential patrons or the general public, the Chief Librarian shall not cause or allow conditions, procedures, or decisions which are unsafe, disrespectful, unnecessarily intrusive, or which fail to comply with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Accordingly, the Chief Librarian may not:

1. Use application forms or procedures that elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting or storing client information that fail to protect against improper access to, or transmission of, the information elicited.
3. Operate without a written policy on customer service based on the principles of consistent, patron-oriented public service.
4. Fail to ensure that staff are equipped with the necessary training to provide excellent service to library users in all areas.
5. Fail to monitor regularly patron satisfaction with the quality of service.

Policy Type: Executive Limitations

Policy Title: Financial Planning/Budgeting

Financial planning for any fiscal year or the remaining part of any fiscal year shall not deviate materially from Board Ends priorities, the requirements of the Public Libraries Act, 1990, c.P.44, risk fiscal jeopardy nor fail to be derived from a multi-year plan.

Accordingly, the Chief Librarian may not cause or allow budgeting which:

1. Contains too little information to enable accurate projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
2. Is inadequate for a consolidated budget presentation or a cost centre budget presentation.
3. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period.
4. Provides less than an amount adequate for the following Board prerogatives:
 - a) Board development including funds for training, and attendance at conferences and workshops
 - b) fiscal audit and other third-party monitoring
 - c) Board linkages including surveys, focus groups, opinion analyses and meeting costs
 - d) Board and Committee meetings
 - e) Board insurance
 - f) other undertakings approved by the Board

Policy Type: Executive Limitations

Policy Title: Financial Condition

With respect to the actual, ongoing condition of the library's financial health, the Chief Librarian may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies and under the Public Libraries Act, RSO 1990, c.P. 44.

Accordingly, the Chief Librarian may not:

1. Expend more funds than have been received in the fiscal year to date unless the debt guideline (in # 2 below) is met.
2. Indebt the library in an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days.
3. Use any specifically designated Long Term Reserves, except for their designated purposes.
4. Conduct inter-fund shifting in amounts greater than can be restored to a condition of discrete fund balances by certain, otherwise unencumbered revenues within 30 days.
5. Allow cash to drop below the amount needed to settle payroll and debts in a timely manner, except where unavoidable due to Municipal funding flow.
6. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than the amount allowed in the Procurement of Goods and Services Policy.
8. Acquire, encumber or dispose of real property.
9. Fail to provide quarterly accurate and detailed financial statements showing budgeted and year-to-date figures.

Policy Type: Executive Limitations

Policy Title: Emergency Executive Succession

In order to protect the Board from sudden loss of chief executive services, the Chief Librarian may not have fewer than one other executive familiar with Board and Chief Librarian issues and processes.

Policy Type: Executive Limitations

Policy Title: Asset Protection

The Chief Librarian may not allow assets to be unprotected, inadequately maintained nor unnecessarily risked.

Accordingly, the Chief Librarian may not:

1. Fail to insure against theft and casualty losses to at least 80 percent replacement value and against liability losses to Board members, staff or the library itself in an amount greater than the average for comparable libraries.
2. Allow unbonded personnel access to material amounts of funds which exceed \$15,000.
3. Subject plant and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the library, its Board or staff to claims of liability.
5. Make any purchase
 - a) wherein normally prudent protection has not been given against conflict of interest, and
 - b) except in conformity with the Procurement of Goods and Services policy.
6. Fail to protect intellectual property, information and files from loss or significant damage.
7. Receive, process or disburse funds under controls which are insufficient to meet the auditor's standards.
8. Invest in uninsured instruments.
9. Endanger the library's public image or credibility, particularly in ways that would hinder the accomplishment of its mission.

Policy Type: Executive Limitations

Policy Title: Compensation and Benefits

With respect to employment, compensation and benefits to employees, consultants, contract workers and volunteers, the Chief Librarian may not cause or allow jeopardy to fiscal integrity or public image.

Accordingly, the Chief Librarian may not:

1. Establish or alter the compensation and benefits for non-union staff without board authorization or approval.
2. Promise or imply permanent or guaranteed employment.
3. Create compensation obligations over a longer term than revenues or adequate funds can be safely projected.
4. Establish or change pension plans so as to cause unpredictable or inequitable situations.

Policy Type: Executive Limitations

Policy Title: Communication and Counsel to the Board

With respect to providing information and counsel to the Board, the Chief Librarian may not permit the Board to be uninformed. Accordingly, she or he may not:

1. Neglect to submit monitoring data required by the Board (see policy on Monitoring Chief Librarian Performance) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored.
2. Let the Board be unaware of relevant trends, significant changes in provincial or municipal policies, anticipated adverse media coverage, and/or public reaction, material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established. This shall be done in a timely manner.
3. Fail to advise the Board if, in the Chief Librarian's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Staff Relationship, particularly in the case of Board behaviour which is detrimental to the work relationship between the Board and the Chief Librarian.
4. Fail to marshal for the Board as many staff and external points of view, issues and options as needed for fully informed Board choices.
5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types; monitoring, decision-preparation or other.
6. Fail to provide a mechanism for official Board, officer or committee communications.
7. Fail to deal with the Board as a whole except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.
8. Fail to report in a timely manner an actual or anticipated non-compliance with any policy of the Board.
9. Fail to supply for the consent agenda all items delegated to the Chief Librarian, yet required by law or contract to be board-approved, along with the monitoring assurance pertaining thereto.

Policy Type: Executive Limitations

Policy Title: Access to Facilities and Maintenance

With respect to the public's access to the library and its resources, the Chief Librarian shall not cause or allow conditions, procedures or decisions which inhibit access for any patrons.

Accordingly, the Chief Librarian may not:

1. Fail to provide a high-quality, balanced, active collection reflecting the needs and interests of the community.
2. Fail to select materials without adequately representing various points of view.
3. Fail to provide materials in a variety of formats.
4. Fail to organize the collection in a logical and systematic physical arrangement.

KFPL Report to the Board

Subject: Sponsorships Policy

Date: October 22, 2019

Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

The sponsorship policy was last reviewed in October 2015 and is scheduled to be reviewed once per Board term.

Analysis:

No changes to the policy are recommended at this time.

Recommendations:

That the Library Board review and approve the Sponsorships Policy as presented.

KFPL Statement of Policy

Sponsorships

1. Purpose

The purpose of the policy is to define the conditions under which a sponsorship may be approved by the Library Board.

2. Scope

3. Definitions (if applicable)

Sponsorship: A mutually beneficial business exchange between the Kingston Frontenac Public Library and an external organization (hereinafter the sponsor) whereby the sponsor contributes funds, products or in-kind services to the Library in return for recognition, acknowledgement or other promotional considerations.

4. Guiding Principles

The Kingston Frontenac Public Library acknowledges the importance of sponsorships to provide enhancements to the existing programs and services available at the Kingston Frontenac Public Library. This support ensures that the Kingston Frontenac Public Library remains a vital resource in support of personal enrichment, life long learning, and community interaction.

Sponsorships involve an association between the sponsor and the Library and/or the specific programme, event, services or activity being sponsored. A sponsorship is a contracted arrangement between the Library and the sponsor, designed to benefit both parties. It is not a philanthropic gift.

5. Policy

The Library holds itself to a high standard of ethical conduct, both within its own Board and staff and in all of its external relationships and interactions.

5.1 Kingston Frontenac Public Library may elect to decline any sponsorship. The final decision to decline a sponsorship rests with the Board.

5.2 The Kingston Frontenac Public Library values and will protect its integrity, autonomy and intellectual freedom, and will not agree to sponsorships when a condition of such agreement would compromise its fundamental principles.

5.3 The Board reserves the right to determine the type of recognition for sponsors. Acceptance of any sponsorship which involves a proposal to name is conditional upon final approval of the naming by the Board. Generally, the Library will not allow

corporate names and/or logos to have prominence over the Kingston Frontenac Public Library name and/or logo.

