



**HERITAGE COLLEGE  
BYLAW #8**

**CONCERNING THE DELEGATION OF POWER GIVEN  
BY VIRTUE OF *THE LAW RESPECTING CONTRACTING  
BY PUBLIC BODIES***

**COMING INTO FORCE:** April 20, 2009  
**REVISED:** October 26, 2010  
**ADMINISTRATOR:** Director of Building and Computer Services

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**Preamble<sup>1</sup>**

Heritage College is a public body as stipulated by the *Law respecting Contracting by Public Bodies* (R.S.Q., c. C-65.1) and its relevant regulations (hereinafter called “the Law”), which gives certain powers and responsibilities to the governing authority of a public body. By virtue of article 8 of the Law, the Board of the College is its governing authority and as such is able, by bylaw, to delegate all or part of its functions as governing authority of the College to the Executive Committee or to the Director General.

**ARTICLE 1**  
**Purpose**

The purpose of the present bylaw is to delegate some of the functions of the Board with respect to construction, service and purchasing contracts.

**ARTICLE 2**  
**Application**

The present bylaw applies to all construction, service and purchasing contracts for amounts of \$200,000 or less.

**ARTICLE 3**  
**Provisions**

**3.1 Delegation of Powers to the Executive Committee**

The Board delegates to the Executive Committee all powers and responsibilities accorded to it by the Law with respect to all construction, service and purchasing contracts from \$100,000 to \$200,000, inclusive.

**3.2 Delegation of Powers to the Director General**

The Board delegates to the Director General or a delegate all powers and responsibilities accorded to it by the Law with respect to all construction, service and purchasing contracts up to \$100,000.

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<sup>1</sup> See the Glossary for explanations of frequently-used terms.

**ARTICLE 4**  
**Roles and Responsibilities**

**4.1 Board of Governors**

Any amendments to, or repeal of, the present bylaw must be adopted by the Heritage College Board of Governors, in accordance with the provisions of the Law and its relevant regulations.

**4.2 Executive Committee**

The Executive Committee exercises all powers and responsibilities delegated to it by the Board in accordance with the Law with respect to all construction, service and purchasing contracts from \$100,000 to \$200,000, inclusive.

**4.3 Director General**

The Director General or a delegate exercises all powers and responsibilities delegated by the Board in accordance with the Law with respect to all construction, service and purchasing contracts up to \$100,000.

**4.4 Director of Building and Computer Services**

The Director of Building and Computer Services is responsible for ensuring that the present bylaw is reviewed according to the terms under article 5 and, if necessary, revised in accordance with the Law.

The Director of Building and Computer Services or the Project Manager exercises all powers and responsibilities delegated by the Board in accordance with the Law with respect to all modifications of construction, service and purchasing contracts not to exceed 10% of the initial value of the contract.

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**ARTICLE 5**  
**Revision**

The present bylaw will be reviewed and, if necessary, revised at least every five (5) years, or when deemed necessary by government requirements or by the Board.

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**GLOSSARY**

**the Board:** the Board of Governors of Heritage College.

**the College:** Collège Heritage, Heritage College.

**the Law:** *Law respecting Contracting by Public Bodies* (R.S.Q. , c. C-65.1) and its relevant regulations.

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**Related Document(s)**

This document is to be used in conjunction with:

- *The Law respecting Contracting by Public Bodies (R.S.Q., chapter C-65.1).*<sup>2</sup>
- *Heritage College Policy #30 concerning Purchasing.*<sup>3</sup>
- *Heritage College Procedure #27 relating to Purchasing.*<sup>4</sup>

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<sup>2</sup> Copies of this document are available from Building Services.

<sup>3</sup> This document is under development.

<sup>4</sup> Ibid.