



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 203

(Private)

**An Act respecting Municipalité régionale
de comté de La Haute-Yamaska**

Introduced 8 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

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Bill 203

(Private)

AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA HAUTE-YAMASKA

AS Municipalité régionale de comté de La Haute-Yamaska wishes to open bidding on a contract for the design, financing, construction, operation and maintenance of a residual materials recycling and processing centre that will further the achievement of Québec's objectives with regard to the reclamation of residual materials and the reduction of final waste;

AS it is advisable to provide an appropriate framework for the bidding process;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. This Act sets out specific procedural rules to govern the awarding by Municipalité régionale de comté de La Haute-Yamaska, using the system of bid weighting and evaluating described in article 936.0.1 of the Municipal Code of Québec (chapter C-27.1), of a contract for the design, financing, construction, operation and maintenance of a residual materials recycling and processing centre.

2. Bid prices must be submitted in a separate, sealed envelope.

When the tenders are opened, the envelopes containing the bid prices must be entrusted, unopened, to the secretary of the selection committee.

3. After a score has been assigned to each tender for all the other elements required by the call for tenders, the envelopes containing the bid prices are opened under the authority of the process auditor identified in the call for tenders.

The auditor may not be a council member, nor a member or the secretary of the selection committee.

4. Before the contract is awarded, the secretary of the selection committee may authorize the tenderers to update their bid price, in accordance with the rules set out in the call for tenders, for the sole purpose of adjusting their price to take into account a change in the risk premium that is included in the portion relating to the establishment of the bid price and that is required by the tenderers' financial backers to finance the project.

5. The secretary of the selection committee and the process auditor must, in their respective reports, attest to the measures they took to ensure that sections 2 to 4 were complied with and that all tenderers were treated equally.

6. This Act comes into force on 14 June 2013.