- 5.4 The sponsor must be a bona fide commercial organization, preferably with links in the community.
- 5.5 The Board will take into consideration the anticipated community impact of the sponsorship, particularly when the sponsor's products or public image may be deemed sensitive.
- 5.6 The sponsorship must not imply endorsement of the company or its products and services and should prohibit sponsors from making statements which suggest a sponsor's products and services are endorsed by the Kingston Frontenac Public Library or Municipalities. The sponsorship must not result in or be perceived as giving any preferential treatment outside the sponsorship agreement.
- 5.7 Sponsorships will not be accepted from any sponsor that in any manner portray, promote or condone stereotyping of any group or discrimination as defined by the Ontario Human Rights Code.
- 5.8 The sponsorship agreement will be in the form of a letter (for sponsorships under \$25,000 that do not include any naming rights) or a contract (for those over \$25,000 and/or those involving naming rights). The sponsor must agree to acknowledge the mission of the Kingston Frontenac Public Library, and have no conflict of interest. The sponsorship agreement will include the following:
 - The sponsor must acknowledge that Library policy, planning, collections and presentations rest solely with the Board
 - What the sponsor is contributing and what the value of the contribution represents
 - The obligations of both the sponsor and the Library Board
 - The dispositions and ownership of any assets resulting from the sponsorship
 - Responsibility for the maintenance, insurance and taxes of all assets associated with or resulting from the sponsorship
 - The duration of the sponsorship
 - The licensing and use of the Library's and the Sponsor's name, trade and service marks and other intellectual property, and any payment for such licensing and use
 - Where a sponsorship agreement limits the Library's ability to enter into other sponsorships, the parameters of such an agreement shall clearly define the

nature and extent of the exclusivity and the period over which the exclusivity is to be granted

- A cancellation provision and the remedies available to both parties upon cancellation

5.9 All programs, solicitation plans and activities are subject to Board approval.

5.10 Official receipts for income tax purposes are not issued for sponsorships, purchases, or other transactions listed in the Canada Revenue Agency's Bulletin IT-110R3. These transactions may be acknowledged through issue of a receipt.

5.11 The Kingston Frontenac Public Library is committed to protecting the privacy of our donors and prospective donors. The Library shall maintain donor records, the contents of which shall remain confidential unless the donor agrees otherwise.

6. Appendices

7. Authorities

8. Document Control

Original Policy Date: 2008 April

Last Reviewed: October 2015

Next Review: 2019

KFPL Report to the Board

Subject: Accessibility Policy for Users with Disabilities

Date: October 22, 2019

Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

In the province of Ontario organizations are required to develop, implement and maintain policies governing how the organization achieves or will achieve accessibility through meeting its requirements referred to in the Integrated Accessibility Standards Regulation, O. Reg. 191/11, s. 3 (1) (Regulation) under the Accessibility for Ontarians with Disabilities Act, 2005 S.O. 2005, c. 11 (AODA).

The Kingston Frontenac Public Library's accessibility policy was developed and approved in 2009 and reviewed by the Library Board as part of a generative discussion at the November 2013 Board meeting. The policy was last reviewed by the Board in October 2018.

The regulation does not specify how often the policy must be reviewed and approved by the organization.

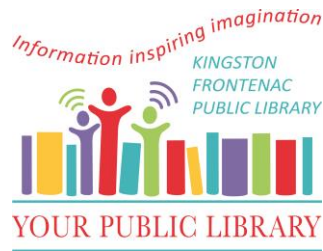
Analysis:

No changes to the policy are required under provincial regulations or legislation since the last review.

A reference to our obligations under the Ontario Human Rights Code has been added as an introduction to the policy. Added text has been highlighted.

Recommendations:

That the Kingston Frontenac Public Library Board review and approve the Accessibility Policy for Users with Disabilities as presented.



KFPL Statement of Policy

Accessibility Policy for Users with Disabilities

The Library is committed to meeting its current and ongoing obligations under the Ontario Human Rights Code respecting non-discrimination.

The Library understands that obligations under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and its accessibility standards do not substitute or limit its obligations under the Ontario Human Rights Code or obligations to people with disabilities under any other law.

The Library is committed to complying with both the *Ontario Human Rights Code* and the *AODA*.

1. Purpose

The purpose of this policy is to ensure that the Kingston Frontenac Public Library (the Library) provides all library services, resources and facilities in ways that are accessible to persons with disabilities. The policy also serves to meet the requirements of the Accessibility for Ontarians with Disabilities Act (A.O.D.A.).

2. Scope

This policy applies to all persons who deal with customers or patrons, and to third parties who deal with customers on the Library's behalf such as those providing program services. A person or third party can be an employee, volunteer, Friend of the Library, KFPL Board member, student on placement or someone otherwise engaged in the provision of Library services to our customers.

3. Definitions

"A.O.D.A." means the Accessibility for Ontarians with Disabilities Act, 2005.

"Assistive Device" means a device used to assist persons with disabilities in carrying out activities or in accessing Library services. Assistive devices may include, but are not limited to, wheelchairs, walkers, canes, oxygen tanks, and electronic communication devices.

“Core Service” means reference, referral and readers’ services, collections, lending, technology, programming and outreach.

“Disability or Disabilities” means:

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- b) a condition of mental impairment or a developmental disability;
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) a mental disorder; or,
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

“Guide dog” means a guide dog as defined in section 1 of the *Blind Persons’ Act*.

“Service Animal” means:

An animal is a service animal for a person with a disability if,

- a) the animal can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or
- b) the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - i. A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - ii. A member of the College of Chiropractors of Ontario.
 - iii. A member of the College of Nurses of Ontario.
 - iv. A member of the College of Occupational Therapists of Ontario.
 - v. A member of the College of Optometrists of Ontario.
 - vi. A member of the College of Physicians and Surgeons of Ontario.
 - vii. A member of the College of Physiotherapists of Ontario.

- viii. A member of the College of Psychologists of Ontario.
- ix. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16

“Library Premises” means premises owned and operated, or operated by the Kingston Frontenac Public Library.

“Support Person” means, in relation to a person with a disability, another person who accompanies a person with a disability in order to assist them with communication, mobility, personal care, or medical needs, or with access to goods, services or facilities.

4. Guiding Principles

Library service is relevant, inclusive and responsive for all, including persons with disabilities. Each member of the community has an equal opportunity to access public library goods, services or facilities.

Library services are provided in a manner that respects the dignity and independence of persons with disabilities. We believe in integration and we are committed to meeting the needs of people with disabilities in a timely manner.

Library services to persons with disabilities are integrated with those provided to persons who do not have disabilities, unless an alternative measure is necessary to enable a person with a disability to obtain, use or benefit from Library goods, services or facilities.

5. Policy

The Library is committed to providing quality library services that are accessible to all persons who wish to obtain and use Library goods, services or facilities.

5.1. Communications with Persons with Disabilities

When communicating with a person with a disability, the Library will do so in a manner that takes into account the person’s disability.

When asked, we will provide information about our organization and its services, including public safety information, in accessible formats or with communication supports.

We will also meet internationally-recognized Web Content Accessibility Guidelines (WCAG) 2.0 Level AA website requirements in accordance with Ontario’s accessibility laws.

Policy documents will be available on the Library website.

5.2. Temporary Service Disruptions

The Library will make reasonable effort to provide notice of any planned disruption of Library services to the public, including information about the reason for the disruption, its

anticipated duration and a description of alternative facilities or service, if any, that may be available. If a disruption is unplanned, the Library will provide notice as soon as possible.

5.3. Assistive Devices and other measures that assist with Accessibility

A person with a disability may provide their own assistive device for the purpose of obtaining or using Library goods, services or facilities. Exceptions may occur in situations where the Library has determined that the assistive device may pose a risk to the health and safety of a person with a disability or the health and safety of others on the premises. In these situations the Library may offer a person with a disability other reasonable measures to assist them in obtaining and using Library goods, services or facilities, where the Library has such other measures available.

It is the responsibility of the person with a disability to ensure that their assistive device is operated in a safe and controlled manner at all times.

