



**Companion Guide**  
for Enterprises

## Public contracts

Authorization to enter into a public contract/subcontract

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## Important information



Your application for authorization will not be processed on a priority basis if it is not in response to a published call for tenders.



Applications are processed as quickly as possible. Processing times may vary, depending on the application.



To facilitate processing of your application for authorization, please ensure that the following are up-to-date: the enterprise's file with the *Commission de la construction du Québec* (CCQ) and the *Régie du bâtiment du Québec* (RBQ) and its *État de renseignements d'une personne morale* (statement of legal person's information) in the *Registre des entreprises* (Enterprise Register), held by the *Registraire des entreprises du Québec* (Enterprise Registrar).

If the information in the Enterprise Register is not up-to-date, make the necessary changes. If the information disclosed in connection with an application for authorization filed with the *Autorité des marchés publics* (the "AMP") does not match the information in the Enterprise Register, **processing of your application could be delayed**.



Throughout the application for authorization process, and as long as the enterprise holds an authorization, the respondent will be the only person with whom the AMP communicates when necessary. A respondent who is unable to perform his or her functions may sign a power of attorney authorizing another person to communicate with the AMP as part of the application process.

## Important information (cont.)



Please ensure that you are able to provide the **documents required** as part of the application for authorization, in particular the audited financial statements for the enterprise's latest fiscal year and the attestation from *Revenu Québec*:

### ATTESTATION FROM REVENU QUÉBEC

The attestation must have been issued not more than 30 days before the date on which the enterprise's application for authorization is filed with the AMP.

### FINANCIAL STATEMENTS

If the enterprise does not have **audited financial statements**, the AMP requires at least a **review engagement report** on the financial statements for the latest fiscal year. **Important: notices to reader and compilation engagements will not be accepted.**

If your application for authorization is **in response** to a call for tenders and audited financial statements are not available, the enterprise must send the AMP a **letter of commitment** stating that the financial statements will be provided within 6 weeks of filing the application for authorization.

If your application for authorization is **not in response** to a call for tenders and audited financial statements are not available, the application will not be processed and the application fee will not be refunded.



An enterprise holding an authorization **must notify the AMP of any change** to information previously provided no later than 15 days following the end of the month during which the change took place.

# Introduction

## Who should use this guide?

This guide is intended to assist enterprises which, following the enactment of the *Integrity in Public Contracts Act* (2012, chapter 25) amending, among other statutes, the ACPB, are required to disclose information to the AMP in order to obtain an authorization to enter into a public contract/subcontract.

It provides detailed explanations for each step of the process for obtaining an authorization to enter into a public contract/subcontract. It highlights the use of AMP E-Services for the electronic disclosure of information pertaining to an application for authorization and, where applicable, to the persons and entities that have a relationship with the applicant.

In order to familiarize themselves with all the statutory and regulatory obligations of enterprises subject to the ACPB, enterprises should read:

- the *Integrity in Public Contracts Act*;
- the ACPB, in particular Chapter V.2, which covers the scope of this statute, the granting of an authorization, decisions pertaining to authorizations, general obligations of enterprises, and the AMP's functions and powers; the ACPB also provides for penal provisions;
- the *Conseil du trésor* decision entitled "Fee related to an application for authorization filed by an enterprise with the Autorité des marchés publics for public contracts and subcontracts" (the "Fee Decision"); and
- the Regulation of the Autorité des marchés publics under an Act respecting contracting by public bodies (CQLR, c. C-65.1, r. 0.1) (the "Regulation"). The Regulation sets out, in particular, the information and documents required so that an application for authorization is considered receivable and the prescribed time limits for notifying the AMP of any change to the information provided at each step of the application process.

## Enterprises wishing to obtain an authorization

### **Background**

The *Integrity in Public Contracts Act*, which was assented to on December 7, 2012, provides an audit system for ascertaining whether enterprises that wish to enter into a contract with a public body, including a municipality, meet the high standards of integrity that the public is entitled to expect from a party to a public contract or subcontract.

Under this statute, an enterprise that wishes to enter into such a contract or subcontract must obtain the AMP's authorization. This authorization is valid for 3 years, after which the enterprise must file an application with the AMP for renewal of its authorization.

## ***Enterprises governed by the legislation***

The word “enterprise” means a legal person established for a private interest, a general, limited or undeclared partnership or a natural person who operates a sole proprietorship. **For the time being, the requirement to hold an authorization does not apply to all enterprises.**

Given the large number of enterprises that wish to enter into public contracts or subcontracts in Québec, the Government of Québec decided to phase in the *Integrity in Public Contracts Act*. It will gradually determine, by Order in Council, the values and categories of contracts and subcontracts that will be subject to the obligation to obtain an AMP authorization.

**Consult the AMP website to determine whether this obligation concerns you.**

## ***Time limit for submitting an application for authorization***

An enterprise that responds to a call for tenders for a public contract or subcontract or that is part of a consortium that responds to such a call for tenders must hold an authorization on the date the bid is submitted. An enterprise that enters into a public contract or subcontract by mutual agreement must hold an authorization on the date the contract or subcontract is entered into.

However, if the call for tenders concerns the carrying out of a partnership contract, the enterprise that responds to the call for tenders and, in the case of a consortium, every enterprise in the consortium must hold an authorization on the date the bid is submitted unless the tender documents specify a later date which, however, may not be later than the date the public contract is entered into.

