

3. An acceptable tender in terms of quality is a tender that, for each criterion, meets the “acceptable level of performance”. A tender that does not reach that level of performance in respect of any criterion is rejected.

SCHEDULE 2

(ss. 21, 23, 26)

QUALITY EVALUATION CONDITIONS FOR A CONTRACT AWARD BASED ON THE LOWEST ADJUSTED PRICE

1. The evaluation grid must have at least 3 quality evaluation criteria.

2. The public body must specify in the tender documents, for each criterion, the elements of quality required to reach an “acceptable level of performance”, which corresponds to the public body’s minimum expectations for the criterion.

3. Each criterion in the evaluation grid is weighted on the basis of its importance for the carrying out of the contract. The total weight of the criteria is 100%.

4. Each criterion is evaluated on a scale of 0 to 100 points, the “acceptable level of performance” corresponding to 70 points.

5. At least 70 points may be required in respect of any criterion described in the evaluation grid. A tender that does not reach that minimum is rejected.

6. The final score for the quality of a tender is the total of the weighted scores obtained in respect of each criterion; the weighted scores are determined by multiplying the score obtained for a criterion by the weight of that criterion.

7. An acceptable tender in terms of quality is a tender whose final score is at least 70%.

8. The price of each acceptable tender is adjusted according to the following formula:

$$\text{Adjusted price} = \frac{\text{Price submitted}}{\text{Quality adjustment factor}}$$

The quality adjustment factor is equal to:

$$1 + K \left(\frac{\text{Final score for quality} - 70}{30} \right)$$

where

“K” is the additional percentage that the public body is willing to pay to move from a 70-point tender to a 100-point tender, for all criteria.

9. The public body determines in the tender documents the value of K, which must range from 15% to 30%.

8427

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Dishwashing detergents — Prohibition of sale

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to prohibit the sale of certain dishwashing detergents, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to reduce the phosphorus content of waste water from dwellings associated with the use of household dishwashing detergents. Currently, the contribution from dishwashing detergents to the total phosphorus content of domestic waste water before treatment is between 7% and 24%.

As of 1 July 2010, only products meeting the phosphorus content requirements will be permitted to be sold or distributed in Québec. While phosphorus may currently reach 8.7% by weight of the soap, that percentage will be reduced under the Regulation to a maximum of 0.5%, which is essentially the threshold level at which the analysis methods detect phosphorus content.

The economic impact associated with the coming into force of the Regulation will be negligible because of the manufacturers’ public voluntary commitment to comply with the requirement before the deadline of 1 July 2010. Retailers will have time to sell off inventories of detergents in their possession.

Further information on the draft Regulation to prohibit the sale of certain dishwashing detergents may be obtained by contacting Didier Bicchi, Head, Service des eaux municipales, Direction des politiques de l’eau, Ministère

du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 8^e étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4852; fax: 418 528-0990; e-mail: didier.bicchi@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation may submit written comments to Didier Bicchi at the above address, within the 60-day period.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to prohibit the sale of certain dishwashing detergents

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a*, *c*, *d*
and *l*, s. 46, pars. *c* and *f* and s. 109.1)

1. This Regulation applies to dishwashing detergents for domestic use.

2. In this Regulation, “phosphorus” means elemental phosphorus.

3. As of 1 January 2010, no dishwashing detergent may be offered for sale, sold, distributed or otherwise made available to consumers if

- (1) it contains 0.5% or more phosphorus by weight; or
- (2) the package does not indicate the percentage by weight of the phosphorus content of the product.

The phosphorus content is determined by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (R.S.Q., c. Q-2) or, if the detergent is manufactured outside Québec, by a laboratory certified by a competent authority.

4. Every person who commits an offence against this Regulation is liable,

(1) in the case of a natural person, to a fine of \$2,000 to \$20,000 for a first offence and \$4,000 to \$40,000 for any subsequent offence; and

(2) in the case of a legal person, to a fine of \$6,000 to \$120,000 for a first offence and \$12,000 to \$240,000 for any subsequent offence.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

8411

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Advocates

— Issuance of special permits

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the issuance of special permits of the Barreau du Québec” adopted by the General Council of the Barreau du Québec, may be submitted to the Government, who may approve it with or without amendment at the expiration of 45 days from the date of publication hereof.

The main objective of this Regulation, adopted under paragraph *r* of section 94 of the Professional Code (R.S.Q., c. C-26), is to allow the Barreau du Québec to issue special permits, namely : a special Canadian legal advisor permit, a special corporate legal advisor permit and a special foreign legal consultant permit. This Regulation also provides the purpose of the issuance of those special permits; the conditions under which it can be issued; the title, the abbreviations and the initial that the holder of a special permit must use, the activities the holder of a special permit may engage in his practice and finally, the general provisions under which the holder of a special permit can practice.

According to the Barreau du Québec, the Regulation has no impact on business enterprises, including SMEs.

For more information, you may contact Ms. Sylvie Champagne, Secretary of the Barreau du Québec, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8; telephone number : 514 954-3400, ext. 3103 or 1 800 361-8495; fax number : 514 954-3477; email address: schampagne@barreau.qc.ca

Please send any comments you may have before the expiration's delay of 45 days to the chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The Office will