5.4. Service Animals

A person with a disability may enter Library premises accompanied by a service animal, and may keep the animal with them if the public has access to such premises and the animal is not otherwise excluded by law. If the service animal is excluded by law, the Library will ensure that alternative means are available to enable the person with a disability to obtain or use or benefit from Library services or facilities.

At times it may be difficult to differentiate between a person with a disability using a service animal and an individual being accompanied by a pet. If it is not readily apparent that the animal is a service animal, Library staff may ask the person for confirmation of the animal's status, as outlined above.

It is the responsibility of the person with the disability to ensure that their service animal is kept in control at all times. This will include controlling the behavior of the animal (e.g. barking or growling), cleaning up after the animal (e.g. defecation), and being responsible for any damage the animal may cause to the Library premises.

5.5. Support Persons

A person with a disability may enter Library premises with a support person, and have access to the support person at all times while on the premises.

The Library may require a person with a disability to be accompanied by a support person while on Library premises in situations where it is necessary to protect the health and safety of the person with the disability or the health and safety of others. Before making a decision to require a support person, the Library will consult with the person with a disability to understand their needs, consider health or safety reasons based on available evidence and determine if there is any other reasonable way to protect the health or safety of the person or others on the premises.

A support person, when assisting a person with a disability to obtain or use Library services, will be permitted to attend at no charge where an admission fee is applicable.

Where an admission fee is charged to gain access to an event, facility, or service, and the revenue from the fee is payable to a third party (e.g. a concert provider), the support person is permitted to attend the event at their own cost.

If a third party uses a Library meeting room to host an event, they are not required to alter their admission fees for support persons, but we would strongly encourage them to do so. However, if a third party voluntarily decides to alter admission fees for support persons for their event, the Library will not be responsible for reimbursing them for the value of those admission fees.

In response to a request for a sign language interpreter, the Library will endeavour to engage an interpreter through the Ontario Interpreting Services (OIS) at The Canadian Hearing Society (CHS).

5.6. Training

The Library will ensure that all persons to whom this policy applies receive training as required by the Integrated Accessibility Standards (Ontario Regulation 191/11). The amount and format of training given will be dependent on a person's interactions with Library users.

The content of the training will include:

- a review of the purposes of the A.O.D.A.;
- the requirements of the Integrated Accessibility Standards (Ontario Regulation 191/11);
- training on the *Human Rights Code* as it pertains to persons with disabilities;
- instruction on Library policies, procedures and practices pertaining to the provision of Library services to persons with disabilities;
- how to interact and communicate with persons with various types of disabilities;
- what to do if a person with a particular type of disability is having difficulty accessing Library goods, services or facilities;
- how to interact with persons with disabilities who use assistive devices or who require the assistance of a support person, guide dog or service animal; and,
- information about the equipment or devices available on the Library premises that may help with the provision of Library goods, services or access to facilities to persons with disabilities.

A record of training provided under this policy will be kept by the Director, Human Resources. Training will be provided as part of orientation training for new employees or as

required to those covered by this policy.

5.7. Feedback on Services

Feedback from a member of the public about the delivery of goods and services (including facilities) to persons with disabilities may be given by telephone, in person, in writing, in electronic format, or through other methods.

5.8. Procurement

We will incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, including self-serve kiosks. If it is not possible and practical to do so, we will provide an explanation upon request.

5.9. Self-service kiosks

We will incorporate accessibility features/consider accessibility for people with disabilities when designing, procuring or acquiring self-service kiosks.

5.10. Employment

We will notify employees, potential hires and the public that accommodations can be made during recruitment and hiring.

We will notify staff that supports are available for those with disabilities. We will use our accommodation policy to develop individual accommodation plans for employees.

Where needed, we will also provide customized emergency information to help an employee with a disability during an emergency.

Our performance management, career development and redeployment processes will take into account the accessibility needs of all employees.

5.11. Design of Public Spaces

We will meet accessibility laws when building or making major changes to public spaces. Public spaces include:

Outdoor paths of travel, like sidewalks, ramps, stairs, curb ramps, rest areas and accessible pedestrian signals

Service-related elements like service counters, fixed queuing lines and waiting areas

6. Appendices

- a) [Sign Language Interpreter Services Information](#)
- b) [Accessible Customer Service Feedback form](#)

7. Authorities

O. Reg 191/11 s. 6(1) under Accessibility for Ontarians with Disabilities Act, 2005.

8. Document Control

Date: 2019 October

Original policy date: 2009 October

Last Reviewed:

Changes made: as per report

Next Review:



Sign Language Interpreter

In response to a request for a sign language interpreter, the Kingston Frontenac Public Library will endeavour to engage an interpreter through the Ontario Interpreting Services (OIS) at The Canadian Hearing Society (CHS).

Requirements for Engaging an Interpreter:

- There must be a formal request for an interpreter. Such request will be considered consent by the patron to provide information to the Hearing Society in order to fulfill the request (e.g. patron contact information).
- Two weeks' notice is required to engage the services of an interpreter through The Canadian Hearing Society.
- If the patron has a preferred sign language interpreter then the patron should indicate such preference when making the formal request.
- Requests for an interpreter must be made in writing. Requests may be sent by email to administration@kfpl.ca or by mail to 130 Johnson Street, Kingston, Ontario K7L 1X8 (care of administration).
- Due to the demand for interpreter services, the library will update the patron should the request for service be denied. Where the request is denied the library will explore reasonable alternative measures of accommodation with the patron.



Accessible Customer Service Feedback

At the Kingston Frontenac Public Library we welcome patron feedback on the services we provide. Patrons with disabilities are welcome to submit feedback in person, by telephone, in writing, by delivering an electronic text by email or on a USB flash drive or through our website. This form may be used by patrons wishing to submit feedback in writing.

Patrons that provide their contact information with formal feedback will receive an acknowledgement of their feedback within five business days of its receipt. The acknowledgement will indicate how the matter will be addressed and when the individual will be notified of the outcome. The library will follow up on any actions required from the feedback and the timing of implementation will be communicated to the patron. Feedback / response will be in a format that is accessible to the patron.

Patron Contact Information: (e.g. name, phone number, email address etc.)

Feedback: (Please provide a detailed description of the issue or suggestion)

Feedback must be submitted to the attention of:

Director, Human Resources

Kingston Frontenac Public Library

130 Johnson Street, Kingston ON K7L 1X8

Email: administration@kfpl.ca

Telephone: 613-549-8888 extension 3515 Fax: 613-549-8476

Website: Kingston Frontenac Public Library

Personal information collected by the Kingston Frontenac Public Library is done so under the authority of the Public Libraries Act, R.S.O. 1990, c. P.44., s. 4(3) and s. 20 and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O., c. M.56., s. 28(2) The information collected will be used in the process of the library's business. Questions regarding the collection of this information should be directed to the CEO & Chief Librarian, Kingston Frontenac Public Library, 130 Johnson Street, Kingston, ON K7L 1X8 613-549-8888

KFPL Report to the Board

Subject: Community Engagement Policy and Toolkit

Date: October 22, 2019

Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

The Community Engagement Policy and Toolkit was last reviewed in February 2018 and is scheduled to be reviewed annually.

Analysis:

No changes to the policy are recommended at this time.

Stakeholders' consultation:

To be determined by the Library Board.

Recommendations:

That the policy be reviewed and approved pending the level of stakeholders' consultation as determined by the Library Board.

KFPL Statement of Policy

Community Engagement

1. Purpose

The purpose of this policy is to ensure that community engagement is integrated into decision making and planning at KFPL. The policy also serves to ensure that community consultation is conducted in a manner that appropriately reflects the complexity, community interest and impact of KFPL decisions.

Community engagement is an important tool for building and sustaining community trust.

2. Scope

The policy applies to all KFPL services and operations, with the exception of maintenance and repair issues which are exempt except for the requirement to “inform” the public.

3. Definitions

Stakeholders are defined as library users, individuals and/or communities, funding bodies or organizations that have an interest in the outcomes of a project or initiative.