If the contract is entered into, the authorizations must be maintained throughout the contract or subcontract.

The application for authorization must be in the form prescribed by the AMP and be filed together with the information and documents prescribed by the Regulation and the fees determined by the Fee Decision.

# AMP E-Services

# Introduction

You must use AMP E-Services to carry out various transactions with the AMP related to your activities. Access to our services is secured through clicSÉCUR, the Québec government's authentication service.

Your enterprise will need a clicSÉCUR account to access E-Services. If your enterprise does not already have a clicSÉCUR account, the person in charge of electronic services (the "PES") at your enterprise must create one.

For further information about how to create a clicSÉCUR account, or to register for E-Services, go to the AMP website at [www.amp.quebec](http://www.amp.quebec) or call our Customer Information Centre at 1 888 335-5550.

## Accessing AMP E-Services

Once the PES has completed the AMP E-Services registration process, the enterprise's respondent will be able to access the E-Services site. He or she will now have access to the detailed menu and will be able to disclose the enterprise's business relationships.

In order to access AMP E-Services, the respondent must follow these steps:

1. Go to the AMP website ([www.amp.quebec](http://www.amp.quebec)), click on the "Authorization to contract" tab, then on "E-Services."



2. Log in and enter the user code and password obtained when registering with clicSÉCUR.

A screenshot of the 'E-services' page. On the left, a sidebar lists links: 'About Public Contracts', 'Obtain your Authorization', 'E-services' (which is bolded and underlined), 'Guides and Declarations', 'Mettre à jour votre dossier', 'Renew your Authorization', 'Foreign Enterprises and Natural Persons Operating an Enterprise', and 'Frequently Asked Questions'. The main content area has a heading 'E-services' and a sub-section 'Access to E-Services' with the text 'for enterprises wishing to enter into public contracts and subcontracts'. A 'Log in' button is in this box. To the right is a box titled 'Not registered?' with text for users who don't have a clicSÉCUR account and for users who already have one. At the bottom are three buttons: 'Help for E-Services', 'Fonctionnal blocks', and 'Terms of use'.

# Using AMP E-Services

Once clicSÉCUR's authentication process has been completed, the AMP E-Services home page will appear.

1. The menu contains all the actions you can perform.

a. The following actions can be performed from the **Client File** tab:

- **Secure Message Inbox:** Allows you to consult e-mails received from the AMP.
- **Follow-up on applications/requests:** Allows you to track and see the status of your applications and requests.
- **Statement of account:** Allows you to view your statement of account and/or pay invoices.
- **Manage business relationships:** Allows you to add, delete or change information regarding persons and entities that have a relationship with your enterprise.

b. The following applications can be selected from the **Public Contracts** tab:

- **Authorization:** Allows you to fill out and submit to the AMP an application for authorization to enter into a public contract/subcontract.
- **Renewal/Non-renewal:** Allows you to fill out and submit to the AMP an application for renewal of authorization or an application for non-renewal of authorization.

- 2.** This section allows you to get on-line help, change the display language or log out of the account.
- 3.** This section displays the name of the enterprise accessing E-Services. If the name displayed is not correct, please log out and call the AMP Customer Information Centre at 1 888 335-5550.
- 4.** This section displays the most recent date on which the enterprise accessed AMP E-Services.
- 5.** This section displays the number of messages (new and old) in the enterprise's Secure Message Inbox.
- 6.** This section contains contact information for the AMP Customer Information Centre should you have any questions or problems regarding E-Services.

# Obtaining authorization

## Steps to follow for an application for authorization

The following two steps are **mandatory** in order to complete an application for authorization:

### **STEP A**

Filling out and submitting the application for authorization.

### **STEP B**

Disclosing the enterprise's business relationships.

## STEP A – Filling out and submitting the application for authorization

We urge you to familiarize yourself with all the steps set out below **before** entering information for your application for authorization to ensure you have all the necessary information and documents, as certain information is required in order to proceed from one step to another.

From AMP E-Services, go to the “Public Contracts” tab, then select “Authorization.”



The application for authorization must be filled out and submitted **by the respondent**.

### General Information

#### On-line help

On-line help is identified by a question mark.



This icon, which appears on each AMP E-Services page, allows you to obtain assistance from a Customer Information Centre agent.

#### Automatic logout

If there has been no activity for an extended period of time, the system will automatically log you out and any unsaved information will be lost. To save information that has been entered, simply proceed to the following page by clicking on “Next.” To access AMP E-Services again after having been logged out, you will have to re-enter your user code and password.

## Step 1 of 8 - Identification

To facilitate processing of your application for authorization, ensure that the enterprise's files with the **CCQ**, the **RBQ** and the **Enterprise Registrar** are up-to-date.

The system automatically fills out the information in this step. The applicant's mailing address should be displayed.

If the address is incorrect, make the necessary changes to your file by selecting "Client File / Contact information and preferences," then "Consultation/Update."

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 4 5 6 7 8 Step 1 of 8 : Identification

i To accelerate processing of your application for authorization, please ensure that the enterprise has an updated file with the Commission de la construction du Québec (CCQ), the Régie du bâtiment du Québec (RBQ) and the Registre des entreprises du Québec (REQ).

For help in filling out this form, consult the Companion Guide on the AMP website.

