1. The Board supports the concept of centralized purchasing as a means of obtaining maximum value for each dollar spent, consistent with the educational goals of the Board and fair business principles. The Board delegates the authority to purchase on behalf of the Board to the Manager of Purchasing and Central Services or Purchasing Administrators under the authority of the Superintendent of Business Services.

2. It shall be the policy of the Board:
   (a) to comply with the Government of Ontario Broader Public Sector Procurement Directives (Appendix A);
   (b) to encourage open competitive bidding on the acquisition of all goods and services, where feasible and practical;
   (c) to be transparent to all stakeholders. Wherever possible, stakeholders will have equal access to information on procurement opportunities, processes and results;
   (d) to procure by purchase, rental or lease, the required quantity and quality of goods and services in a cost-efficient and effective manner, while maintaining the controls necessary for a public institution;
   (e) to consider total acquisition costs, not just lowest price, in all contract awards;
   (f) to provide a high level of service to all schools and administrative departments and that Purchasing Services be a value-added partner in the securing of all goods and services for the Board.

   “Total acquisition cost” shall mean the most cost efficient and effective manner and shall be the sum of all costs including purchasing price, warranty, lifecycle cost, operating and disposal costs, incurred for determining the lowest acceptable bid meeting the specifications.”

3. The Purchasing Policy of the Board shall apply to all Schools, Superintendents and Managers, without exception everyone involved in supply chain, and shall be implemented in accordance with authorized procedures and within authorized budgets.

4. In all cases, users shall purchase goods and services from contracts tendered by Purchasing Services on behalf of the Board. When secured pricing is not available, purchase of all goods and services greater than $1,000 shall be made through Purchasing Services. This includes purchases made with grants, Ministry funding and/or school funds. Users shall consider the total requirement budgeted on an annual basis and purchases shall not be split to avoid the conditions of the policies. The following processes shall be followed:

   (a) Blanket Purchase Orders
      - Are authorized and set out by Purchasing Services and are intended to be used for miscellaneous goods and/or services where tenders or quotations have not been issued.
      - Orders will have a maximum dollar limit, be restricted to approved users and for a defined time period.
      - Any purchase over the defined maximum limit will require quotations as noted below and will require a unique purchase order in the budgetary accounting system. Vendor invoices over the predetermined upset limit will not be paid against a blanket purchase order.

   (b) Verbal Quotation
      - For orders with an estimated value of $1,000 to $4,999
      - Verbal quotations will be solicited by Purchasing Services from a minimum of 3 (three) suppliers unless otherwise approved by the Manager of Purchasing and Central Services or Purchasing Administrator.
      - A purchase requisition shall be entered in the budgetary accounting system.

   (c) Written Quotations
      - For orders with an estimated value of $5,000 to $99,999
      - Quotations will be solicited by Purchasing Services in writing or by other electronic means from a minimum of three suppliers unless otherwise approved by the Manager of Purchasing and Central Services or Purchasing Administrator.
      - A purchase requisition shall be entered in the budgetary accounting system.
(d) **Formal Tender**
- For orders with an estimated value of $100,000 or more
  - Issued through Purchasing Services unless otherwise approved by the Manager of Purchasing and Central Services or Purchasing Administrator.
  - Invitation to tender from approved pre-qualified vendor list or by advertisement posted publicly on the Purchasing Services website.
  - A public opening may be conducted at the discretion of the Manager of Purchasing and Central Services or Purchasing Administrator.

(e) **Request for Proposals**
- May be used at any dollar value when it is not possible to prepare precise specifications in order to issue a formal tender, or when alternate methods are being sought to perform a certain function.
  - Invitation to submit proposals from approved pre-qualified vendor list or by advertisement posted publicly on the Purchasing Services website.
  - A public opening may be conducted at the discretion of the Manager of Purchasing and Central Services or Purchasing Administrator.

(f) **Direct Negotiation**
- May be used in narrowly defined circumstances where it is justified that the normal process outlined in items (b) through (e) could not be followed. The Manager of Purchasing and Central Services or Purchasing Administrator shall initiate and guide the negotiation process to ensure the Board employs fair and ethical practices.

(g) **Facility Services Requirements**
- The Manager of Purchasing and Central Services or Purchasing Administrator may pre-authorize an approved designate from Facility Services to obtain three (3) verbal or written quotations for services on a case by case basis only up to $25,000 where deemed practical. All documentation shall be provided to Purchasing Services including a purchase requisition entered in the budgetary accounting system.

