

## **Ensuring Continued Transparency in the Procurement Process in the Absence of the Bid Award Panel**

**Date:** June 27, 2025

**To:** General Government Committee

**From:** Chief Procurement Officer and Controller & Chief Accountant

**Wards:** All

### **SUMMARY**

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On April 23 and 24, 2025, City Council adopted the report, Review of Bid Award Panel (Item 2025.GG20.10), which amended Toronto Municipal Code Chapter 195, Procurement (the Procurement By-law), effective October 1, 2025, to eliminate the Bid Award Panel and delegate award authority to the Chief Procurement Officer to award open competitive solicitations up to \$30 million. Item 2025.GG20.10 also amended Toronto Municipal Code Chapter 71, Financial Control (the Financial Control By-law, FCBL) to delegate commitment authority to the City Manager to approve commitments of funding for open competitive solicitations up to \$30 million and authorized the City Manager to sub-delegate commitment authority to City officials or staff.

This report responds to City Council's direction through Item 2025.GG20.10 to ensure continued transparency in the procurement process in the absence of the Bid Award Panel (BAP). It also seeks approval to make administrative amendments to the Financial Control By-law (FCBL) to support this transition and support the City Manager's sub-delegation of commitment authority.

Purchasing and Materials Management Division (PMMD), in collaboration with the Technology Services Division (TSD) and Strategic Public and Employee Communications (SPEC), will be introducing enhancements to the City's Toronto Bids Portal, which is a public database of open competitive solicitations and awarded open competitive and non-competitive contracts valued over \$133,800. This threshold aligns with the Canadian Free Trade Agreement (CFTA) requirement for public sector entities such as the City of Toronto to publicly post all covered procurements and their resulting awards.

New system enhancements will allow PMMD to share procurement award data with Members of Council, suppliers and the public in a way that is comparable to how that information is currently available through the Toronto Meeting Management Information System.

the public.

A new subscription-based notification feature will allow Council Members, suppliers and to sign up for email updates on newly posted procurement awards on the Toronto Bids Portal. Award information for open competitive procurements will be searchable using the following fields:

- Ward: (New field) Indicates the City of Toronto ward(s) where the project will be primarily located or where services will be delivered.
- Posting Title: Title of the solicitation.
- Document Number: Unique SAP Ariba identifier assigned to the solicitation document for tracking and reference.
- Solicitation Type: Indicates the procurement method for the solicitation, such as Request for Proposals (RFP), Request for Quotations (RFQ) and Request for Tenders (RFT).
- High Level Category: Groups the goods or services being procured into the following categories: Goods and Services, Professional Services, and Construction Services.
- Awarded Supplier: Name(s) of the supplier(s) that were awarded the contract.
- Awarded Amount: Total contract amount for each Awarded Supplier, excluding option years.
- Division: Name of the City Division requesting the solicitation. The contract will be between the Awarded Supplier(s) and this Division.
- Award Date: The date that the solicitation was approved by the Chief Procurement Officer, Standing Committee or Council, subject to execution of the contract.

Selecting an individual record will display the above-noted information, along with access to an Award Summary Form. This Award Summary Form will list all bidders and, where applicable, their bid prices, as well as provide a breakdown of the total award value by initial contract value and option years, when an award includes option years.

For suppliers and individuals who are not subscribed for notifications, the Toronto Bids Portal is available on the City's "Doing Business with the City" webpage. In addition to the Toronto Bids Portal system enhancements, the link to the portal will be moved to a more prominent location on the "Doing Business with the City" landing page.

The Records Retention Schedule of Municipal Code Chapter 217, Records, Corporate (City), sets out the requirement for records relating to the procurement and acquisition of goods and services to be retained until the termination or expiry of the contract, plus seven years. Records are maintained internally for this duration and are accessible on request to Members of Council and through Freedom of Information Requests to suppliers and the public. Contract award information is currently retained publicly in the Toronto Bids Portal for 18 months. The Open Data Portal also contains a record of contract awards posted in the Toronto Bids Portal, including those older than 18 months, starting from February 2024, when the Toronto Bids Portal launched. Older award data will be made available in separate datasets in the Open Data Portal.

Downloadable datasets will be available in the Open Data Portal. A link to the Open Data Portal will be added to the Toronto Bids Portal to direct users to this alternate format.

The enhancements in the Toronto Bids Portal described above align with broader modernization objectives, including reducing administrative burden and improving access to procurement information for Members of Council, suppliers, and the public.

## **RECOMMENDATIONS**

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The Chief Procurement Officer and Controller & Chief Accountant recommend that:

1. City Council amend the Procurement Policy, as set out in Attachment 1, effective October 1, 2025.
2. City Council authorize amendments to Chapter 71, Financial Control By-law in accordance with Attachment 2, effective October 1, 2025, to support sub-delegation of commitment authority by the City Manager.