**Identification** ?

**Client information**

Client No.	1100000230
Name of firm	ENTREPRISE DEMANDEURSSE LCOP

**Mailing address**

Civic No	1	Bureau / App. / Unité	
Street / Delivery Installation	PLACE DES TILLEULS	Province / État	QC
Municipality	QUÉBEC	Code postal / Zip code	G1G 1V4
Country	CANADA		

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## Step 2 of 8 – Additional information

Ensure that the information entered on this page matches the information in the Enterprise Register.

If the information in the Enterprise Register is not up-to-date, make the necessary changes. If the information disclosed in connection with an application for authorization filed with the AMP does not match the information in the Enterprise Register, processing of your application could be delayed.

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 4 5 6 7 8 Step 2 of 8 : Additional information

**Information** ?

**Client information**

\* Legal form

Total number of shareholders (voting shares) or partners for this entity

\* Nature of the enterprise's activities

Number of Attestation from Revenu Québec  (000000XXXX) *If you are not providing this information, please attach a document explaining why not.*

Number of licence issued by the Régie du bâtiment du Québec (RBQ)  (00000000[00])

Over the past five years, has your enterprise had one or more business names other than the name indicated in the preceding section?

Other names (current)

Former names

**Information about the contract (if applicable)**

Number of the call for tenders

Title of call for tenders

Estimated value of the contract or subcontract

The deadline for submitting bids or the date set out in the call for tenders concerning the required authorization, whichever is latest

If the enterprise is part of a consortium, please state the consortium's name

**Buttons**

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## **Legal form**

State the legal form of your enterprise, either “Legal person,” “Partnership,” “Natural person operating a sole proprietorship” or “Other,” by selecting a choice from the drop-down list.

The legal form selected in the application for authorization must reflect the legal form recorded in the Enterprise Register. The following are examples of legal forms:

### **Legal person**

- Corporation
- Limited (Ltd.)
- Incorporated (Inc.)

### **Partnership**

- Association
- Limited partnership
- General partnership

### **Natural person operating a sole proprietorship**

- Self-employed worker
- Sole proprietorship

### **Other legal form**

- Joint venture

## **Total number of shareholders (voting shares) or partners for this entity**

If required, state the total number of shareholders or partners of the enterprise, including shareholders who are not majority shareholders.

## **Nature of the enterprise's activities**

State the nature of the activities of the enterprise (for example, construction, engineering services, computer services).

If the enterprise is registered in the Enterprise Register, the information provided in the application must match the information in the register.

## **Number of attestation from Revenu Québec**

State the number of the attestation issued by *Revenu Québec* to the enterprise. Enter only the first 10 characters, without a hyphen or space.

## **Number of licence issued by the Régie du bâtiment du Québec (RBQ)**

State the licence number (without a hyphen or space) issued to the enterprise by the RBQ. This number contains 8 to 10 digits.

## ***Other names (current)***

State all other names under which the enterprise currently carries on activities.

If the enterprise is entered in the Enterprise Register, the information provided in the application must match the information in the register.

## ***Former names***

State all other names that are no longer in effect and under which the enterprise carried on activities in the past 5 years.

If the enterprise is entered in the Enterprise Register, the information provided in the application must match the information in the register.

## ***Information about the contract (if applicable)***

If the application is being made so the enterprise can respond to a published call for tenders, provide all requested information regarding the call for tenders.



Your application for authorization will not be processed on a priority basis unless it is in response to a published call for tenders.

## Step 3 of 8 – Identity of the respondent

Pursuant to section 21.23 of the ACPB, an enterprise that wishes to enter into a contract with a public body must appoint a natural person who acts as respondent:

*“The application for authorization must be filed with the Authority by the natural person who is the operator if it is for a sole proprietorship, by a director or an officer if it is for a legal person and by a partner if it is for a partnership. The person filing the application acts as respondent for the purposes of this chapter.”*

### Concept and role of respondent

The respondent is the person authorized to send the documents with which the enterprise fulfills its statutory and regulatory obligations (application for authorization, updating of information, application for renewal of an authorization, etc.). The respondent is necessarily the natural person who operates the enterprise if it is a sole proprietorship, a director or an officer of the enterprise if it is a legal person, or a partner of the enterprise if it is a partnership.

In order to carry out his or her functions, the respondent must therefore have access to information and documents at the enterprise's head office and at each of its establishments.

The respondent's appointment must be confirmed by an official document from the enterprise.

Throughout the application process, and as long as the enterprise holds an authorization, the respondent will be the **only** person with whom the AMP communicates when necessary. A respondent who is unable to perform his or her functions may sign a **power of attorney** authorizing another person to communicate with the AMP as part of the application process.

## Application for authorization to enter into a public contract/subcontract



1 2 3 4 5 6 7 8 Step 3 of 8 : Identity of the respondent

**Information** An enterprise that wishes to enter into a contract with a public body must appoint a natural person who acts as respondent pursuant to section 21.23 of An Act respecting contracting by public bodies: "The application for authorization must be filed with the AMP by the natural person who is the operator if it is for a sole proprietorship, by a director or an officer if it is for a legal person and by a partner if it is for a partnership. The person filing the application acts as respondent for the purposes of this chapter."

\* Mandatory field

### Respondent



#### Identification

\* Gender   
\* Last name   
\* First name   
\* Date of birth  (mm/dd/yyyy)

#### \* Home address

Civic No  Suite / Apt. / Unit   
Street / Delivery Installation   
Municipality  Province / State   
Country  Postal code / Zip code

[Obtain an address](#)

#### \* Mailing address

Civic No  Suite / Apt. / Unit   
Street / Delivery Installation   
Municipality  Province / State   
Country  Postal code / Zip code

[Obtain an address](#)

#### References

\* Personal telephone    
E-mail

#### \* Respondent's functions

The choices available are based on the enterprise's legal form.



