

“Category — Environment:

11645 — Characterization of potentially contaminated sites	≥\$10 000	96 12 26	ISO 9002
11646 — Restoration of contaminated sites”; and	≥\$10 000	96 12 26	ISO 9001

(2) by inserting the following at the end:

“Auxiliary services:

— Cheque form printing	≥\$1	96 12 26	ISO 9002
— Document printing and reproduction			
• Quality level “Fine” or “Prestige”	≥\$1	96 12 26	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	Date of coming into force
Professional services:		
Group — Construction and physical sciences:		
Category — Environment:		
11610 — Microbiological analysis	≥\$10 000	96 12 26
11642 — Inorganic chemical analysis	≥\$10 000	96 12 26
11643 — Organic chemical analysis	≥\$10 000	96 12 26
11644 — Inorganic and organic chemical analysis”.	≥\$10 000	96 12 26

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

1091

Gouvernement du Québec

O.C. 1498-96, 4 December 1996Financial Administration Act
(R.S.Q., c. A-6)**Services contracts of government departments and public bodies
— Amendments**

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

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, by a public body whose operating budget is voted wholly or in part by the National Assembly or by any other public body;

WHEREAS it is expedient to amend the Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993, in particular to replace the criteria for registration under certain environmental specialties in the central register of suppliers of services and goods to the Government by a certification requirement in the area of ISO international standards for quality management or accreditation issued on the basis of the ISO/IEC Guide 25 by the Minister of the Environment and Wildlife and to prescribe special provisions applicable to general maintenance contracts valued at \$50 000 or more and to travel services contracts valued at less than \$100 000;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to amend the Regulation respecting services contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting services contracts of

government departments and public bodies with amendments, that Regulation having been the object of a recommendation by the Conseil du trésor;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting services contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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

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

An Act respecting the Service des achats
du gouvernement
(R.S.Q., c. S-4)

1. The Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 1810-93 dated 15 December 1993, 557-94 dated 20 April 1994, 1107-94 dated 20 July 1994, 783-95 dated 14 June 1995 and 236-96 dated 28 February 1996, is further amended, in section 2,

(1) by substituting the following for the definition of “Services contract”:

“Services contract” means a services contract within the meaning of the General Regulation respecting the conditions of contracts of government departments and public bodies, except a snow removal services contract within the meaning of the Regulation respecting snow removal services contracts of government departments and public bodies or a services contract entered into with an individual; (*contrat de services*); and

(2) by inserting the following after the definition of “Subregion”:

“Travel services” means services connected with the issue of airline passenger tickets. Such services may include, in particular, advice on the organization of a

trip, hotel reservations, car rental, and the reservation, issue and delivery of ground transportation tickets. (*services relatifs aux voyages*)”.

2. Section 7 is amended by inserting the following after paragraph 3:

“(4) for an auxiliary services contract pertaining to the “general maintenance” specialty, for an estimated amount of \$50 000 or more.”.

3. The following is inserted after section 82:

“DIVISION 4 AUXILIARY SERVICES CONTRACTS PERTAINING TO THE “GENERAL MAINTENANCE” SPECIALTY

82.1 This Division applies to auxiliary services contracts pertaining to the “general maintenance” specialty, for an estimated amount of \$50 000 or more.

82.2 The instructions to suppliers contained in the tender documents shall indicate that the call for tenders is open only to suppliers working in the specialty and holding an ISO 9003 registration certificate and that the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents.

82.3 Notwithstanding section 82.2, where there are less than 3 suppliers holding an ISO 9003 registration certificate in the region concerned, the instructions to suppliers may indicate that:

(1) the call for tenders is open only to suppliers working in the specialty and holding an ISO 9003 registration certificate and that, in such case, the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents; or

(2) the call for tenders is open to all suppliers working in the specialty and that, in such case, the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents, taking into account, where the bid is submitted by a supplier holding an ISO 9003 registration certificate, that the lowest qualifying bid is determined after subtracting from such supplier’s bid 10 % of the price he submitted.

82.4 In this Division, “ISO 9003 registration certificate” means 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 concerned has a quality system for the field

covered by the “general maintenance” specialty complying with Standard ISO 9003.