## **FINANCIAL IMPACT**

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There are no financial implications arising from this report.

The enhancements in the Toronto Bids Portal presented in this report will be completed within PMMD's approved 2025 Operating and Capital Budgets. Limited aspects of the reporting will require manual work, which will also be accommodated within PMMD's approved 2025 Operating and Capital Budgets. PMMD and TSD continue to assess the financial impacts associated with a fully automated solution. Any financial implications of additional system enhancements would be incorporated into future budget processes for approval by City Council.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information presented in the Financial Impact Section.

## **DECISION HISTORY**

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At its meeting on April 7, 2025, General Government Committee considered [2025.GG20.10](#), which requested the Chief Procurement Officer to develop measures that will ensure continued transparency in the procurement process, in the absence of the Bid Award Panel, and to report on such measures at the July 14, 2025, meeting of General Government Committee.

## **COMMENTS**

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## **Transparency of Procurement Information**

### **Requirements for Transparency of Procurement Information**

The City of Toronto is subject to the Canadian Free Trade Agreement ("CFTA"), respecting internal trade conducted within Canada, and the Canada-European Union Comprehensive Economic Trade Agreement ("CETA") between Canada and the European Union. These domestic and international trade agreements set out requirements for transparency of procurement information in Article 516 of CFTA and Article 19.15 of CETA. Specifically, the City is required to publish a notice of award for open competitive procurements no later than 72 days after the award of each contract and ensure the information remains readily accessible for a reasonable period of time.

The Procurement By-law sets out the Chief Procurement Officer's authority and responsibility for reporting to suppliers and the public on the award of procurements valued over \$133,800, including any essential information as may be prescribed. Beyond CETA and CFTA, essential information is not otherwise prescribed in the Procurement By-law, Procurement Policy or any procurement procedures.

PMMD has published award information for open competitive procurements in an online system since the early 2000s. Originally, information was posted in a platform on the City's website called the Online Call Document System, which transitioned to the Toronto Bids Portal in February 2024. The Toronto Bids Portal launched with a range of enhancements to the appearance and functionality of the available datasets and the overall user experience. The Open Data Portal also contains a record of contract awards, with the data linked to the Toronto Bids Portal.

Section 17.2 of the Procurement Policy currently requires that the notice of award be posted after the agreement between the successful supplier and the City is executed and that notice of award must always be posted unless it can be justified as exempt based on confidentiality or other public interest grounds.

### **Enhancements to the Toronto Bids Portal and Transparency of Procurement Information**

In addition to PMMD's procurement datasets, the Toronto Meeting Management Information System (TMMIS) houses the official record of the agendas, decisions and minutes of Council, its Committees, Boards and Panels including the Bid Award Panel. This includes the decisions made on items that include award information for open competitive and non-competitive awards valued over \$133,800.

The information that can be found in TMMIS is also posted online on the Toronto Bids Portal with the exception of:

- Ward;
- A list of all bidders and their bid prices; and
- A breakdown of the procurement value by initial term and option years, when an award includes option years.

In response to Council's direction through Item 2025.GG20.10, PMMD is implementing enhanced transparency measures in the Toronto Bids Portal, in collaboration with TSD

and SPEC, that will allow PMMD to share procurement award data with Members of Council, suppliers and the public in a way that is comparable to how that information is currently available through the Toronto Meeting Management Information System.

A new subscription-based notification system will direct subscribers to the Toronto Bids Portal, where procurement award data for open competitive procurements will be searchable using the following fields:

- Ward: (New field) Indicates the City of Toronto ward(s) where the project will be primarily located or where services will be delivered.
- Posting Title: Title of the solicitation.
- Document Number: Unique SAP Ariba identifier assigned to the solicitation document for tracking and reference.
- Solicitation Type: Indicates the procurement method for the solicitation, such as Request for Proposals (RFP), Request for Quotations (RFQ) and Request for Tenders (RFT).
- High Level Category: Groups the goods or services being procured into the following categories: Goods and Services, Professional Services, and Construction Services.
- Awarded Supplier: Name(s) of the supplier(s) that were awarded the contract.
- Awarded Amount: Total contract amount for each Awarded Supplier, excluding option years.
- Division: Name of the City Division requesting the solicitation. The contract will be between the Awarded Supplier(s) and this Division.
- Award Date: The date that the solicitation was approved by the Chief Procurement Officer, Standing Committee or Council, subject to execution of the contract.

Selecting an individual record will display the above-noted information, along with access to an Award Summary Form. This Award Summary Form will list all bidders and, where applicable, their bid prices, as well as provide a breakdown of the total award value by initial contract value and option years, when an award includes option years.

For suppliers and individuals who are not subscribed for notifications, the Toronto Bids Portal is available on the City's "Doing Business with the City" webpage. In addition to the Toronto Bids Portal system enhancements, the link to the portal will be moved to a more prominent location on the "Doing Business with the City" landing page.