Natural person operating the enterprise as a sole proprietorship

Director

Officer

Partner

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## ***Identification***

In this section, provide the gender, last and first names and date of birth of the person appointed as respondent.

## ***Home address and mailing address***

Provide the respondent's home address and mailing address, whether it is in Québec, elsewhere in Canada or in another country.

## ***References***

In this section, provide the personal phone number and e-mail address of the person appointed as respondent. Although providing an e-mail address is optional, you are strongly encouraged to do so in order to facilitate communications between the AMP and the enterprise.

## ***Respondent's functions***

The choices available in the “Respondent's functions” section are based on the legal form of the enterprise selected in the previous step.

## Step 4 of 8 – Declaration (Statement)

The application for authorization must be submitted together with the applicant's declaration.

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 **4** 5 6 7 8 Step 4 of 8 : Statement

**Statement** ?

**Information** The application must be submitted together with the applicant's declaration.

You must answer all questions. If you leave any question unanswered, you will not be able to go on to the next step. If you answer "yes" to one of the questions, please answer the subquestions that follow in order to provide the required additional information.

The list of offences is shown in Schedule I to the Act respecting contracting by public bodies, available on the AMP website.

\* Mandatory field

1. * In the past five years, has the enterprise been prosecuted for or found guilty of an offence listed in Schedule I of <i>An Act respecting contracting by public bodies</i> ?	<input type="radio"/> Yes	<input type="radio"/> No
2. * In the past five years, has the enterprise been prosecuted for or found guilty of any other criminal or penal offence committed in the course of its business?	<input type="radio"/> Yes	<input type="radio"/> No
3. * In the past five years, has the enterprise been found guilty by a foreign court of an offence which, if committed in Canada, could have resulted in criminal or penal proceedings for an offence listed in Schedule I of <i>An Act respecting contracting by public bodies</i> ?	<input type="radio"/> Yes	<input type="radio"/> No
4. * In the past two years, has the enterprise been ordered to suspend work by a decision enforceable under section 7.8 of <i>An Act respecting labour relations, vocational training and workforce management in the construction industry</i> (c. R-20)?	<input type="radio"/> Yes	<input type="radio"/> No
5. * In the past two years, has the enterprise been ordered by a final judgment to pay a claim made under subparagraph (c.2) of the first paragraph of section 81 of <i>An Act respecting labour relations, vocational training and workforce management in the construction industry</i> (c. R-20)?	<input type="radio"/> Yes	<input type="radio"/> No
6. * Is there any information you would like to provide which could be of interest to the <i>Autorité des marchés publics</i> in connection with your application for authorization?	<input type="radio"/> Yes	<input type="radio"/> No
7. * Are you an enterprise that is not constituted under the laws of Québec and does not have its head office or an establishment in Québec where it primarily conducts its activities?	<input type="radio"/> Yes	<input type="radio"/> No

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If you answer "yes" to one of the questions, answer the subquestions that follow in order to provide any additional information required.

The list of offences is set out in Schedule I to the ACPB, available on the AMP's website.

**Under the ACPB, persons who make a false or misleading statement and enterprises that fail to notify the AMP of any change to any information previously provided for the purpose of obtaining an authorization are guilty of an offence and liable to a fine as stipulated in the relevant sections.**

### Question 7 – Additional consent

If the application for authorization is being filed by a **foreign enterprise**, i.e., an enterprise that is not constituted under the laws of Québec and does not have its head office or an establishment in Québec where it primarily conducts its activities, an additional consent is required pursuant to subparagraphs (1) and (2) of section 5 of the Regulation.

## Step 5 of 8 – Supporting documents required

The application for authorization must be submitted together with certain required supporting documents.

If you are unable to provide one of the required documents, attach a document explaining why.

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 4 **5** 6 7 8 Step 5 of 8 : Supporting documents required

**⚠ Credit Card** – For security reasons, do not indicate credit card numbers in electronic documents you submit to the AMP.

**ⓘ** Use this page of the form to send the supporting documents related to your application or request.

**Supporting documents required** ?

**Prior criminal and penal offences**

1 document(s) required

<input type="checkbox"/> Criminal and penal court record of the enterprise	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Equivalent document	<input type="radio"/> Paper <input type="radio"/> Electronic

**Other documents**

0 document(s) required

<input type="checkbox"/> Other document – governance or control measures	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Other document 01	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Other document 02	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Other document 03	<input type="radio"/> Paper <input type="radio"/> Electronic

**Document from the respondent**

1 document(s) required

<input type="radio"/> Document confirming appointment of respondent	<input type="radio"/> Paper <input type="radio"/> Electronic
---------------------------------------------------------------------	--------------------------------------------------------------

**Documents from the enterprise**

3 document(s) required

<input type="checkbox"/> Attestation from Revenu Québec	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Financial statements for the latest fiscal year	<input type="radio"/> Paper <input type="radio"/> Electronic
<input type="checkbox"/> Organization chart outlining the structure of the enterprise	<input type="radio"/> Paper <input type="radio"/> Electronic

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## **Document confirming appointment of respondent**

You must provide an official document from the enterprise appointing the respondent. This document may be one of the following:

- a resolution of the board of directors (or an extract of the minutes evidencing the resolution);
- a signed letter from a duly authorized director or officer of the applicant;
- a letter from the “general partner” in the case of a limited partnership;
- a delegation of general powers in the case of very large enterprises.

