

“Regulation respecting the signing of certain acts, documents or writings by the personnel assigned to government services”.

2. Section 1 is amended by deleting the words “of the Conseil du trésor”.

3. The following is inserted after section 2:

“**2.1** An associate deputy minister and an assistant deputy minister are authorized to sign all contracts.”.

4. This Regulation comes into force on 1 October 1996.

9975

M.O., 1996

Order No 96-04 of the Minister of Health and Social Services dated September 5, 1996

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec

WHEREAS under section 485 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Minister of Health and Social Services may, with the approval of the Conseil du trésor, make regulations applicable to institutions and regional boards, and to the Corporation d’hébergement du Québec respecting the standards, conditions and procedure to be observed for procurement of goods and services, joint purchases and mandates given for that purpose, franchising of services, construction of immovables, alienation of property, leasing of immovables and contracts related to such matters;

WHEREAS the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec, approved by the Conseil du trésor by decision T.B. 148183 dated 10 January 1984 and amended by the Regulation made by Minister’s Order 94-01 dated 28 April 1994, prescribes in section 11 that tenders for professional services shall be invited by public call for tenders where the estimated cost of the work is greater than \$10 000 000 in which case the call for tenders shall be addressed exclusively to teams, and by invitation to tender in all other cases;

WHEREAS under the same section, the owner may choose to make a public call for tenders where the estimated cost of the work is greater than \$5 000 000;

WHEREAS it is expedient to amend the Regulation so that public calls for tenders be opened to any firm in the specialization determined by the owner and that such soliciting procedure be used where the estimated cost of the work is equal to or greater than \$5 000 000;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the Regulation;

WHEREAS in the opinion of the Minister of Health and Social Services, the urgency to make changes to the procedure for awarding contracts for services under the Regulation justifies the absence of prior publication and such coming into force:

— team-based selection does not confer any significant advantage since nothing guarantees that the firm with the best expertise in a specialization will be selected on a team;

— the imminence of several large-scale construction projects in the health and social services network;

— the health and social services network remains the only network of public or parapublic bodies to reserve a category of projects to teams;

— those amendments are in keeping with the will of the Government to harmonize its present regulations;

WHEREAS by T.B. decision C.T. 189191 dated August 14, 1996, the Conseil du trésor has given its approval for the making of the Regulation, attached hereto, by the Minister;

THEREFORE, the Minister of Health and Social Services makes the Regulation to amend the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec, the text of which is attached to this Order.

JEAN ROCHON,
*Minister of Health
and Social Services*

Regulation to amend the Regulation respecting building construction by establishments, regional councils and the Corporation d'hébergement du Québec

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 485)

1. The Regulation respecting building construction by establishments, regional councils and the Corporation d'hébergement du Québec, approved by the Conseil du trésor by T.B. decision 148183 dated 10 January 1984 and amended by the Regulation made by Minister's Order 94-01 dated 28 April 1994, is further amended in section 2

(1) by striking out the words "forming one of the members of a team" in paragraph 7;

(2) by deleting paragraph 8;

(3) by substituting the following for paragraph 9:

"(9) "central register" means the central register of suppliers of goods and services to the Government referred to in the Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993;"

(4) by substituting the words "of firms that have offered their professional services for construction-related work and that are entered in the central register" for the words "drawn up under Directive 3-78 of the Conseil du trésor" in paragraph 11.

2. The following is substituted for section 11:

"11. Call for tenders: Tenders for services shall be called:

(1) by invitation to tender using the central register, where the estimated cost of the work is equal to or greater than \$100 000 but less than \$5 000 000; or

(2) by public call for tenders, where the estimated cost of the work is equal to or greater than \$5 000 000."

3. Section 13 is amended

(1) by substituting the following for paragraph 2:

"(2) the profession and specializations of the members of the firms invited to tender for services;"

(2) by substituting the following for paragraph 6:

"(6) in the case of a public call for tenders, a statement that tenders will be considered only from firms that have their principal place of business in Québec;" and

(3) by striking out the words "or team" in paragraph 7.

4. The words "for firms and 4 weeks for teams" are struck out in section 14.

5. The words "or to teams" are struck out in section 15.

6. The words "or a team" are struck out in section 17.

7. Section 20 is amended

(1) by striking out the words "or of all the members of the firm" in subparagraph *b* of paragraph 1; and

(2) by substituting the following for paragraph 2:

"(2) to analyze the tenders and assess them according to the assessment criteria set out in the documents given to the firms that have offered their services, each member being required to make his own assessment and to send the results to the secretary for compilation by him; and"

8. The words "or the team" and "or team" are struck out in section 22.

9. Section 28 is amended

(1) by substituting the words "central register" for the words "Central Index of Government of Québec Suppliers under Directive 1-79 of the Conseil du trésor" in the second paragraph; and

(2) by substituting the words "central register" for the words "Central Index of Government of Québec Suppliers" in the third paragraph.

10. The second sentence in section 42 is deleted.

11. The words "central register" are substituted for the words "Central Index of Government of Québec Suppliers" in subparagraph 1 of the first paragraph of section 44.

12. This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.