Downloadable datasets will be available in the Open Data Portal. A link to the Open Data Portal will be added to the Toronto Bids Portal to direct users to this alternate format.

The enhancements in the Toronto Bids Portal described above align with broader modernization objectives, including reducing administrative burden and improving access to procurement information for Members of Council, suppliers, and the public.

## **Timelines for Reporting**

Currently, reports to Bid Award Panel are posted in the Toronto Meeting Management Information System after the Chief Procurement Officer and Division Head have recommended award of a solicitation, in order to obtain authority to award, but prior to contract execution. Notice of award is posted in the Toronto Bids Portal after contract execution. This difference in process exists for two reasons:

- Until a contract is executed, the award remains subject to the execution of the contract. Where a contract is not executed following award, the City may rescind the award and move forward with other options that are detailed in the solicitation document, such as awarding to the next highest ranked supplier.
- The "Blackout Period" for a solicitation, during which Municipal Code Chapter 140, Lobbying, prohibits certain communications between suppliers and public office holders, extends through to and including contract execution.

To ensure the user experience with the Toronto Bids Portal is comparable to the current Bid Award Panel process, notice of award will be posted when the Chief Procurement Officer, Standing Committee or Council authorize the award, subject to contract execution. Section 17.2 of the Procurement Policy must be amended to align with this change.

This report recommends deleting this section in its entirety and replacing it with the following, effective October 1, 2025: For competitive and non-competitive procurements valued over \$133,800, the Purchasing and Materials Management Division shall promptly post notice of an award online. The notice must be posted after the award has been authorized by the Chief Procurement Officer, Standing Committee or City Council, as applicable and in accordance with the Procurement Bylaw, and subject to contract execution. Notice of award must be posted unless it can be justified as exempt based on confidentiality or other public interest grounds. The content of the notice will comply with applicable law.

Following this updated process, it is important to note that awards may be rescinded following publication of notice of award if a contract is not subsequently executed. In addition, solicitations will still be in the "Blackout Period" when notice of award is posted in the Toronto Bids Portal.

The posting frequency of awards on the Toronto Bids Portal is currently monthly. This will increase to weekly; however, the weekly Toronto Bids Portal updates may not capture all awards approved within the past seven days, as inclusion depends on the timing of SAP Ariba report generation. Any missed awards will be included in the following week's update.

## **Records Retention**

The Records Retention Schedule of Municipal Code Chapter 217, Records, Corporate (City), sets out the requirement for records relating to the procurement and acquisition of goods and services to be retained until the termination or expiry of the contract, plus seven years. Records are maintained internally for this duration and are accessible on request to Members of Council and through Freedom of Information Requests to

suppliers and the public. Contract award information is currently retained publicly in the Toronto Bids Portal for 18 months. The Open Data Portal also contains a record of contract awards posted in the Toronto Bids Portal, including those older than 18 months, starting from February 2024 when the Toronto Bids Portal launched. Older award data will be made available in separate datasets in the Open Data Portal.

## **Reporting to General Government Committee**

Item 2025.GG20.10 requested the Chief Procurement Officer to submit a Report for Information to every regular General Government Committee meeting, following the elimination of the Bid Award Panel, on all open competitive awards made by the Chief Procurement Officer during the previous cycle valued between \$500,000 and \$30,000,000. Reporting will begin at the December 8, 2025, meeting of General Government Committee.

Discrepancies between the Toronto Bids Portal and these reports to General Government Committee may exist due to timelines for reporting to Standing Committee and unanticipated activities in the procurement process that may delay posting notice of award data in the Toronto Bids Portal.

## **Procurement Policy Amendments**

In addition to the amendment to Section 17.2 of the Procurement Policy set out above, this report also recommends the following administrative updates to the Procurement Policy:

- Update to Appendix B, Approval Authorities, to reflect the elimination of BAP
- Replacement of Controller with other City officials to reflect the changes made to the Procurement By-law through By-law 104-2025 (Item 2025.BL27.1, Bill Number 102 passed at the February 11, 2025 meeting of City Council)

## **Purchase Order Amendments**

PMMD, in collaboration with TSD and SPEC, is prioritizing updates related to the transparency of procurement information in the absence of Bid Award Panel for October 1, 2025. The technical specifications to post Purchase Order Amendment data are being developed, with a target implementation date of Q2 2026. Reporting on the historical use of Purchase Order Amendments is planned for the December 8, 2025 meeting of General Government Committee.

## **Implementation Considerations**

### **System Function**

For PMMD to deliver comparable functionality in the Toronto Bids Portal to what is currently available through Bid Award Panel reports by October 1, 2025, certain required information will not be available through the main page of the awarded contracts database. Users will be able to access those fields by selecting the record and opening a new Award Summary Form. The Award Summary Form will be completed by

divisions and will be required in order for the Chief Procurement Officer to authorize an award or recommend an award to Standing Committee or Council.