In all cases, the official document **must**:

- specify the name of the applicant (or “doing business as”);
- specify the name of the respondent and his or her appointment as respondent or indicate that the respondent is responsible for the application for authorization to enter into/renew a public contract/subcontract;
- refer to the application for authorization or renewal or to the *Autorité des marchés publics*;
- be dated and signed.

The applicant may appoint only one respondent.

## **Attestation from Revenu Québec**

If the enterprise has an establishment in Québec, you must provide an attestation from *Revenu Québec*. The attestation states that the enterprise has filed the returns and the reports that it was required to file under fiscal laws and that it has no overdue account payable to the Minister of Revenue, including when recovery of an account has been legally suspended or arrangements have been made with the enterprise to ensure payment and the enterprise has not defaulted on the payment arrangements. The attestation must have been issued not more than 30 days before the date on which the enterprise files its application for authorization with the AMP.

Foreign enterprises must provide a tax attestation (similar to the one issued by *Revenu Québec*) or an equivalent document issued by their province or country of origin. For example, a Canadian enterprise located outside of Québec may be issued one of the following documents by the Canada Revenue Agency: a Filing and Balance Confirmation or a Letter of Good Standing. In the case of U.S. enterprises, the Internal Revenue Service (United States Department of the Treasury) can issue an Account Transcript. The attestation must have been issued not more than 30 days before the date on which the enterprise files its application for authorization with the AMP.

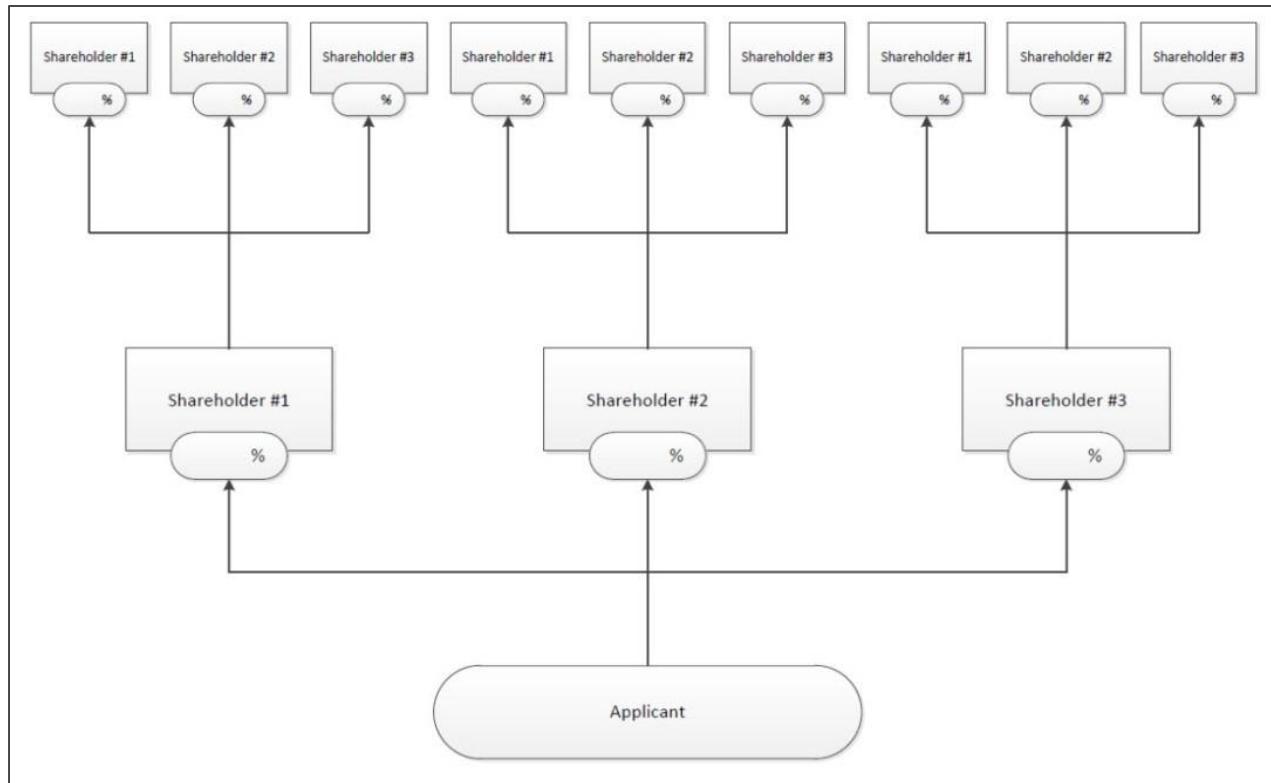
## **Financial statements for the latest fiscal year**

Provide the audited financial statements for the enterprise’s latest fiscal year.

**!** If the enterprise does not have **audited financial statements**, the AMP requires at least a **review engagement report** on the financial statements for the latest fiscal year. **Important : notice to reader alone will not be accepted.**

## **Organization chart outlining the structure of the enterprise**

The applicant must disclose its shareholding in an organization chart outlining its entire structure and including, if applicable, the names of its subsidiaries, shareholders (natural persons and legal persons), parent company and any subsidiaries of the parent company. The organization chart must also indicate the relationships between these entities and/or natural persons, as well as the percentage of voting shares they hold. The total of the percentages must add up to 100%. For example:



## **Governance and oversight measures implemented by the applicant**

In exercising its powers conferred under the ACPB, the AMP must, in particular, ensure that the enterprise meets high standards of integrity. To do so, the analysis of the enterprise's governance, ethical standards and related internal processes becomes an important consideration.