4. Guiding Principles

- **INCLUSION:** We want to hear from and include all who have an interest or stake in the outcome of a decision. We will provide equitable opportunity to participate.
- **RESPECT:** Our engagement with the community will take place in an atmosphere of mutual respect.
- **TRANSPARENCY:** We will be open about decision processes, procedures and limits. We will communicate clearly in a timely and publicly accessible way. We will provide relevant background and context when informing or engaging the community about the initiative.
- **CLARITY:** We will be clear about defining the community’s role in any public participation process. The promise, purpose and limitations on engaging the community and all stakeholders will be clear.
- **EFFECTIVENESS:** We will allocate sufficient resources to provide the appropriate level of engagement, use these resources wisely, setting and meeting reasonable timelines.
- **ACCOUNTABILITY:** We will be accountable for the process and outcome during and after the engagement process. We will report back to stakeholders regarding what we heard and how these results were used in reaching the decision.

5. Policy

The Community Engagement Toolkit shall be used to determine when and what level of community engagement is needed.

6. Communication

When communicating with stakeholders, the Library will do so in accordance with the complexity and impact of the issue as determined by the Community Engagement Toolkit and in a manner that reflects the guiding principles.

In order for owners and stakeholders to provide meaningful input, they need to understand the project or initiative. KFPL will build this knowledge by sharing the details of the project in plain language. Details shall include what has been done so far, why engagement is needed, what is being considered, what are the constraints, and how input is going to be used. To build credibility and trust in the engagement process, stakeholders will also need to understand:

- The overall engagement timeline
- Details of the engagement activities
- Who will be reviewing the input and making decisions
- What is expected of them as a stakeholder

It is important to develop a clear communication plan that will shape the whole engagement process and provide clear answers to stakeholder questions/concerns from the earliest stages to reporting back results. Owners and stakeholders are unable to provide input if they don't know about the opportunity to do so.

The engagement plan should work together with the project's communication plan to generate awareness about the engagement opportunities.

7. Engagement Planning

The Library will utilize the Community Engagement Toolkit to help shape a plan for engagement. The engagement plan serves as a roadmap for the engagement process and helps clarify:

- Engagement goals and objectives
- What KFPL are seeking input on
- Who KFPL stakeholders are
- Details such as engagement scope, budget, timelines, dates, roles and responsibilities
- At what level on the Spectrum of Strategies and Promises stakeholders will be engaged
- Decisions that are not open to input

8. Reporting Back and Evaluation

One of the foundations of a good engagement process is to ensure stakeholders know what has been done with their input. If stakeholders take the time to provide input they want to know what was done with it.

KFPL will compile and consider stakeholder feedback and report back on:

- What was heard (pulling all sources of input together).
- What decision was made and how the input was used.
- If nothing was changed as a result of the feedback, why?

It is best to include raw data in an Appendix in order for contributors to see their individual voices represented and ensure the reporting is an accurate reflection of the data.

By ensuring this feedback loop happens, stakeholders will be more inclined to participate in future engagement opportunities. If they know their time and efforts are being respected, we will continue to gain trust and credibility.

Evaluation is important for continuous improvement. KFPL will evaluate both the engagement process and engagement outcomes. Good engagement is not a formula.

The engagement plan should be designed to meet the unique needs of the stakeholders and the project at hand. By evaluating the process and engagement outcomes, KFPL can document lessons learned that can be applied to future projects. This extra step ensures we continually refine and improve our engagement efforts and approach.

9. Appendices

KFPL Community Engagement Toolkit

10. Authorities

11. Document Control

Original Policy Date: 2017 March

Last Reviewed: 2018 February

Changes made: Change made to Scope - June 28, 2017 (motion 2017-48)

Next Review: 2019 February

KFPL Report to the Board

Subject: Procurement of Goods and Services Policy

Date: October 22, 2019

Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

The procurement of goods and services policy was last reviewed in October 2011 and is scheduled to be reviewed once per Board term.

Analysis:

Significant updates have been made to the policy to ensure that procurement decisions made by KFPL are transparent and fair, and are consistent with the process followed by City of Kingston staff. The policy has also been modified to follow the KFPL's approved policy format. The current and revised policy documents are attached for review.

Recommendations:

That the Library Board review and approve the Procurement of Goods and Services Policy as amended.

KFPL Statement of Policy

Procurement of Goods and Services

1. Purpose

The purpose of this policy is to ensure that the procurement decisions of the Kingston Frontenac Public Library (KFPL) are made using a consistent, open, transparent and fair process, meeting legislative requirements and obtaining the best value when purchasing goods to be delivered, installed or constructed or when contracting services.

2. Scope

This policy covers the procurement of all goods and services by the Kingston Frontenac Public Library Board (Board), CEO and all employees of the Kingston Frontenac Public Library, on behalf of the Library, excluding expenditures listed in Schedule A.

3. Definitions

Agreement: means a bargain made between the Library and any Vendor upon an acceptance of an Offer to Procure entered into by the Library evidenced by a Contract, Purchase Order or as otherwise authorized hereunder.

Alternative Procurement Process: is a specialized or exceptional process that allows for deviation from the procurement process that the value or nature of the goods, services or construction would normally require. This could include a non-competitive procurement in the place of a competitive process, and a limited competition in the place of an open competition.

Best Value: the optimal balance of quality, performance including delivery precision and cost determined in accordance with a pre-defined evaluation plan. Best value may include a time horizon that reflects the overall lifecycle (total cost Management) of a given asset.

Bid: any written response from a bidder to any type of procurement process issued by the KFPL, containing all information submitted in response to the requirements of the process.

Buyer: A KFPL employee, who in the normal course of their duties, is authorized to procure goods, services and construction for the Library.

CEO: The Chief Executive Officer, also known as the Chief Librarian, who is the established financial head of the Kingston Frontenac Public Library system.

Contract: any formal or deliberate authorized and executed agreement for the purchase of goods, professional and consulting services, construction and facility services, and fleet equipment.

Construction: means the construction, reconstruction, demolition, repair, or renovation of a building, structure, road, or other engineering or architectural work, excluding professional consulting services related to the construction contract unless they are included in the procurement (e.g. Design-Build).

Emergency: a situation where serious delay may affect the life and health of the public, prevention of serious damage, and the restoring of essential service levels to a minimum level

Expanded Works: means a change, including a change order, to an Agreement in which an unexpected requirement arises, which does not expand the scope of the project but is a necessary addition to the work in order to deliver the original approved work.

Form: means a standard document as prepared and provided as part of the purchasing guidelines for purchasing and contract administration purposes approved by the CEO.

Offer to Procure: any solicitation which is issued by the Library to prospective vendors to provide Goods and/or Services to the library.

P-Card: means a corporate credit account issued to an authorized purchaser administered through the City of Kingston Finance Department and authorized by the Chief Librarian.

Procurement: the acquisition of goods and/or services required to execute operations and provide the services of the Library.

Professional Consulting Services: means the provision of an opinion, advice or services, including custom computer programming design services and professional arts, communications and cultural activities, which is intended to be relied upon by the Library and is supportable by errors and omissions insurance or similarly recognized as a profession, distinct from the concurrent provision of a Good or Service.

Prospective Vendor: any person under law which responds to an Offer to Procure but has yet to be, or was not, selected to be the Vendor.

Purchase Order: a Contract to acquire goods or services issued by the Library on a simplified form or forms.

Request for Information (RFI): an open enquiry sent to prospective vendors for the purpose of gathering information to help decide what step to take next. An RFI may include a detailed list of products/services for which pricing is requested, however the pricing should be used for comparative purposes, not as the basis for buying decisions.

Request for Proposal (RFP): a solicitation sent to prospective vendors with whom a creative relationship or partnership is being considered. Typically, the RFP leaves all or

part of the precise structure and format of the response to the discretion of the suppliers. Indeed, the creativity and innovation that suppliers choose to build into their proposals may be used to distinguish one from another.

