



STATUS		
Council Approved	Y	N
CAO Approved:	Y	N

TITLE: Tied Bid Procedure	NO.: Effective Date: May 3, 2007 Latest Revision Date:
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ATTACHMENT 1

PROCEDURES STATEMENT:

This is a procedure that addresses the approach in awarding contracts in the event there are two or more tied bids that in all respects are equal.

APPLICATION:

This procedure will apply to all departments in the event that a Department or Branch or a function of a Department or Branch is involved in a tied bid situation.

PURPOSE:

The purpose of this procedure is to provide authorized procedures on how to break a tie when two or more Tenders or Quotations are equal in all respects, including price.

DEFINITIONS:

”Bid”: Bid is a general term that refers to Tenders, and Quotations.

“Tied Bid”: is two or more Bids that are equal in all respects after evaluation, including price for the good(s) or service(s) being tendered.

DESCRIPTION:

In circumstances where two or more Bids are received which, after evaluation, are found to be equal in all regards, the following process shall apply in order to break the tie and to determine the successful bidder to whom the contract shall be awarded.

- i) for tenders where two bidders are tied:
 - The Director of Supplies and Services (or designate) shall send a letter to the tied bidders informing them to attend and observe a coin toss in order to break the tie.

- Prior to the day of the coin toss event, the Director of Supplies and Services (or designate) determines which bidder will be assigned the “head” and the “tail” of the coin. The “head” shall be assigned to the bidder who’s name was first read out during the tender opening, and the “tail” shall be assigned to the other bidder.
- All attendees observing the tossing of the coin sign a Coin Toss/Lottery (draw) Attendees List.
- The coin must be inspected by the affected bidders attending the coin toss and they are both to complete and sign an Inspection of Coin for Coin Toss/Lottery (draw) Form.
- The coin is to be tossed into the air by the Director of Supplies and Services (or designate) and they shall let the coin land on the ground.
- The Director of Supplies and Services will announce the face of the coin tossed showing upward and announce the winner.
- The result of the coin toss is to be recorded on an Acknowledgement of Coin Toss Form signed by the bidding parties and the Director of Supplies and Services.
- Supplies and Services will retain all original documents used during the coin toss process in the bid file.

ii) for tenders where three or more bidders are tied:

- The Director of Supplies and Services shall send a letter to the tied bidders informing them to attend and observe the lottery (draw).
- Prior to the lottery (draw), the Director of Supplies and Services (or designate) shall cut 8-1/2” x 5-1/2” paper for the number of bidders with identical bids.
- On the day of the lottery (draw) the Director of Supplies and Services will write each bidders’ name on the 8-1/2” x 5-1/2” pieces of paper.
- All attendees observing the lottery will sign the Coin Toss/Lottery (draw) attendees list.
- The 8-1/2” x 5-1/2” paper with the names of the bidders involved in the lottery is to be inspected by those bidders. Bidders are to complete and sign an Inspection of Coin for Coin Toss/Lottery (draw). (If a bidder is not present, then this should be left blank.)
- The Director of Supplies and Services will fold all pieces of paper in exactly the same way and place them into a hat or basket.
- The Director of Supplies and Services, with his or her eyes closed, will pick a piece of paper from the hat or basket, unfold the paper, announce the winning bidder and show the paper to all individuals present.
- The result of the lottery (draw) will be recorded and on an Acknowledgement of Coin Toss/Lottery Form and will be final.
- The paper showing the winning bid picked from the hat or basket shall be attached to the acknowledgement of Coin Toss/Lottery Form.
- Supplies and Services will retain all original documentation in the bid file.

RESPONSIBILITIES:

Commissioners are responsible for implementing this procedure in a tied bid situation in accordance with Purchasing By-law #A-0353-2004-089 and Amendment A-0353(A)-2006-063.

NON-COMPLIANCE WITH POLICY: (OPTIONAL)**REFERENCE:**

By-law A-0353-2004-089, and amended by By-law A-0353(a)-2006-063.

CONTACT:

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ROYAL INFORMATION**Council Minutes:****Clause No.:****of Report No.:****Of the:****Date:****OR****CAO Approval Date:**