Therefore, **if your enterprise has established governance measures** (code of ethics, training program, governance committee, etc.), disclose them and submit the related documentation by clicking on the "Other document – governance or control measures" check box shown in Step 5 of 8.

 Enterprises will save time by submitting these documents at the start of the authorization process. The AMP sometimes requires these documents in order to grant an authorization.

## **Criminal and penal court record of the enterprise (if applicable)**

The Regulation stipulates that, in the case of an enterprise that is not constituted under the laws of Québec and does not have its head office or an establishment in Québec where it primarily conducts its activities (foreign enterprise), the enterprise must provide the AMP with a good conduct certificate, issued by the local authorities, including a government or a government department or agency.

The AMP asks that **any enterprise whose head office is not located in Québec**, regardless of whether or not it conducts activities there, provide one of the following documents:

- A good conduct certificate in respect of the enterprise, **issued by the local authorities**, including a government or a government department or agency;
- If unable to provide a good conduct certificate, they must provide a **sworn letter** signed by the respondent or an officer of the enterprise declaring that during the past 5 years, the enterprise was not:
  - prosecuted for or found guilty, in Canada or abroad, of an offence listed in Schedule I of the ACPB or a similar offence;
  - prosecuted for or found guilty, in Canada or abroad, of any criminal or penal offence committed in the course of its business.

Under the Regulation, “the location of the enterprise” means the Canadian province or territory or other jurisdiction where the enterprise primarily conducts its activities.

A “good conduct certificate” means a police certificate, a criminal background check, a criminal record check, a police check or a Canadian Police Information Centre (CPIC) check. **These documents must have been issued by a local authority.**

If you are not able to produce the criminal and penal court record of the enterprise at the time of submitting the application for authorization, provide instead a **letter of commitment** stating that you have taken the necessary steps to obtain the document and that it will be promptly submitted once received. **The AMP will not grant an authorization until it has received the enterprise's criminal and penal court record.**

## Step 6 of 8 – Fees payable and payment

The fees payable are set out in the Fee Decision.

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 4 5 **6** 7 8 Step 6 of 8 : Fees payable and payment

**Information** Select the method of payment you intend to use to pay the application fees. Click on "Next" to continue.  
\* Mandatory field

**Fees payable**

	Description of fees	Entity	Amount payable
<input checked="" type="checkbox"/>	Fee payable by an enterprise applying for authorization	Autorité des marchés publics	\$428.00
Total fees			\$428.00

**Comments**

These application fees are non-refundable.

**Payment**

Total payable  \* Method of payment

**Buttons**

Reset Previous Next

To be considered receivable, the application for authorization must be accompanied by payment (the rates are indexed annually and [posted on the AMP website](#)).



Please note that this fee is not refundable.

If you wish to pay by credit card, select the “Credit card” option and proceed to the on-line payment. If you wish to pay by cheque (payable to the Autorité des marchés publics), select the “Cheque,” “Money order” or “Certified cheque” option and send your payment to the AMP at the following address:

#### **Autorité des marchés publics**

525, boul. René-Lévesque Est, 1<sup>er</sup> étage, bureau 1.25  
Québec (Québec) G1R 5S9

**The AMP does not accept remittance slips sent by e-mail or fax.**

## **Step 7 of 8 – Transmission**

Print your application by clicking on the “Print your application” button. Check it carefully. Once it has been sent, you will not be able to cancel or modify it.

Then click on the check box “I declare that the information provided herein is accurate” and on “Submit.”

**Application for authorization to enter into a public contract/subcontract** ?

1 2 3 4 5 6 7 8 Step 7 of 8 : Transmission

**Information** ?

**Use this page of the form to send your application to the AMP. Please read the statement, then tick the box to confirm that the information you provided is accurate.**  
Before submitting your application, print out a copy and review it. Keep the printed copy for your files.  
When you have completed your application and reviewed it to ensure that all information is accurate, click on Submit.  
\* Mandatory field

**Declaration on information provided** ?

**I declare that the information provided herein is accurate.**

**Warning** ?

**Please check your application carefully. Once it is submitted, you will not be able to cancel or modify it.**

**Reset** ◀ **Previous** ▶ **Print your application** Submit

## Step 8 of 8 – Confirmation of delivery

This step confirms that your application has been sent to the AMP. The system will display your client number and application number. Please print and keep this information. It will be useful if you need to contact the AMP.

Application for authorization to enter into a public contract/subcontract

1 2 3 4 5 6 7 8 Step 8 of 8 : Confirmation of delivery

Confirmation of delivery

We have received your application.

An acknowledgement of receipt will be sent to your inbox. If you are required to submit paper supporting documents, a digitization form to be attached to these documents can be found at the end of the acknowledgement of receipt.

Please use the number shown below on all correspondence with us relating to this application.

Client No.: 1100000230

Application/request No.: 1800000115

Back to menu Print

After you have submitted your application, an acknowledgement of receipt will be sent to your Secure Message Inbox.