Request for Quotation (RFQ): a solicitation sent to prospective vendors containing in exacting detail a list or description of all relevant parameters of the intended purchase. An RFQ is an opportunity for prospective vendors to competitively cost the product or service; the price per item or per unit of service is the deciding factor.

Single Source: means either:

- i. there is more than one source in the open market but for reasons of function, service, unique technology or proprietary interest only one Vendor is recommended for consideration of the particular goods and/or services; or
- ii. there is only one known source of supply of particular goods or services.

Standing Purchase Order: means an approved procurement, which establishes prices or methods for determining prices, terms and conditions and the period of time during which a Vendor agrees to provide specified Goods or Services to the Library upon demand. Standing Purchase Orders may only be issued for a period not exceeding three (3) years except where the Board has approved a longer term. The value of the committed price of the standing purchase order is determined by looking at the full value of the contract, for approval levels.

Supplier: any individual or organization providing goods or services to the Library including but not limited to contractors, consultants, vendors, service organizations, etc.

Tender: a solicitation which invites a formal written bid on the prescribed tender form from prospective vendors to supply goods or services.

Vendor: any party selected to supply goods or services to the Library.

4. Policy Statement

It is the policy of the Kingston Frontenac Public Library that its procurement of goods and services be undertaken in a way that provides the best value for the Library in terms of optimal balance of quality, performance and cost; uses open, accountable, objective, fair, effective and efficient processes; complies with all applicable legislative requirements and follows acceptable industry practices in its procedures and practices.

All purchases of Goods and Services for the Library are subject to the provisions of this Policy.

All purchases will be made in compliance with all relevant statutes and regulations. KFPL procurement policies, processes and procedures will be developed and implemented

under the authority of the *Municipal Act, Municipal Conflict of Interest Act, Accessibility* (as defined by KFPL's *Accessibility Policy*) criteria and features will be considered when procuring or acquiring any Goods or Services.

Where a Professional Consulting Service is engaged as a project manager to administer offers of procurement, it shall be the responsibility of the Library to ensure that the project manager adheres to all conditions of the Procurement of Goods and Services Policy.

The open and competitive purchasing procedures set out in this policy shall not apply to the purchase of those services set out in Schedule A, provided that the total cost of the purchase does not exceed the amount approved for such expenditure.

Prices and authority levels as stated herein are before tax amounts.

5. Guiding Principles

KFPL will make procurement decisions using an open, accountable, objective, fair, effective and efficient process and by adopting standing approaches to:

- Selecting the appropriate type of procurement process to be used;
- Conducting the procurement process including the structure, format and general content of procurement documents;
- Communicating with bidders throughout the process;
- Evaluating submissions;
- Dealing with bidders' queries and complaints;
- Providing unsuccessful bidders with feedback, upon request;
- Awarding the contract;
- Maintaining records of the procurement process; and
- Maintaining records on the successful bidder's performance under contracts.

6. Responsibilities

Library Board

- Empowers the CEO to establish procurement procedures required to enact the policy and processes. Detailed purchasing procedures will be developed.
- Authorizes the CEO to execute formal agreements and contracts on behalf of the KFPL and permits this authority to be delegated depending on the scope, value and impact of contracts or purchases and according to the Accountability framework.

Chief Librarian/CEO

- Is accountable and responsible for all purchasing activities within the Library and compliance with this policy including the determination of the appropriate level of approval authority of KFPL employees.
- Is delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$250,000.
- Will provide a statement of authority memo for any Alternative Procurement Process valued between \$50,001 and \$100,000, confirming that the procurement meets the required criteria.
- Will approve Expanded Works where permitted under this policy.
- Has the authority to issue procurement credit cards (“p-cards”) to Library employees.
- Recommends procurement policy changes to the Board for approval as needed.

Directors

- Are accountable and responsible for all purchasing activities within their department and compliance with this policy including the determination of the appropriate level of approval authority of employees within their department.
- Are delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$100,000.
- Will provide a statement of authority memo for any Alternative Procurement Process valued between \$5,001 and \$50,000, confirming that the procurement meets the required criteria.
- Will approve Expanded Works where permitted under this policy.
- Have the authority to issue procurement credit cards (“p-cards”) to employees in their departments.

Managers

- Are accountable and responsible for all purchasing activities within their department and compliance with this policy including the determination of the appropriate level of approval authority of employees within their department.
- Are delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$50,000.
- Will provide a statement of authority memo for any Alternative Procurement Process valued between \$5,001 and \$50,000, confirming that the procurement meets the required criteria.
- Will approve Expanded Works where permitted under this policy.

Budget/HR Analyst

- Is delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$5,000.
- Maintains a list of authority thresholds and purchasing methods (see Schedule B) for the Library and reviews this list on an annual basis.

Maintenance Supervisor

- Is delegated with the authority to issue Offers to Procure and authorize invoices valued up to and including \$5,000.

Buyers

- Employees who have approval authority to purchase and/or to allocate and approve expenditures are Buyers and will comply with this Policy for all purchases of goods, services and construction.
- Buyers shall follow “A Statement of Ethics for Public Purchasers” established by the Ontario Public Buyers Association (as set out in Schedule C), as well as the Standards of Conduct for KFPL Employees.

7. Policy Application

7.1 Conflict of Interest

No member of the Library Board or employee involved in the procurement of goods and services shall have any pecuniary interests either direct or indirect in any contract, tender, proposal, or quotations for the supply of such goods or services to the Library.

7.2 Gifts and Benefits

KFPL employees or Board members shall not accept gifts, hospitality or other benefits either directly or indirectly from any potential or existing supplier of goods and services.

7.3 Lobbying

When necessary, the CEO, in consultation with the Manager/Director who initiated the procurement and the Board Chair, will determine if a Prospective Vendor shall be disqualified for Lobbying any KFPL employee or member of the Board.

7.4 Budget Control

A list of authority thresholds (see Schedule B) will be maintained by the Budget/HR Analyst and updated annually.

Formal approval of the annual budget constitutes financial approval to proceed with purchases subject to any scheduling or priority considerations as may be deemed necessary by the Chief Librarian/CEO or delegate.

If the annual budget has not been approved by the Board and the Municipal Councils at the time the expenditure is required, up to 40% of the previous year's approved budget may be expended, until the current year's budget is approved.

7.5 Offer to Procure

The Library shall issue an Offer to Procure Goods and Services as follows, unless on any existing Standing Purchase Order and subject to the provisions of this section:

a. Up to and including \$5,000

By obtaining prices from more than one supplier, or by purchasing directly from catalogues, suppliers' lists, or through negotiations, assuming that all prices offered are fair and equitable.

- i. Prices and suppliers reviewed prior to selection shall be documented for reference.
- ii. The procurement shall be evidenced by receipt or invoice or P-card documentation.

b. \$5,001 up to and including \$50,000:

By Request for Quotes:

- i. from at least 3 prospective vendors;
- ii. may be issued on a simplified Form approved by the responsible Manager or Director.

By Tender:

- i. for procurements identified in which the qualitative difference between potential vendors is limited;
- ii. must include an evaluation criteria grid and scoring for each criterion;
- iii. where price is the primary factor in evaluation, the maximum percentage of 75% for evaluation shall be used;
- iv. must be advertised if three separate Prospective Vendors for the particular procurement cannot be identified.