PMMD and TSD are prioritizing adding the Ward information to the main database. The Award Summary Form will include a list of all bidders and their bid prices, as well as a breakdown of the procurement value by initial term and option years, when an award includes option years.

To deliver comparable functionality by October 1, 2025, a portion of work to create the notice of award records will be manual. PMMD will continue to automate processes where possible. Any financial implications of additional system enhancements would be incorporated into future budget processes for approval by City Council.

### **Procedure Updates and Staff Training**

To facilitate the process and system changes set out above, PMMD is updating its internal policies and procedures and will deliver training to PMMD and Client Division staff in September 2025.

### **Financial Control By-law Amendments**

In April, through the elimination of BAP, Council delegated commitment authority to the City Manager to approve commitment of funding for open competitive procurements up to \$30 million and authorized the City Manager to sub-delegate this commitment authority to City officials or staff.

To support the implementation, City staff have developed a corporate policy document, the Delegation of Commitment Authority Policy (the "DOCA Policy"), which outlines the roles, limits, responsibilities and obligations for City staff authorized to commit public funds, and conditions for delegating commitment authority. The DOCA Policy provides operational guidance for City staff and formalizes a standardized approach to sub-delegation within the commitment authority granted to the City Manager by Council.

Commitment authority is currently delegated in two ways: centrally to senior management (e.g. DCMs and division heads) through the Delegation of Authority Letters issued by the City Manager and decentralized to other management positions (e.g. directors and below) with authority managed locally by divisions. The new DOCA Policy establishes a standardized corporate-wide framework of commitment authority for management positions with consistent approval thresholds and requirements. The policy functions as an internal control mechanism to enhance transparency, strengthen internal controls, and support sound financial stewardship and accountability across the organization.

The DOCA Policy reflects the requirements of the FCBL, including the provision that prior to exercising commitment authority, staff must ensure a commitment:

- Falls within the interim operating or capital budget, operating or capital budgets deemed adopted, or is made pursuant to FCBL section 71-19 (Donations and Sponsorships), to the satisfaction of the Chief Financial Officer and Treasurer; and



- Meets all procurement requirements as specified by Chapter 195, Procurement By-law. Approval of commitments up to \$30 million can only be exercised when procurement approvals and requirements are met.

Given that commitment authority (granted under the FCBL) and procurement authority (granted under the Procurement By-law) are separate authorities to be exercised sequentially, procurement compliance is a prerequisite to exercising the \$30 million commitment authority which has been delegated by Council to the City Manager through BAP elimination.

For open competitive procurements, commitment authority may be exercised according to the DOCA Policy once all procurement approvals are in place. For all other types of commitments with additional procurement approval requirements (e.g. non-competitive, consulting services and technology procurements, etc.), the commitment would be subject to further limitations based on the Procurement By-law requirements.

As part of policy development, staff identified the need to make administrative updates to the FCBL to clarify the definition of “commitment” and to modernize outdated administrative provisions—such as the requirement to collect physical signature specimens—which no longer reflect current operational practices or electronic approval processes.

Updating the FCBL will ensure consistency with the DOCA Policy, and reflect modern administrative requirements aligned with the Financial Systems Transformation Program (FSTP). FSTP is the City's plan to modernize its core financial system and related business processes, as the organization's current SAP software will reach end of life and will no longer be supported by the software vendor after December 31, 2027. To support FSTP going live in Fall 2025, a standardized commitment authority framework is required to enable automated approval workflows and improve compliance and record-keeping.

The DOCA Policy has been finalized and is currently undergoing internal approvals. As Council has authorized the City Manager to sub-delegate commitment authority up to \$30 million, the City Manager will have final approval of the policy to operationalize the sub-delegation authority. The Policy will be effective on October 1, 2025, to align with the date when changes to the Procurement By-law and Financial Control By-law come into effect.

These changes will promote greater clarity and consistency in the interpretation and application of both the FCBL and the corporate policy across the organization.

## **CONTACT**

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Hillary Keirstead, Director, Program Support, Policy and Strategy, Purchasing and Materials Management Division, 416-392-0643, [hillary.keirstead@toronto.ca](mailto:hillary.keirstead@toronto.ca)

Doris Wong, Manager, Financial Control, Accounting Services Division, 416-338-2571, [doris.wong@toronto.ca](mailto:doris.wong@toronto.ca)

## **SIGNATURE**

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Geneviève Sharkey  
Chief Procurement Officer

Jason Li  
Controller & Chief Accountant

## **ATTACHMENTS**

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Attachment 1: Proposed Procurement Policy Amendments

Attachment 2: Proposed Municipal Code Chapter 71, Financial Control By-law,  
Amendments