## STEP B - Disclosing the enterprise's business relationships

Once the AMP has taken charge of the application for authorization, a public contracts authorization agent will contact you to confirm that you can now proceed with the second step: disclosing natural persons and/or entities related to the enterprise and submitting the list of the enterprise's establishments via AMP E-Services. "Natural persons and/or entities related to the enterprise" means any individual and/or entity with which the enterprise has a business relationship.



**This second step is mandatory.** The file cannot be analyzed unless these business relationships are disclosed.

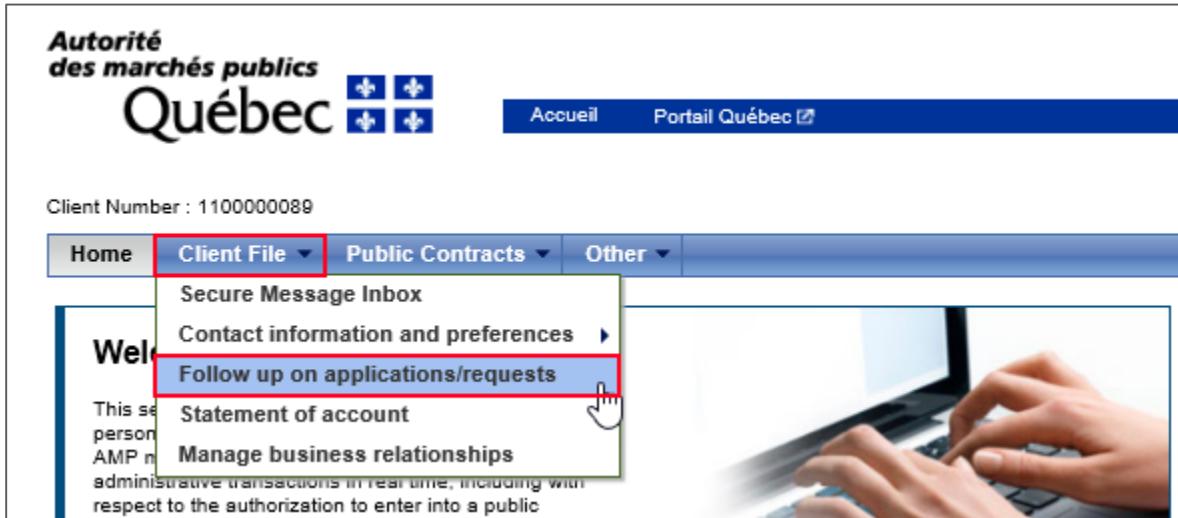
For details about how to complete this second step (disclose business relationships), **consult the Companion Guide – Managing Business Relationships.**

# Following up on an application

## Following up on an application

At any time after an application has been submitted, the enterprise can follow up on it and view its content.

To access an application that has been submitted through AMP E-Services, go to the “Client File” tab and then “Follow-up on applications/requests.”



The “Follow up on applications/requests” page will appear.

A screenshot of the "Follow up on applications/requests" page. The page includes a warning message about not including credit card numbers in electronic documents and a note about the "status" column. It features a search bar for "AMP unit" and a table of applications. The table has columns for Date, Application/request No., Type of application/request, Status, Status updated, Form submitted, and Document added. One application is listed: "8/2/2018" for "1800000094" is an "Application for authorization to enter into a public contract/subcontract" in "Being analyzed" status, updated "8/2/2018". Navigation buttons and a message "Displaying items 1 - 1 of 1" are at the bottom. A "Back to menu" link is also present.

### Obtaining the status of your application

The “Status” column indicates the status of your application.

**Being analyzed at AMP:** This status indicates that the processing of your application has not been completed. The time required for an analysis depends on the nature of the application.

**Waiting for client:** This status indicates that the application is incomplete because information, a document or payment is missing. The missing item must be provided so the AMP can complete its analysis.

**Waiting for advisory opinion from UPAC:** This status indicates that the processing of your application has not been completed because the Associate Commissioner for Audits within the *Unité permanente anticorruption* (UPAC, the anti-corruption squad) has not finalized the audit.

**Processed:** This status indicates that your application has been processed and a decision has been entered in your file. The result will be sent to you shortly by secure e-mail or regular mail.

## ***Viewing applications submitted***



To view the information that has been submitted in an application, click on the icon that looks like a magnifying glass in the “Form submitted” column. Note that applications that have been submitted are read-only.

## ***Adding a document to an application***



To add a document to an application that has been submitted to the AMP, click on the icon that looks like a sheet of paper with a + in the “Add a document” column.

You can add a document if you forgot to include it when you submitted your application or if the AMP asks for one or more additional documents when analyzing your application. When a document is added to an application in this manner, it is automatically transferred to the AMP for analysis.

To add a document to an application:

1. Click on the “Add a document” icon for the application to which the document must be added.
2. A new window will open.

**Add a document**

Please select the type of document then click on **Search** to look up the file to be added.

Document type: Organization chart outlining the structure of the enterprise

Document location:

**Cancel** **OK**

3. From the drop-down list, select the type of document to be added.
4. Click on “Search” and find the file to be included.
5. Click on “OK.”

# AMP decision

## Analysis of application for authorization

If, after analyzing an application for authorization, the AMP determines that certain information is inaccurate, incomplete or missing, it will contact the respondent so that he or she can make the necessary corrections.

