

**29.** The following is substituted for section 92:

“**92.** Where the general manager issues a conditional certificate of qualification within the scope of an application for review, he shall immediately send a copy thereof to the review committee.”.

**30.** Following approval by the Government, this Regulation will come into force the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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## Draft Regulation

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

### Services 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 Regulation respecting services 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 this publication.

The Draft Regulation provides for the replacement of specific 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, that is, ISO Standard 9001 or 9002. For other specialties in the same field, the requirement pertains to accreditation based on the ISO/IEC Guide 25 and issued by the Minister of the Environment and Wildlife.

The Draft Regulation also contains provisions that apply specifically to general maintenance contracts estimated at \$50 000 or more, by imposing the use of a public call for tenders from that cutoff price and ISO 9003 certification as a condition of eligibility to tender or, in cases where that requirement is not imposed, by applying a contract award rule making it possible, when evaluating tenders, to determine the lowest qualifying bid after subtracting 10 % of the price tendered in the case of a tender submitted by a supplier holding ISO 9003 certification.

The Draft Regulation also provides that the majority of the rules currently applying to contracts for less than \$100 000 under the Regulation respecting travel services contracts of government departments and public bodies will be included in the Regulation respecting services contracts of government departments and public bodies. Certain amendments to those rules are nonetheless provided for and will eliminate the random selection of travel agencies referred from the central register, will make it possible to register suppliers in the register on a regional rather than a sub-regional basis and will enable the department or body to determine the agency with which it will sign a contract from amongst those registered under the specialty and in the region covered by the contract.

The Draft Regulation will impact on suppliers affected by the introduction of requirements in the area of quality management certification, as well as on suppliers providing general maintenance services. However, the process for implementing these requirements and the rules specific to general maintenance contracts were developed in close cooperation with the major clients and the representatives of the suppliers concerned.

The Draft Regulation constitutes a considerable relaxing of the regulations governing travel services contracts, while the supplier selection criteria proposed will make it possible to encourage competition among suppliers, as to both the quality and the cost of the services, and will make it possible to favour the awarding of contracts on a regional basis.

Further information may be obtained by contacting Mr. Paul Périard, Secrétaire 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 Administration 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*

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## 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 for the purposes of obtaining 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 applies 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 three suppliers holding an ISO 9003 registration certificate in the region concerned, the instructions to suppliers may indicate that:

(1) the call for tenders applies 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 applies 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 specialty travel within Canada or travel to other destinations. 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 the 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 the last fiscal year and shall have in his employ two travel consultants having a minimum of five 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 with the central register under each specialty. That list shall be valid from 1 April until 31 March of the following year.

## §2. Contract award

**82.10** All contracts 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, the sole 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 and in at least one field of accreditation in the specialty concerned. The supplier shall also work in the specialty in which he is 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

(1) section 1, the sections pertaining to Division 5, introduced by section 3, and section 4, which come into force on 1 April 1997; and

(2) sections 5 to 8, which come into force on 1 October 1996.

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## Draft Regulation

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

### Snow removal services 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 Regulation respecting snow removal services contracts of government departments and public bodies, the text of which appears below, may be made by the Government, with or without amendments, upon the expiry of 45 days following this publication.

The Draft Regulation provides that experience acquired in carrying out work for Hydro-Québec, the Société d'énergie de la Baie James or the federal government be considered for the purpose of registration in the central register of snow removal contractors.

The Draft Regulation will affect primarily highway snow removal contractors, for whom it will henceforth be possible to have experience with organizations other than the Ministère des Transports or a municipality considered when registering with the central register.

Further information may be obtained from 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 Administration 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 Regulation respecting snow removal services contracts of government departments and public bodies

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

**1.** The Regulation respecting snow removal services contracts of government departments and public bodies, made by Order in Council 1170-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 448-94 dated 30 March 1994, 222-95 dated 22 February 1995, 784-95 dated 14 June 1995 and 237-96 dated 28 February 1996, is further amended by substituting the following for section 39:

“**39.** To be registered in level 1 of the central register, a contractor shall have an establishment located in the subregion covered by the registration, shall file a statement concerning his equipment pursuant to section 41.3 and shall have carried out, during 2 of the 8 years preceding registration, snow removal contracts for the Ministère des Transports, a municipality, Hydro-Québec, the Société d'énergie de la Baie James or the federal government or have in his employ a person with at least 4 years of experience in snow removal work for any of those organizations.”.

**2.** The Regulation is amended by substituting the following for section 41:

“**41.** To be registered in level 2 of the central register, a contractor shall have an establishment in Québec or, where an intergovernmental agreement is applicable, in Québec or in a province or territory covered by that agreement, shall file a statement concerning his equipment pursuant to section 41.3 and shall have carried out, during 5 of the 8 years preceding registration, snow