



JOINT PROCUREMENT COMMITTEE

Terms of Reference

Version: June 2023

Name of Committee

The Yukon Chamber of Commerce (YCC) and Whitehorse Chamber of Commerce (WCC) Joint Procurement Committee ("the Joint Procurement Committee").

Joint Committee Guiding Principles

- Community Driven - We work with, and on behalf of, Community Chambers of Commerce and Yukon business community. Our perspective is both urban and rural.
- Making a Difference - We are focused on addressing territory-wide issues of critical importance to our members to contribute to the success of the Yukon business community.
- Connected - We leverage a valuable network of relationships with individuals, groups and organizations to share information and work together.
- Autonomous - We are non-partisan and multi-sectoral

Background

Each year, governments at different levels in Yukon – First Nation, federal territorial, and municipal governments – purchase goods and services from the market as part of executing departmental operations. Procurement related spending can be significant. For example, Yukon government's annual procurement spend is between \$400M and \$500M.

Both WCC and YCC recognize government procurement spending as an avenue to support businesses operating in communities throughout Yukon through procurement regimes that:

- consist of transparent, unambiguous, fair procurement rules
- include measures to support local suppliers
- advance the continued development of the territorial economy

Accordingly, YCC and WCC have established the Joint Procurement Committee to provide input on behalf of members to implement improvement initiatives and link them to the objectives of elected officials relating to Procurement.

1.0 Purpose and Mandate

The purpose and mandate of the Committee is to advocate for, and support the, procurement of local goods and services. Specifically, the Committee provides information, industry perspectives and strategic advice on the following initiatives:

- 1.1 Involvement in stakeholder committees and advocacy to all levels of government to ensure that Yukon Business (Territorial Government) and Local Business (Municipal Government) definitions support local preference in Government procurement;
- 1.2 Ongoing evaluation of the amount/proportion of government contracts/tenders issued to local businesses under these definitions;
- 1.3 Ensuring that municipal and Territorial Governments continuously source local products and services; and
- 1.4 Continuously advocate for Municipal Government reporting on the amount of local and non-local spending by Municipal and Territorial Government employees.

2.0 Scope

The Committee is accountable to the Boards of WCC and YCC and is an advisory body rather than a decision-making body. It supports the Boards by generating expert input based on the review and analysis of governments procurement regimes and initiatives as part of Committee efforts to advance procurement improvements.

3.0 Roles and Responsibilities

- 3.1 The Joint Procurement Committee will be a centre of technical expertise on government procurement regimes and policies. Specifically, the Committee will:
 - 3.1.1 Provide advice, support and recommendations to the Boards on strategies, research, and leveraging of resources associated procurement infrastructure issues and opportunities identified;
 - 3.1.2 Identify and recommend ways to remove the barriers to the participation of Yukon's business community in government procurement;
 - 3.1.3 Provide a link to stakeholders and industry perspectives associated with Procurement and related infrastructure priorities, opportunities, and intelligence from regional, national and international perspectives;
 - 3.1.4 Act as a sounding board on government procurement initiatives to ensure they align with the objectives of the industry as well as business objectives identified in other industries to capitalize on market opportunities and leverage investments;
 - 3.1.5 Assist to foster the understanding of the Yukon Government's and City of Whitehorse's objectives, priorities, and activities related to Procurement and other affected industry perspectives;
 - 3.1.6 Provide input and recommendations to the Board on YCC and WCC led events, submissions, advocacy, or other efforts associated with the development of Procurement and related infrastructure in the Yukon;
 - 3.1.7 Advise and assist in the development of Procurement related YCC and WCC resolutions, policies, programs and initiatives to address Yukon industry and Yukon Chamber member perspectives and needs;
 - 3.1.8 Provide summaries of member poll and survey findings to the Board with recommendations on next steps and seek direction from the Board as determined necessary;

- 3.1.9 Participate in regularly scheduled meeting with leaders and senior administrators with responsibility for government procurement; and
- 3.1.10 Providing input into a communications strategy for reporting/releasing comprehensive action plan describing the full array of procurement improvements.

4.0 Composition and Committee Members

4.1 The Committee consists of:

- 4.1.1 One (1) Chair who is a member in good standing with either the YCC or the WCC Board of Directors;
- 4.1.2 If possible, two (2) additional members of each Board, or Board approved members;
- 4.1.3 YCC and WCC members at large, in good standing;
- 4.1.4 YCC and WCC Executive Directors;
- 4.1.5 Special guests or other personnel, including experts and government officials may be invited to attend and/or make a presentation at Committee meetings;
- 4.1.6 Efforts shall be made to ensure that the Committee constitutes a good balance/representation of the Procurement industry; and
- 4.1.7 Efforts shall be made to ensure that, where at all possible, representation from rural Yukon communities shall be on the Committee. The Committee also promotes diversity and inclusion of its members.

