

**M.O., 2023****Order of the Minister of Municipal Affairs dated 4 December 2023**

Cities and Towns Act  
(chapter C-19)

Municipal Code of Québec  
(chapter C-27.1)

Act respecting the Communauté métropolitaine de Montréal  
(chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec  
(chapter C-37.02)

Act respecting public transport authorities  
(chapter S-30.01)

Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited

THE MINISTER OF MUNICIPAL AFFAIRS,

CONSIDERING section 573.3.3.1.1 of the Cities and Towns Act (chapter C-19), article 938.3.1.1 of the Municipal Code of Québec (chapter C-27.1), section 118.1.0.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), section 111.1.0.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02), and section 108.1.0.1 of the Act respecting public transport authorities (chapter S-30.01), which provide that the Minister of Municipal Affairs may order, by regulation, the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders, the expenditure ceiling allowing the territory from which tenders originate to be limited, and the expenditure ceiling and threshold that allow discrimination based on territory;

CONSIDERING the making of the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited (chapter C-19, r. 5);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation ordering the

expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited was published in Part 2 of the *Gazette officielle du Québec* of 6 September 2023 with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited, attached to this Order, is hereby made.

Québec, 4 December 2023

ANDRÉE LAFOREST  
*Minister of Municipal Affairs*

**Regulation to amend the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited**

Cities and Towns Act  
(chapter C-19, s. 573.3.3.1.1)

Municipal Code of Québec  
(chapter C-27.1, s. 938.3.1.1)

Act respecting the Communauté métropolitaine de Montréal  
(chapter C-37.01, s. 118.1.0.1)

Act respecting the Communauté métropolitaine de Québec  
(chapter C-37.02, s. 111.1.0.1)

Act respecting public transit authorities  
(chapter S-30.01, s. 108.1.0.1)

**1.** The Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited (chapter C-19, r. 5) is amended by replacing the title by the following:

“Regulation ordering the applicable thresholds, ceilings and time periods when awarding certain municipal contracts”.

**2.** Section 1 is amended by replacing “\$121,200” by “the minimum threshold provided for in any intergovernmental agreement on the opening of public procurement for the municipal body”.

**3.** Section 2 is amended

(1) by replacing “\$366,800” in paragraph 2 by “the minimum threshold as of which the municipal body must open such contracts to contractors or suppliers that have an establishment in Canada or in a territory covered by the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, hereinafter referred to as the “Agreement between Canada and the European Union”, pursuant to that agreement”;

(2) by replacing “\$366,800” in the portion before subparagraph *a* of paragraph 3 by “the minimum threshold set under paragraph 2”;

(3) by replacing “\$366,800” in paragraph 4 by “the minimum threshold set under paragraph 2”;

(4) by replacing “\$9,100,000” in paragraph 5 by “the minimum threshold as of which the municipal body must open such a contract to contractors or suppliers that have an establishment in Canada or in a territory covered by the Agreement between Canada and the European Union pursuant to that agreement”;

(5) by replacing “\$9,100,000” in paragraph 6 by “the minimum threshold set under paragraph 5”.

**4.** Section 3 is amended by replacing “\$366,800 in the case of a supply contract or a contract for the supply of services” by “, in the case of a supply contract or a contract for the supply of services, the minimum threshold as of which the municipal body must open such contracts to contractors or suppliers that have an establishment in Canada or in a territory covered by the Agreement between Canada and the European Union pursuant to that agreement”.

**5.** Section 4 is amended

(1) by replacing “\$302,900” in paragraph 1 by “the minimum threshold as of which the municipal body must open such a contract to contractors or suppliers that have an establishment in Canada covered by the Canadian Free Trade Agreement”;

(2) by replacing “\$302,900 but less than \$9,100,000” in paragraph 2 by “the minimum threshold set under paragraph 1 but less than the minimum threshold as of which the municipal body must open such contracts to contractors or suppliers that have an establishment in Canada or in a territory covered by the Agreement between Canada and the European Union pursuant to that agreement”;

(3) in paragraph 3

(a) by replacing “\$9,100,000” by “the minimum threshold set under paragraph 2”;

(b) by replacing “Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States” by “Agreement between Canada and the European Union”.

**6.** Section 4.1 is amended by replacing “\$366,800 in the case of a supply contract or a contract for services and \$9,100,000 in the case of a construction contract” by “the minimum threshold as of which the municipal body must open each of the contracts referred to in any of those subparagraphs to contractors or suppliers that have an establishment in Canada or in a territory covered by the Agreement between Canada and the European Union pursuant to that agreement”.

**7.** Section 4.2 is amended by replacing “\$366,800” by “the minimum threshold as of which the municipal body must open each of the contracts referred to in any of those paragraphs to contractors or suppliers that have an establishment in Canada or in a territory covered by the Agreement between Canada and the European Union pursuant to that agreement”.

**8.** The following is added after section 4.2:

“4.3. For the purposes of this Regulation, where a body is not subject to an intergovernmental agreement on the opening of public procurement, the thresholds, ceilings and time limits applicable to the body are those applicable to a local municipality.”.

**9.** This Regulation comes into force on 1 January 2024.

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