

BE IT ENACTED as a By-law of the Board as follows:

ARTICLE 1 INTERPRETATION

SECTION 1.1 Definitions.

In this By-law, unless the context otherwise requires:

“**Act**” means the *Ontario Energy Board Act, 1998* R.S.O. 1990, c. S.5, and any statute that may from time to time be substituted therefor, as it may be amended from time to time;

“**Board**” means the Ontario Energy Board continued as a corporation without share capital on August 1, 2003 under the name Ontario Energy Board in English and Commission de l'énergie de l'Ontario in French;

Unless defined above, all terms that are contained in this By-law and which are defined in the Act shall have the meanings given to such terms in the Act. Words importing the singular number include the plural and vice versa, words importing gender include the masculine, feminine and neuter genders, and words importing a person include an individual, a sole proprietorship, a partnership, an unincorporated association, an unincorporated syndicate, an unincorporated organization, a trust, a body corporate and a natural person in his capacity as trustee, executor, administrator or other legal representative.

ARTICLE 2 PROCUREMENT POLICY

Section 2..1 ADMINISTRATIVE PROCEDURES FOR PROCUREMENT

The Board shall establish and implement administrative procedures for the procurement of goods and services.

Section 2..2 PROCUREMENT POLICY PRINCIPLES

The Board's administrative procedures for procurement shall be based on the following principles:

- (a) goods and services should only be procured after consideration of the Board's needs, alternatives and timing;
- (b) competitive procurement processes should be fair, open, transparent and consistent;

- (c) vendors should be treated in a fair, equal and responsible manner;
- (d) vendors with conflicts of interest should be avoided;
- (e) all contracts entered into should be responsibly, effectively and economically managed and provide for a transfer of knowledge to the Board wherever practicable;
- (f) goods and services should be acquired from properly qualified vendors at a price that represents the best value for the money spent; and
- (g) vendors from other jurisdictions that practice reciprocal non-discrimination with Ontario should have the same access to the Board's procurement processes as Ontario vendors.

SECTION 2..3 PROCUREMENT POLICY

It is the policy of the Board to ensure that all goods and services it procures are:

- (a) necessary to carry out the Board's mandate; and
- (b) obtained in a manner consistent with the Board's administrative procedures for procurement.

**ARTICLE 3
EFFECTIVE DATE**

SECTION 3.1 Effective Date February 6, 2004

This By-law shall come into force on the date it is passed.