4.2 The Committee Chair:

- 4.2.1 Will be confirmed for a term of one (1) year;
- 4.2.2 The Chair shall rotate between a YCC and WCC Board member from year to year, unless otherwise approved by the Boards and Committee;
- 4.2.3 Should represent a private sector business in the Procurement industry where possible;
- 4.2.4 The Chair assumes a leadership role in guiding the effective governance and administration of the Committee which shall be accomplished by working in collaboration with the Chamber Executive Directors to:
 - 4.2.4.1 Schedule meetings and develop meeting agendas;
 - 4.2.4.2 Ensure that adequate notice and advance materials are provided to Committee members;
 - 4.2.4.3 Chair meetings of the Committee and designate an alternate Chair in case of absence;
 - 4.2.4.4 Invite guests to attend meetings when required;
 - 4.2.4.5 Guide the meeting in accordance with the agenda, including ensuring decision items result in a decision or action;
 - 4.2.4.6 Ensure that the meeting minutes are circulated to all members of the Committee for review and approval;
 - 4.2.4.7 Ensure that regular reports in the form of approved meeting minutes are sent to the Board Executive to be tabled at the next regular meetings of the Board Executive; and
 - 4.2.4.8 Ensure that a Summary Annual Report is prepared and provided to Board members in advance of the YCC and WCC's Annual General Meeting.

4.3 Recruitment of Committee Members:

- 4.3.1 The recruitment process will be coordinated and administered by the Committee Chairs in conjunction with the YCC and WCC Boards;
- 4.3.2 Filling vacant positions on the Committee will be an on-going activity and may be undertaken at any time;
- 4.3.3 Committee members shall assist the Executive Director and Committee Co-Chairs by identifying potential members and subject matter experts as required, that may be good candidates to sit on the Committees (If potential Committee members are not already Chamber members, then recommend that they be invited to become members);
- 4.3.4 The Committee Co-Chairs in collaboration with the Executive Directors will ensure that a clear mandate is given with respect to authority, timelines, attendance, conflict of interest and communication expectations; and
- 4.3.5 Once a list of candidates is prepared by the YCC and WCC Boards, the committee Co-Chairs will review and subsequently appoint recommended committee members.

4.4 Removal of the Committee members:

The Boards may remove a member from the Committee at their sole discretion for:

- 4.4.1 Missing three (3) consecutive meetings of the Committee without being excused;
- 4.4.2 Violating the YCC and/or WCC's Media Relations Policy;
- 4.4.3 Violating the Conflict-of-Interest principles and/or failing to adhere to a professional code of conduct as outlined in the YCC and WCC approved Code of Conduct;
- 4.4.4 Declaring Bankruptcy;
- 4.4.5 Being convicted of an indictable offense or breach of ethical behaviour; and
- 4.4.6 Removal of a member of the Committee requires an approved Board resolution from one or both Boards citing cause and such decision is not subject to appeal by the member being removed.

4.5 Meeting Schedule and Agendas:

- 4.5.1 The Committee Co-Chairs shall set the meeting frequency and schedule in consultation with their respective Committee members and in collaboration with the YCC and WCC Executive Directors;
- 4.5.2 The Committees shall meet a minimum of nine (9) times a year and those meetings shall ideally take place at least once (1 time) every month;
- 4.5.3 In the interest of continuity, it is expected that the Committee members will attend all meetings of the Committee, in person or remotely; and
- 4.5.4 A virtual platform will be available for all meetings.

4.6 Minutes:

- 4.6.1 The Committee Co-Chairs in consultation with the Chamber Executive Directors shall create Committee meeting minutes that summarize and highlight matters such as the areas of discussion, tasks to be undertaken by specific Individuals, and decisions and recommendations formulated by the Committees for all meetings; and
- 4.6.2 Minutes will be distributed to all Committee members following review by the Committee Co-Chairs and Executive Directors, as required, a minimum of two (2) days in advance of the following Committee meeting.

4.7 Recommendations:

The recommendations, and decisions of the Committee shall be arrived at via consensus where possible, otherwise by majority vote and shall be reported back in writing to the YCC and WCC Chamber Boards for review and approval. This should include any background information and/or reports that have been provided to the Committee.

4.8 Communications:

The Committee does not communicate publicly. Public communications are handled by the YCC and WCC Executive Directors or Chairs in consultation with the Committee Co-Chairs and in accordance with the YCC and WCC's Media Relations Policy.

5.0 Committee Resources and Budget

The Committee may request funding from the YCC and WCC Boards as required, providing all expenditures and budgetary items be approved by the Boards in advance.

APPENDIX A

Committee Priorities

2023 - 2024

- 1.1 Ensure that government provide adequate procurement deadlines to support local business capacity, using a multi-faceted communication approach.
- 1.2 Ensure that adequate dispute resolution processes/policies are in place at both the Yukon Government and City of Whitehorse levels.
- 1.3 Review and seek clarity on the Yukon Government’s Vendor Performance Review Program (VPR) and the First Nations Procurement Policy (FNPP), including the Bid Value Reduction (BVR) portion of the FNPP, to promote awareness to members, including liaison with the Monitor and Review Committee (MRC).