DIVISION 5

TRAVEL SERVICES CONTRACTS

82.5 This Division applies to travel services contracts for an estimated amount of less than \$100 000.

§1. Registration in the central register

82.6 Suppliers shall be registered in the central register, on a regional basis, under the “travel within Canada” or “travel to other destinations” specialty. To be registered in the register, a supplier shall meet the following conditions in respect of the place of business covered by the registration:

- (1) the place of business shall be situated in the region;
- (2) the supplier shall have staff available during regular business hours;
- (3) for the “travel within Canada” specialty, the supplier shall have recorded sales of not less than \$500 000 for his last fiscal year;
- (4) for the “travel to other destinations” specialty, the supplier shall have recorded sales of not less than \$3 000 000 for his last fiscal year and shall have in his employ 2 travel consultants having a minimum of 5 years of experience each;
- (5) the supplier shall hold the required permit from the Office de la protection du consommateur; and
- (6) the supplier shall be accredited by the International Air Transport Association.

82.7 In a region where no supplier meets all the conditions for registration in the specialty concerned, temporary registration may be offered to a supplier who applies therefor and who meets the conditions set out in paragraphs 1, 2, 5 and 6 of section 82.6.

Notwithstanding the foregoing, for the purposes of temporary registration in the “travel to other destinations” specialty, a supplier shall also have recorded sales of not less than \$2 000 000 for the last fiscal year and shall have in his employ one travel consultant having a minimum of five years of experience.

82.8 To remain registered in the central register, a supplier shall at all times meet the conditions prevailing at the time of his registration.

82.9 Each year, the Minister shall send to the departments and bodies a list of the suppliers registered before 1 April of that year under each specialty in the central register. That list shall be valid from 1 April until 31 March of the following year.

§2. Contract award

82.10 Every contract shall be signed with a supplier:

- (1) whose name appears on the list referred to in section 82.9, under the specialty concerned;
- (2) who is located in the region from which the traveller originates.

82.11 Notwithstanding paragraph 2 of section 82.10, a contract may be signed with a supplier located in a region other than that of the traveller:

- (1) in the case of a trip north of the 55th parallel or of travellers posted outside Québec;
- (2) where the department or body groups together travellers going to the same destination but originating from different regions, or where the Attorney General of Québec summons persons to appear;
- (3) where, during the two years preceding the signing of the contract, each supplier registered in the central register in a given region and under a given specialty is the subject of an unsatisfactory performance report from the department or body concerned.

In the situations provided for in subparagraph 1 of the first paragraph, the contract may also be signed directly with an air carrier.”

4. The following is substituted for section 89:

“**89.** If the supplier’s name was referred from the central register, the deputy minister or the chief executive officer of the body shall send to the Minister a copy of any unsatisfactory performance report, except a report pertaining to a supplier registered under a specialty in the “travel services” group.”

5. The following is substituted for section 143:

“**143.** To be registered at level 1 or 2 under the “microbiological analysis”, “inorganic chemical analysis” or “organic chemical analysis” specialty, a supplier shall be accredited by the Minister of the Environment and Wildlife on the basis of the ISO/IEC Guide 25, in at least one field of accreditation in the specialty concerned. The supplier shall also work in the specialty

under which he wishes to be registered and shall have in his employ the staff required for that purpose.”.

6. Section 144 is revoked.

7. The following is substituted for sections 146 and 147:

“**146.** To be registered at level 1 or 2 under the “characterization of potentially contaminated sites” specialty, a supplier shall 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 concerned, complying with Standard ISO 9002.

147. To be registered at level 1 or 2 under the “restoration of contaminated sites” specialty, a supplier shall 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 concerned complying with Standard ISO 9001.”.

8. Section 148 is revoked.

9. The provisions of this Regulation come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1, the provisions pertaining to Division 5, introduced by section 3, and section 4, which come into force on 1 April 1997.

1089

Gouvernement du Québec

O.C. 1499-96, 4 December 1996

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

**Travel services contracts of government departments and public bodies
– Revocation**

Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, a public body

whose operating budget is voted wholly or in part by the National Assembly or any other public body;

WHEREAS it is expedient to revoke the Regulation respecting travel services contracts of government departments and public bodies, made by Order in Council 1171-93 dated 18 August 1993, in order that the rules applicable to travel services contracts for an amount of less than \$100 000 be included in the Regulation respecting services contracts of government departments and public bodies;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies without amendment, that Regulation having been the object of a recommendation by the Conseil du trésor;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies

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

1. The Regulation respecting travel services contracts of government departments and public bodies, made by Order in Council 1171-93 dated 18 August 1993 and amended by the Regulation made by Order in Council 238-96 dated 28 February 1996, is revoked.

2. This Regulation comes into force on 1 April 1997.

1092