The results of the above must:

- i. not be opened publically;
- ii. be evidenced by Purchase Order;
- iii. be recorded by retention of:
 - The Form as issued by the issuing Division
 - All responses received from Prospective Vendors, and

- A written record of evaluation of the responses.

c. Over \$50,000:

By Tender:

- i. must include an evaluation criteria grid and scoring for each criterion.
- ii. Where price is the primary factor in evaluation, the maximum percentage of 75% for evaluation shall be used.
- iii. must be advertised if three separate Prospective Vendors for the particular procurement cannot be identified
- iv. Prospective Vendor pre-qualification in the form of a Request for Information may be used in any Tender upon the direction of the responsible Director. When pre-qualification is used, all responses received from Prospective Vendors shall be submitted on Forms.
- v. The Library shall issue clarification in relation to any Tender only in reply to queries from Prospective Vendors and in the form of a written addendum. Other than in response to a query from a Prospective Vendor, the library may coordinate the issuance of an addendum to revise, delete, substitute or add to specifications for a Tender.
- vi. All communications with Prospective Vendors by the Library in regards to the purchase, shall be issued in writing by fax, email or by registered postal mail and a record of such communications shall be retained

By Request for Proposals

- i. Shall include a weighting form of evaluation which includes price evaluation between 20% and 75%, with scoring methodology for each element.
- ii. Be publically advertised.
- iii. Where any Prospective Vendor requests a clarification, response shall only be made in the form of a written addendum. When it becomes necessary to revise, delete, substitute or add to specifications for a Request for Proposal to a substantial degree, the responsible Director shall coordinate the issuance of an addendum or cancel the Request for Proposal if deemed necessary. Every addendum shall include the question to which the addendum is a response, shall not identify the party which raised the question, shall be circulated to all Prospective Vendors, and, where necessary, be advertised.

Purchases and procurements over \$50,000 shall be coordinated by a Director to ensure:

- i. completeness of documentation;
- ii. that invitations to bid and advertisements are arranged ;

- iii. closing dates and tender openings are scheduled, and
- iv. a single source contact for information is provided.

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d. Professional Consultant Services:

Up to and including \$50,000

- i. by direct appointment by obtaining prices from more than one consultant.
- ii. The following weighting criteria shall be used to select Professional Consultant Services:
 - ability,
 - experience in similar type projects,
 - personnel available for the project,
 - reputation and prior experience with the Library,
 - price,
 - familiarity with the project, and
 - such other weighting requirements established by the Library

Over \$50,000

- i. through a Request for Proposal.

e. Expanded Works:

- i. No offer to procure by Expanded Works procurement shall be issued without the prior specific written authorization, which shall include confirmation that the Expanded Work remains within the scope of the original Offer to Procure.
- ii. No Offer to Procure by Expanded Works procurement shall be issued unless:
 - there is more than one source in the open market but for reasons of function or service only one Vendor is recommended for consideration of the particular goods and/or services, including the continuity with the scope of the original Offer to Procure;
 - there is only one known source of supply of particular goods or services; or
 - time restrictions in relation to the procurement require that the additional procurement not proceed by way of separate Offer to Procure.
- iii. Where possible, any written authorization permission provided for under this section will specify the means of making the Expanded Works procurement as well as the Good or Service to be obtained as well as the budget.

7.6 Alternative Procurement Process

An alternative procurement process shall only be used if one or more of the following conditions apply and a process of negotiation is undertaken to obtain the best value in the circumstances for the Library:

1. Sole Source:

The goods and services are only available from one source or supplier by reason of:

- i. a statutory or market based monopoly;
- ii. a scarcity of supply in the market;
- iii. existence of exclusive rights (patents, copyright or license);
- iv. need for compatibility with good and services previously acquired and there are no reasonable alternatives, substitutes or accommodations; or
- v. need to avoid violating warranties and guarantees where service is required.

2. Competitive Method Failed:

An attempt to purchase the required goods and services has been made in good faith using a competitive method and has failed to identify a successful supplier.

3. Emergency

The goods and services are required as a result of an emergency, which would not permit the use of the other methods permitted.

4. Single Source

The required goods and services are to be supplied by a particular vendor or supplier having special knowledge, skills, expertise or experience that cannot be provided by any other supplier.

5. Vendor of Record

Goods and services can be acquired with access to economy-of-scale pricing and with minimal staff time through the use of the Vendor of Record lists as compiled by the Library's funding municipalities and the provincial government.

6. Not in Public Interest

The nature of the requirement is such that it would not be in the public interest to solicit competitive bids, as in the case of confidential matters.

No Offer to Procure by an Alternative Procurement Process valued between \$5,001 and \$50,000 shall be issued without authorization by a Director.

No Offer to Procure by an Alternative Procurement Process valued between \$50,001 and \$100,000 shall be issued without authorization of the Chief Librarian/CEO.

No Offer to Procure by an Alternative Procurement Process valued over \$100,000 shall be issued without Board approval.

Where in the opinion of the CEO, or designate, an emergency has occurred, the CEO or designate may initiate a requisition/purchase order in excess of the preauthorized

expenditure limit to a maximum of \$100,000. Any purchase order issued under such circumstances together with a source of financing shall be reported to the Library Board Chair and Vice Chair immediately and also to the next full meeting of the Board.

7.7 Awarding of Procurement

Evaluation of submissions will be conducted by the responsible Director/Manager and any additional staff members with relevant experience and knowledge. The size of the evaluation team shall reflect the complexity and dollar value of the assignment.

1. The Library reserves the right to reject any and all submissions in a procurement process.
2. The exercise of authority to award a contract is subject to the identification and availability of sufficient funds within the approved Kingston Frontenac Public Library budget.
3. Tender, Quote and Proposal awards shall be made to the bidder meeting all required specifications and conditions, including price. Conditions that could be met may entail:
 - a. ability and experience to perform in accordance with specifications,
 - b. past performance record,
 - c. financial and technical resources, and
 - d. future operating and maintenance costs.
4. In the awarding of any procurement the Library shall not be bound to accept the lowest price and may award to another Prospective Vendor if, in their discretion, having regard to delivery time, service and quality of goods, past history of dealings or outstanding claims that would be in the best interest of the Library.
5. Where all other factors are equal, lowest price shall govern.

7.8 Standing Purchase Orders

Blanket purchase orders may be established annually for the purchase of items, services or inventory management, but may only be established with a vendor after pricing procedures have been followed as per this Policy.

7.9 Petty Cash Control

Purchases of less than an amount determined periodically by the Budget/HR Analyst may be made through Petty Cash providing that supervisor approval is indicated. All petty cash payments are to be reviewed by the Budget/HR Analyst at the time of petty cash replenishment.

7.10 Insurance

All contractors performing work on Library property must provide evidence of appropriate liability insurance, active Workplace Safety Insurance Board status, or any other forms of insurance requested by the Library.

7.11 Access to Information

All submissions and related materials provided to the Library pursuant to any Offer to Procure shall be retained by the Library and subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* or any otherwise applicable or successor legislation.

7.12 Unsolicited Proposals

Any unsolicited proposal not arising from an Offer to Procure received by the Library may be reviewed by staff, but any procurement activity resulting from the receipt of an unsolicited proposal shall be in accordance with the provisions of this policy.

8. Compliance and Consequences for Breach

It is recognized that strict adherence to all of the requirements set forth may not be practicable in every case, but should be observed except in case of emergency (followed by proper paperwork) or where adherence can be shown to involve substantial and unwarranted additional expense.

Employees authorized to purchase for the Library as Buyers must be aware and be guided by the fact that corruption in public procurement is a constant concern. Buyers must be vigilant to avoid practices which may result in or appear to be corrupt.

Failure to comply with this Policy is a matter of internal discipline. Observed or reported behaviours in violation of this Policy will be addressed immediately.

Failure to comply with this Policy may also result in external legal consequences.

In addition, Buyers may be personally subject to criminal prosecution and civil claims arising from:

- a. Willful failure to follow purchasing standards for personal gain; colluding with any Prospective Vendor or Vendor to compromise the integrity of the procurement process;
- b. Accepting bribes or other personal incentives in the course of advertising, evaluating or selecting goods or services for purchase; and
- c. Any other form of corruption, fraudulent action or personal gain in carrying out procurement.

