

Draft Regulations

Draft Regulation

Financial Administration Act
(R.S.Q., c. A-6)

Conditions of contracts of government departments and public bodies — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies, the text of which appears below, may be made by the Government, with or without amendments, at the expiry of 45 days following the date of this publication.

The Draft Regulation provides for the introduction, in certain sectors of activity, of a condition for validity of contracts under which certification in the area of ISO international standards for quality management will be required. The requirement applies to specialties in the areas of environmental professional services and auxiliary services in document printing and reproduction. In addition, other environmental specialties will require accreditation based on the ISO/IEC Guide 25 and issued by the Minister of the Environment and Wildlife.

The Draft Regulation also provides for an amendment to the rule for awarding contracts by means of a call for bids, incorporating the amendments proposed in the Regulation to amend the Regulation respecting services contracts of government departments and public bodies as they pertain to general maintenance contracts.

The Draft Regulation will have a direct impact primarily on suppliers in the fields of activity for which quality insurance requirements are to be introduced. However, the process for implementing the new requirements was developed in close cooperation with the major clients and the representatives of the suppliers concerned.

Further information may be obtained by contacting Mr. Paul Périard, Secrétariat du Conseil du trésor, 875, Grande-Allée Est, Québec (Québec), G1R 5R8; telephone (418) 643-2755, fax (418) 646-8103.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister for Admin-

istration and the Public Service, Chairman of the Conseil du trésor, 875, Grande-Allée Est, Québec (Québec), G1R 5R8.

JACQUES LÉONARD,
Minister for Administration and the Public Service, Chairman of the Conseil du trésor

Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The General Regulation respecting the conditions of contracts of government departments and public bodies, made by Order in Council 1166-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 1565-94 dated 9 November 1994, 492-95 dated 12 April 1995 and 233-96 dated 28 February 1996, is further amended by substituting the following for section 7.1:

“**7.1** No contract pertaining primarily to any of the specialties listed in Schedules 1 and 2 may be awarded to a supplier unless he meets the following conditions and the conditions set out in those Schedules:

(1) with respect to the specialties listed in Schedule 1, the supplier must hold a registration certificate issued by a registrar accredited by the Standards Council of Canada or by an accrediting agency recognized by it, to the effect that the supplier has a quality system for the field covered by the specialty in question, complying with the required ISO standard;

(2) with respect to the specialties listed in Schedule 2, the supplier must hold accreditation based on the ISO/IEC Guide 25 and issued by the Minister of the Environment and Wildlife for each of the fields of accreditation covered by the contract.

The definitions of the specialties listed in Schedules 1 and 2 correspond to the definitions set out in the Répertoire des spécialités established by the Conseil du trésor for the specialties included therein.

Where a contract is awarded following a call for tenders, the amount of the contract specified in Schedules 1 and 2 shall be construed as the estimated amount of the contract.”.

2. The following is substituted for section 10:

“**10.** In the case of a call for bids, the contract shall be awarded to the supplier who submitted the lowest qualifying bid, as calculated in accordance with the method provided for in the tender documents, or to the supplier who becomes such a supplier in accordance with the provisions of section 82.3 of the Regulation respecting services contracts of government departments and public bodies. If equivalent bids are submitted, the contract shall be awarded by drawing lots among the suppliers concerned. The amount of the contract shall not exceed the price tendered.”.

3. Schedule 1 to the Regulation is amended

(1) by inserting the following category after the category “Soil and materials engineering” under the “Construction and physical sciences” group:

“Category — Environment:

11645 — Characterization of potentially contaminated sites	≥\$10 000	96 10 01	ISO 9002
11646 — Restoration of contaminated sites”; and	≥\$10 000	96 10 01	ISO 9001

(2) by inserting the following at the end:

“Auxiliary services:

— Cheque form printing	≥\$1	96 10 01	ISO 9002
— Document printing and reproduction			
• Quality level “Fine” or “Prestige”	≥\$1	96 10 01	ISO 9002
• Quality level “Information” or “Office”	≥\$50 000	96 12 31	ISO 9003

4. The following is added after Schedule 1:

“SCHEDULE 2

LIST OF THE SPECIALTIES FOR WHICH A SUPPLIER MUST BE ACCREDITED BY THE MINISTER OF THE ENVIRONMENT AND WILDLIFE

(s. 7.1)

Specialty	Amount of contract into force	Date of coming
Professional services:		
Group — Construction and physical sciences:		
Category — Environment:		
11610 — Microbiological analysis	≥\$10 000	96 10 01
11642 — Inorganic chemical analysis	≥\$10 000	96 10 01
11643 — Organic chemical analysis	≥\$10 000	96 10 01
11644 — Inorganic and organic chemical analysis”.	≥\$10 000	96 10 01

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

Legal Aid Act
(R.S.Q., c. A-14; 1996, c. 23)

Conditions of practice, procedure for the settlement of disputes and tariff of fees of advocates under the legal aid plan

Notice is hereby given, in accordance with section 10 of the Regulations Act (R.S.Q., c. R-18.1) and paragraph 3 of section 59 of the Act to amend the Legal Aid Act (1996, c. 23), that the Regulation respecting the conditions of practice, the procedure for the settlement of disputes and the tariff of fees of advocates under the legal aid plan, the text of which appears below, may be made by the Government upon the expiry of 15 days following this publication.