

1993 BILL 263

First Session, 23rd Legislature, 42 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 263

GOVERNMENT OPEN CONTRACT ACT

MR. CHADI

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 263
Mr. Chadi

BILL 263

1993

GOVERNMENT OPEN CONTRACT ACT

(Assented to , 1993)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definition

1 In this Act,

(a) "contract" means a contract which is or is likely to be of
a value of \$50 000 or more for the supply of goods or services
to the Crown;

(b) "Minister" means the Minister of Public Works, Supply
and Services.

Tenders

2 Notwithstanding section 11 of the *Department of Public Works,
Supply and Services Act*, the Minister shall not conclude any
contract without previously having called for open tenders for the
contract and having published the qualifying bids received from
the tender.

Publication of bids

3 Where the Minister has commenced negotiations for the
supply of goods and services under a contractual arrangement in
anticipation of the cost being less than \$50 000 and later makes
commitments under the arrangement that exceed \$50 000, he shall
publish the details of the bids received for the contract whether or
not they exceed \$50 000.

Guidelines

4(1) The Minister shall publish guidelines for the
tendering of contracts with the Crown.

(2) Where the Minister deems it necessary to deviate from any provision of the guidelines published pursuant to subsection (1) in dealing with a tender, he shall advise all persons who have submitted tenders of the details of the deviation and the reasons for the deviation.

Notice to bidders

5 Every invitation to tender issued by the Crown, whether published or sent to a restricted number of invitees, shall contain the following statement:

"If all bids received from the work covered by this tender exceed \$50 000, the name of each bidder and the amount bid will be published by the Crown. If one or more bids received exceed \$50 000 and the Crown wishes to accept one of them, the name of each bidder and the amount bid shall be published."

Publication

6 Anything required to be published under this Act shall be published in the Alberta Gazette.