9. Schedules

Schedule A: KFPL Expenditures Not Applicable to the Procurement Policy

Schedule B: Authority Thresholds and Purchasing Methods

Schedule C: Statement of Ethics for Public Purchasers

10. Authorities

All procurement undertaken by KFPL employees shall be in accordance with this policy, and in accordance with the following legislation:

Federal Government

Criminal Code

The Combines Investigation Act

The Competition Act

Canadian Free Trade Agreement (CFTA)

Comprehensive Economic and Trade Agreement (CETA)

Provincial Government

Accessibility for Ontarians with Disabilities Act, 2005

Ontario Health & Safety Act, R.S.O., 1990,

The Discriminatory Business Practices Act, R.S.O., 1980, chapter 199

The Municipal Act, 2001

The Municipal Conflict of Interest Act, R.S.O. 1990, c.M50

The Municipal Freedom of Information and Protection of Privacy Act, 1989

The Sale of Goods Act

Workers' Compensation Act, R.S.O., 1990, c.W.11

KFPL Policies

Delegation of Authority, Appendix A, KFPL Board Constitution 2019

Standards of Conduct for KFPL Employees

Accessibility Policy for Users with Disabilities

Asset Disposal Policy

Collection Development Policy

Records Management Policy

Travel and Expenses Policy

11. Document Control

Original Policy Date:

Last Reviewed: October 2011

Changes made:

Next Review: October 2022

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Schedule A: Expenditures Not Subject to KFPL Procurement Policy

The acquisition methods described in the KFPL Procurement Policy do not apply to the following items, however where possible, staff should issue a Purchase Order or use a Corporate Purchasing Card to complete the procurement.

1. Training and Education

- Conferences, courses, seminars

2. Refundable Employee and Board Expenses

- Meal allowances
- Travel
- Accommodation

3. General Expenses

- Payroll deduction remittances such as income tax, Employment Insurance premiums, Employer Health Tax
- Workers Safety Insurance Board payments
- Medical Fees
- Debenture payments
- HST remittances
- Grants to agencies
- Damage claims
- Legal settlements
- Arbitration awards
- Petty cash replenishment
- Tax remittances
- Charges to and from other government bodies
- Payments for employment

4. Professional and Special Services

- Honorariums
- Medical Professional Services
- Municipal Property Assessment Corporation as approved in annual budgets

5. Committee Fees

- Medical, laboratory, and pharmacy services
- Medical and dental fees
- Witness fees
- Honorariums

6. Purchases From Other Levels of Government

7. Federal/Provincial/Municipal Mandate Programs and Payments

- 8. The Lease or Purchase of Real Property**
- 9. Events Supporting Local Non-Profit Organizations**
- 10. Entertainers for Theater or Special Events**
- 11. Refunds**
- 12. Purchases facilitated under other contracts that have been approved by the Board**
- 13. Sponsorship and Naming Rights**

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Schedule B: Authority Thresholds and Purchasing Methods

Purchasing Threshold & Authority	Types of Procurement	Method
<p>Up to and including \$5,000</p> <ul style="list-style-type: none"> • KFPL Board Chair • Chief Librarian/CEO • Directors • Managers • Budget/HR Analyst and others as designated 	<p>Cheque Requisition, Petty Cash, P-card, Store Account</p>	<ul style="list-style-type: none"> • Documented by the Buyer with receipts. • A Purchase Order may be used, but is not required.
<p>\$5,001 up to and including \$50,000</p> <ul style="list-style-type: none"> • KFPL Board Chair • Chief Librarian/CEO • Directors • Managers 	<p>Request for Proposal Request for Quotes Request for Tender</p>	<ul style="list-style-type: none"> • The buyer solicits pricing from at least 3 vendors (when applicable). • May be advertised if known sources are limited. • A purchase order is issued. • A formal contract may be required.
<p>\$50,001 up to and including \$100,000</p> <ul style="list-style-type: none"> • KFPL Board Chair • Chief Librarian/CEO • Directors 	<p>Request for Proposal Request for Tender/Contract Request for Information Prequalification</p>	<ul style="list-style-type: none"> • Advertised publicly to solicit pricing from at least 3 vendors (when applicable). • A formal contract is required. • Board approval is required when an Alternative Procurement Method is used.
<p>\$100,001 up to and including \$250,000</p> <ul style="list-style-type: none"> • KFPL Board Chair • Chief Librarian/CEO 	<p>Request for Proposal Request for Tender/Contract Request for Information Prequalification</p>	<ul style="list-style-type: none"> • Advertised publicly to solicit pricing from at least 3 vendors (when applicable). • A formal contract is required. • Board approval is required when an Alternative Procurement Method is used.
<p>Over \$250,000</p> <ul style="list-style-type: none"> • KFPL Board Chair 	<p>Request for Proposal Request for Tender/Contract Request for Information Prequalification</p>	<ul style="list-style-type: none"> • Advertised publicly to solicit pricing from at least 3 vendors (when applicable). • A formal contract is required.

Schedule C: Statement of Ethics for Public Purchasers

Goal: To ensure ethical, professional and accountable procurement.

All staff authorized to purchase goods, services and/or construction on behalf of the Library shall, at minimum, adhere to the following principles:

a) Open and honest dealings with everyone who is Involved in the procurement process. Procurement activities must be open and accountable.

This includes all businesses with which the KFPL contracts or from which it purchases goods, services and/or construction, as well as all members of our staff and of the public who utilize the services of the Library.

b) Fair and impartial award recommendations for all contracts and tenders. Contracting procurement activities must be fair, transparent and conducted with a view to obtaining the best value for public money.

This means that we do not extend preferential treatment to any Prospective Vendor, including local companies. Not only is it against the law, it is not good business practice, since it limits fair and open competition for all Vendors and is therefore a detriment to obtaining the best possible value for each tax dollar.

c) An irreproachable standard of personal integrity on the part of all those designated as procurement representatives for the Kingston Frontenac Public Library.

Employees involved with procurement activities must act, and be seen to act, with integrity and professionalism. Honest, care and due diligence must be integral to all procurement activities within and between the organization, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

KFPL STATEMENT OF POLICY AND PROCEDURE: BOARD POLICY

Title: PROCUREMENT OF GOODS AND SERVICES	Date of Issue	
	Last Reviewed	October 2011
	Next Review	2014

1. Definitions

Offer to Procure: any solicitation which is issued by the Library to prospective vendors to provide Goods and/or Services to the library.

Prospective Vendor: any person under law which responds to an Offer to Procure but has yet to be, or was not, selected to be the Vendor.

Purchase Order: a Contract to acquire goods or services issued by the Library on a simplified form or forms.

Request for Information (RFI): an open enquiry sent to prospective vendors for the purpose of gathering information to help decide what step to take next. An RFI may include a detailed list of products/services for which pricing is requested, however the pricing should be used for comparative purposes, not as the basis for buying decisions.

Request for Proposal (RFP): a solicitation sent to prospective vendors with whom a creative relationship or partnership is being considered. Typically, the RFP leaves all or part of the precise structure and format of the response to the discretion of the suppliers. Indeed, the creativity and innovation that suppliers choose to build into their proposals may be used to distinguish one from another.

Request for Quotation (RFQ): a solicitation sent to prospective vendors containing in exacting detail a list or description of all relevant parameters of the intended purchase. An RFQ is an opportunity for prospective vendors to competitively cost the product or service; the price per item or per unit of service is the deciding factor.

Request for Tender (RFT): a solicitation which invites a formal written bid on the prescribed tender form from prospective vendors to supply goods or services.

2. General

- i. All purchases of Goods and Services for the Library are subject to the provisions of this Policy and Procedures
- ii. Accessibility (as defined by our *Accessibility Policy For Users With Disabilities*) criteria and features will be considered when procuring or acquiring any Goods or Services
- iii. Where a Professional Consulting Service is engaged as a project manager to administer offers of procurement, it shall be the responsibility of the Library to ensure that the project manager adheres to all conditions of the Policy and Procedures.
- iv. Prices and authority levels as stated herein are before tax amounts.