The AMP may require that an enterprise communicate any information the AMP considers necessary. The enterprise must communicate the information to the AMP within the time limit specified. If it fails to do so, the AMP may, under section 21.35 of the ACPB, cancel the application for authorization.

When the application is completed, the AMP sends the information obtained to the Associate Commissioner for Audits within UPAC appointed under section 8 of the *Anti-Corruption Act* (CQLR, c. L-6.1) so that the audits the Associate Commissioner considers necessary can be conducted.

If the Associate Commissioner, in the course of the audits, requires that the enterprise communicate information he or she considers necessary, section 21.35 of the ACPB also provides that the AMP may cancel the application for authorization of an enterprise that fails to communicate that information to the Associate Commissioner within the time the Commissioner specifies.

It is important to note that an enterprise whose application for authorization is cancelled under section 21.35 of the ACPB may not file a new application for authorization with the AMP within 12 months after the cancellation unless the AMP allows it.

As soon as possible after receiving the information, the Associate Commissioner provides an advisory opinion to the AMP on the enterprise applying for authorization. The advisory opinion states the grounds for any recommendation that an authorization be refused under sections 21.26 to 21.28 of the ACPB.

During the audits, the AMP will forward to the Associate Commissioner any new information or any changes the enterprise has made to previously disclosed information.

## AMP decision

When the AMP is sure there are no grounds for refusing to grant the authorization, it will mail the authorization to the enterprise.

The AMP may refuse to grant an authorization if the enterprise fails to meet the high standards of integrity that the public is entitled to expect from a party to a public contract or subcontract.

Before refusing to grant an authorization, the AMP may ask the enterprise to take the necessary corrective measures within the time it specifies.

In all cases, before refusing to grant an authorization, the AMP must notify the enterprise in writing as prescribed by section 5 of the *Act respecting administrative justice* (CQLR, c. J-3) and allow it at least 10 days to submit written observations or provide additional documents to complete its file.

### ***Duration of validity of an authorization***

An authorization granted to an enterprise is valid for three years.

### ***Register of authorized enterprises***

All enterprises holding an authorization granted by the AMP are listed in the Register of authorized enterprises. This register, which is maintained in accordance with section 21.45 of the ACPB, contains the following information:

- The name of the authorized enterprise;
- The names under which it carries on activities;
- Its Québec business number (NEQ) assigned by the Enterprise Registrar, if applicable;
- The client number assigned by the AMP;
- The contact information for the head office of the enterprise.

The Register of authorized enterprises is available on the AMP website at [www.amp.quebec](http://www.amp.quebec).

### ***Register of enterprises ineligible for public contracts***

The Register of enterprises ineligible for public contracts (in French only) includes the names of enterprises for which the AMP has refused to grant or renew an authorization or has revoked an authorization. As soon as the enterprise's name appears in the register, it cannot obtain authorization for a public contract or subcontract or continue performing such contracts for a period of 5 years.

Under exceptional circumstances, the *Conseil du trésor* or, in the case of municipalities, the Minister of Municipal Affairs and Land Occupancy, may authorize an enterprise listed in this register to obtain a public contract or subcontract if it is in the public interest.

This register is available on the AMP website at [www.amp.quebec](http://www.amp.quebec).

## Making changes during the authorization process

### ***Time limit for notifying the AMP of any change to information***

An enterprise holding an authorization **must notify the AMP of any change** to information previously provided no later than 15 days following the end of the month during which the change took place.

### ***Making changes to information provided***

The changes must be made through the Manage business relationships function in AMP E-Services under “Client File / Manage business relationships.” The electronic form must be submitted together with the information and documents prescribed by the Regulation and the fee determined by the Fee Decision.

For all information required to update your business relationships, **consult the Companion Guide – Managing Business Relationships.**

### ***Changes to be communicated to the AMP***

The following is a **non-exhaustive** list of changes that must be communicated to the AMP:

#### **Addition of a person or entity related to the enterprise and that has control over it**

The enterprise must notify the AMP if a new natural person or entity referred to in sections 21.26 and 21.28 of the ACPB is to be added to the enterprise’s file.

The enterprise must also notify the AMP when it adds an establishment or when it has a new financial institution or lender with which it conducts business.

#### **Removal of a person or entity related to the enterprise and that has control over it**

The enterprise must notify the AMP if a natural person or entity referred to in sections 21.26 and 21.28 of the ACPB is to be removed from the enterprise’s file.

### **Changes to information provided**

The enterprise must notify the AMP of any change to nominative information it has provided, whether the information pertains to the enterprise or to any of the persons or entities related to the enterprise and that have control over it.

Examples of changes that must be communicated to the AMP:

- Change of address of a person or entity related to the enterprise and that has control over it;
- Change of address of the enterprise’s head office or one of its establishments;
- Change to the language of correspondence.

### **Change in ownership or control of the enterprise**

The enterprise must notify the AMP of any change to the persons or entities that have direct or indirect ownership or legal or *de facto* control of the enterprise.

### **Change of respondent**

If the respondent is temporarily unable to properly perform his or her functions, but the enterprise does not consider it necessary to appoint another respondent, it must notify the AMP that the respondent's responsibilities will be delegated temporarily to a natural person operating the enterprise as a sole proprietorship or to a director, an officer or a partner of the enterprise.

If the respondent is no longer able to perform his or her functions for an extended period of time or on a permanent basis, the enterprise must promptly appoint a new respondent and notify the AMP of the appointment by sending it the appropriate request as well as an official document evidencing the appointment of the new respondent.