



## **Non-Competitive (single/sole source) procurement approval form**

**To:** Robert Maisonville, County of Essex CAO  
Sandra Zwiers, County of Essex Treasurer

**From:** Bruce Krauter, Chief, Essex-Windsor EMS

**Date:** **Wednesday, February 20, 2019**

**Subject:** Non-Competitive Procurement Approval Sign-off re: Goods or Services

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### **Background**

On September 24, 2018 Essex Windsor EMS was advised that Demers-Braun purchased Crestline Coach Ltd. (Appendix I). Crestline Coach is Saskatoon based and was the contracted supplier of ambulances for the County of Essex (Essex-Windsor EMS) from 2014 through to 2018. (Appendix II). At the time of this awarding, April 16, 2014, there were three (3) manufacturers certified to manufacture and supply Ambulances within the Province of Ontario, namely Demers Ambulance, Malley Industries and Crestline Coach.

The Province of Ontario, via the Ambulance Act of Ontario and the Ontario Provincial Land Ambulance & Emergency Response Vehicle Standards, legislates that each manufacturer must meet strict criteria and guidelines to certify that each ambulance operated in the Province of Ontario meets or exceeds those Standards.

Essex-Windsor EMS has been provided the Ambulance Certification List from the Province of Ontario (Appendix III) which indicates that the only ambulances certified by the Province are Crestline Coach Ltd. and Demers Ambulance.

## Justification

In accordance with the Canadian Free Trade Agreement (CFTA) Section 513 Limited Tendering subsection (b), if the goods or services can be supplied by a particular supplier and no reasonable alternative or substitute goods or services exist for the following reasons:

- (iii) due to an absence of competition for technical reasons; and
- (iv) the supply of goods or services is controlled by a supplier that is a statutory monopoly."

Understanding that Crestline Coach Ltd and Demers Ambulance are controlled and operated as one company, [Demers-Braun](#), and that the Province has only certified Crestline Coach and Demers Ambulance as vehicles to be operated in the Province of Ontario, the ability to receive a fair and unbiased Request for Proposal (RFP) result is negated. The ability to single source and negotiate pricing is the only solution available.

## Action Taken

It is the recommendation of Essex-Windsor EMS that for the 2019 and 2020 ambulance replacement purchase negotiations the Non Competitive (Single/Sole Source) Procurement be approved and a subsequent report be delivered to County Council on February 20, 2019 and prior to the 2020 Budget cycle.

In 2021 Essex-Windsor EMS will explore and research if any other manufacturers or suppliers of ambulances are available within Ontario to open up an RFP process.

## Required Timing

The 2019 fleet replacement purchase is required as soon as possible to meet manufacturer-scheduling processes. The 2020 contract shall be negotiated throughout the 2019 calendar year.

## **Non-Competitive (Single/Sole Source) Procurement Approval Form**

**Total Procurement (Budgeted) Value: \$1,330,000 (2019)**

**Contract Base Term (Years): 1 year (optional)**

1. Name of Recommended Supplier: Crestline Coach Ltd.
2. Has the Recommended Supplier previously received a non-competitive award?  
Yes ☐ No ☒
3. Has the requesting department previously asked for a non-competitive award?  
Yes ☐ No ☒
4. Goods:
  - a) Is the Recommended Supplier the manufacturer?  
Yes ☒ No ☐ N/A ☐
  - b) Does the manufacturer sell the items (s) through distributors:  
Yes ☐ No ☒ N/A ☐
5. Services: Is there a ceiling on the contract value?  
Yes ☒ No ☐

## **ACKNOWLEDGEMENT**

I am aware of the Organization's competitive procurement process and criteria and approving noncompetitive sourcing. I am comfortable the necessary due diligence has been conducted to support the recommendation. I have fairly and clearly outlined the background, justification, actions taken and required timing of this purchase in the briefing note.

### **Briefing note prepared by**

**Name of Executive:** Bruce Krauter

**Title:** Chief

**Department:** Essex-Windsor EMS

**Date:** February 20, 2019

**Signature:**

### **Approval Signature (COE and/or Treasurer)**

**Name of Executive:** Click here to enter text.

**Title:** Click here to enter text.

**Date:** February 20, 2019

**Signature:**

**Name of Executive:** Click here to enter text.

**Title:** Click here to enter text.

**Date:** February 20, 2019

**Signature:**

*Authorization of this document indicates approval to procure goods or services up to the procurement value indicated above.*