3. Approval Levels and Procurement Authorization

3.1 Approval Levels

All anticipated purchases of Goods and Services must receive the appropriate approvals prior to purchase being made. Managers and Directors have the authority to authorize payments as follows:

- i. up to \$5,000: Maintenance Supervisor, Budget Analyst, and others as designated by Managers and Directors
- ii. up to \$50,000: Managers, and others as designated by Directors
- iii. up to \$100,000: Directors, and others as designated by the Chief Librarian/CEO
- iv. up to \$200,000: Chief Librarian/CEO
- v. over \$200,000: Library Board

3.2 Budget Control

- i. A list of signing authorities will be maintained by the Budget Analyst and updated annually
- ii. Formal approval of the annual budget constitutes financial approval to proceed with purchases subject to any scheduling or priority considerations as may be deemed necessary by Library Administration.
- iii. If the annual budget has not been approved by the Board and the Municipal Councils at the time the expenditure is required, up to 40% of the previous year's approved budget may be expended, until the current year's budget is approved.

3.3. Offer to Procure

The Library shall issue an Offer to Procure Goods and Services as follows:

- i. **Under \$5,000:** By obtaining prices from more than one supplier, or by purchasing directly from catalogues, suppliers' lists, or through negotiations, assuming that that all prices offered are fair and equitable.
- ii. **Between \$5,000 and \$50,000:** By *Request for Quotation* from at least 3 prospective vendors, except in very specific cases where obtaining more than one quotation is not possible.
- iii. **Over \$50,000:** By *Request for Proposal*, or by *Request for Tender*. Requests for Tender may be publicly advertised or by invitation only from a pre-screened vendor list. Requests for Tender shall be coordinated by the Manager of Facilities to ensure:
 - a. completeness of documentation
 - b. invitation to bid/advertisements are arranged
 - c. closing dates and tender openings are scheduled, and
 - d. tenders have a single source contact for information
- iv. **Professional Consultant Services** may be procured through the following methods:
 - a. by direct appointment from a pre-selected roster of qualified consultants where the total cost of the consultancy is under \$50,000; or
 - b. when the total cost of the consultancy is over \$50,000, through a Request for Proposal.

3.4. Single Source Purchases

Sole sourcing may be negotiated by the Manager of Facilities with a single vendor when there is only one known source of supply of particular goods or services. or

- a. there is more than one source in the open market but for reasons of function, service, unique technology, or proprietary interest only one Vendor is recommended for consideration of the particular goods and/or services; or
- b. only one bid/proposal is received through the procurement process and it is impractical to recall the requirements, or
- c. where emergency circumstances warrant immediate action

3.5. Awarding of Bids

- i. Tenders and quotation awards shall be made to the bidder meeting all required specifications and conditions, including price. Conditions that should be met may entail:
 - a. Ability and experience to perform in accordance with specifications
 - b. Past performance record
 - c. Financial and technical resources
 - d. Future operating and maintenance costs
- ii. In the awarding of any procurement the Library shall not be bound to accept the lowest price and may award to another Prospective Vendor if, in their discretion, having regard to delivery time, service and quality of goods, past history of dealings or outstanding claims that would be in the best interest of the Library.
- iii. Where all other factors are equal, lowest price shall govern.

5. INVENTORY MANAGEMENT

Minimum and Maximum levels may be established for each inventory item. These levels shall be approved by the appropriate Supervisor. Once these levels are established the staff responsible for the inventory can maintain the optimum inventory quantities.

6. BLANKET PURCHASE ORDERS

Blanket purchase orders may be established annually for the purchase of items or inventory management, but may only be established with a vendor after pricing procedures have been followed as per this Policy.

7. PETTY CASH CONTROL

Purchases of less than an amount determined periodically by the Budget Analyst may be made through Petty Cash providing that supervisor approval is indicated. All petty cash payments are to be reviewed by the Budget Analyst at the time of petty cash replenishment.

8. INSURANCE

All contractors performing work on Library property must provide evidence of appropriate liability insurance on the prescribed form.

9. DISPOSAL OF SURPLUS AND OBSOLETE MATERIAL

- i. The Library shall from time to time review its stock and list any surplus or obsolete items.
 - ii. The disposal of all surplus, scrap, and obsolete material and equipment will be approved by the Chief Executive Officer, or designate, if the total proceeds are expected to be more than \$2,000.
 - iii. Revenue generated by the sale of surplus material shall be credited to Expenditure Recovery.
 - iv. Any surplus assets not sold may be donated to a non-profit or registered charitable organization.
 - v. If the total proceeds exceed \$50,000, Library Board approval is required.
- 10.** This policy will be reviewed once per Board term, in the fourth year of each term.

It is recognized that strict adherence to all of the requirements set forth may not be practicable in every case, but should be observed except in case of emergency (followed by proper paperwork) or where adherence can be shown to involve substantial and unwarranted additional expense.

KFPL Report to the Board

Subject: Asset Disposal Policy
Date: October 22, 2019
Prepared by: L. Webb, Interim Chief Librarian/CEO

Background:

During the review of the KFPL Procurement of Goods and Services Policy, it was determined that the guidelines for the disposal of surplus or obsolete materials should be removed from the Procurement policy and expanded into a new policy.

Analysis:

The Asset Disposal Policy is an expanded version of the guidelines previously documented in the Procurement of Goods and Services Policy. Information from the City of Kingston's Tangible Capital Asset Policy was used to inform the attached policy.

Recommendations:

That the policy be reviewed and approved pending a determination by the Board which non-profit/registered charitable organizations are to be used by staff when donating surplus assets.

KFPL Statement of Policy

Asset Disposal

The Kingston Frontenac Public Library is committed to effective and efficient asset management. The following policy is intended to facilitate and encourage the timely reallocation of surplus assets.

1. Purpose

The purpose of this policy is:

- To clarify the assets to which this policy applies.
- To provide a guidelines for the disposal of assets of no further use to the Library.
- To minimize costs relating to storage.
- To identify conditions under which assets will be considered scrap or available for donation.

2. Scope

This policy includes all assets integral to the Library's operation or administration with the exception of Library materials (e.g. books, dvds). Disposal of Library materials is addressed under the Collection Development Policy.

3. Policy

When assets become surplus and/or obsolete, the Library will redeploy/dispose of them in an equitable manner that maximizes the useful life of the asset without incurring operating costs exceeding the benefits derived.

3.1 Determination of Surplus and Obsolete Material

- a. Staff will notify the responsible Manager/Director that an asset is no longer required for Library operations.
- b. The responsible Manager/Director will determine if the asset has any book value. Unique or specialized assets (e.g. art) may be assessed by a qualified appraiser in order to ascertain the value of the asset. The assessment will assist in determining if an asset should be sold or donated.
- c. Should the asset no longer have any book value, or if there is no operational rationale for retaining the asset, the Manager, Facilities will arrange for disposal of the asset.

3.2 Disposal of Surplus and Obsolete Material

- a. Assets that have been determined to be surplus or obsolete will be disposed of in a

manner that is consistent with the Library's goal to minimize the environmental impact of its operations.

- b. If the total proceeds from the disposal of surplus/obsolete assets are expected to be more than \$2,000, approval is required by the Chief Librarian/CEO, or designate.
- c. If the total proceeds from the disposal of surplus/obsolete assets are expected to be more than \$50,000, Library Board approval is required.
- d. The disposal of any asset which cannot be redeployed will be, handled by one of the following methods as authorized by the Chief Librarian/CEO, or designate:
 - i. Trade-in against replacement equipment required (e.g. library vehicle)
 - ii. Displayed and sold using an online auction site (e.g. GovDeals) for those assets which are marketable to others. If applicable, a minimum bid will be set based on the book value of the asset.
 - iii. Donated to a local non-profit or registered charitable organization (see Schedule A.)
 - iv. Assets deemed as waste/recycling will be sent by maintenance staff to the appropriate facility.

3.3 Revenue

Revenue generated by the sale of surplus assets shall be credited to Expenditure Recovery.

4. Schedules

Schedule A: Approved Non-Profit and Registered Charitable Organizations

5. Authorities

6. Document Control

Original Policy Date: October 2019

Last Reviewed: October 2019

Next Review: October 2022

Schedule A: Approved Non-Profit and Registered Charitable Organizations

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