(h) **Consulting Services**
- Consulting services must be obtained in compliance with the Broader Public Sector Procurement Directives.
  - $0 up to but not including $100,000, by invitational or open competitive process
  - $100,000 or more, by open competitive process

5. Facility Services has delegated authority, under the authority of the Superintendent of Business Services, to purchase goods and/or services during emergency maintenance situations. Emergency maintenance goods and services purchased must be reported to Purchasing Services as soon as possible after the situation has been resolved. Purchasing Services will ensure information is entered into the budgetary accounting system for audit purposes.

   **“Emergency”** means a situation, or the threat of an impending situation, which may affect the environment, the life, safety, health and/or welfare of students, staff and/or the general public, or the property of the Board, or to prevent serious damage, disruption of work, or to restore or to maintain essential service to a minimum level.

6. Major capital renovations and building additions will be taken to the Board for approval.

7. All tenders and quotations shall be available for inspection by any member of the Board.
8. The Board encourages cooperative purchasing with other Boards and broader public sector agencies when it is in the Board’s best interest to do so. The procedures and policies of the agency calling the tender, proposal or quotation will be followed and must be in compliance with the Broader Public Sector Procurement Directives. The authority to enter into a cooperative purchasing agreement is delegated to the Manager of Purchasing and Central Services or Purchasing Administrator.

9. Sole source may occur when there is only one source of supply in the open market, for example compatibility with goods and/or services previously acquired or where only one contractor has the unique qualifications, special knowledge, skills, expertise or experience for the project. Vendors providing “sole source” requirements will be reviewed and approved by the Manager of Purchasing and Central Services or Purchasing Administrator.

10. Purchasing Services shall purchase supplies and/or equipment on behalf of profit and non-profit organizations, groups or individuals, providing that the purchases are donated to and become the property of the Board. An outside non-profit or government organization may request to use the services of Purchasing Services and Central Services to purchase goods or services for its own use, provided the “outside” organization compensates the Board for the use of its purchasing amenities and provided the additional workload does not add cost or otherwise detract from Purchasing Services or Central Services efficiency.

References

- Appendix A: Mandatory Requirements of the Broader Public Sector Procurement Directive, April 1, 2011
- Policy B-5: Segregation of Duty and Signing Authority
- Administrative Procedure 1-20: Disposal of Surplus Furniture and Equipment
Mandatory Requirements of the *Broader Public Sector Procurement Directive, April 1, 2011*

**Mandatory Requirement: Information Gathering**
- Where results of informal supplier or product research are insufficient, formal processes such as a Request for Information (RFI) or Request for Expression of Interest (RFEI) may be used if warranted, taking into consideration the time and effort required to conduct them.
- A response to RFI or RFEI must not be used to pre-qualify a potential supplier and must not influence the chances of the participating suppliers from becoming the successful proponent in any subsequent opportunity.

**Mandatory Requirement: Bid Receipt**
- Bid submission date and closing time must be clearly stated in competitive procurement documents. Organizations must set the closing date of a competitive procurement process on a normal working day (Monday to Friday, excluding provincial and national holidays).
- Submissions that are delivered after the closing time must be returned unopened.

**Mandatory Requirement: Evaluation Criteria**
- Evaluation criteria must be developed, reviewed and approved by an appropriate authority prior to commencement of the competitive procurement process.
- Competitive procurement documents must clearly outline mandatory, rated, and other criteria that will be used to evaluate submissions, including weight of each criterion.
- Mandatory criteria (e.g., technical standards) should be kept to a minimum to ensure that no bid is unnecessarily disqualified.
- Maximum justifiable weighting must be allocated to the price/cost component of the evaluation criteria.
- All criteria must comply with Section 7.2.14, Non-discrimination, of the Directive.
- The evaluation criteria are to be altered only by means of addendum to the competitive procurement documents.
- Organizations may request suppliers to provide alternative strategies or solutions as a part of their submission. Organizations must establish criteria to evaluate alternative strategies or solutions prior to commencement of the competitive procurement process. Alternative strategies or solutions must not be considered unless they are explicitly requested in the competitive procurement documents.

**Mandatory Requirement: Evaluation Process Disclosure**
- Competitive procurement documents must fully disclose the evaluation methodology and process to be used in assessing submissions, including the method of resolving tie score.
- Competitive procurement documents must state that submissions that do not meet the mandatory criteria will be disqualified.

**Mandatory Requirement: Evaluation Team**
- Competitive procurement processes require an evaluation team responsible for reviewing and rating the compliant bids.
- Evaluation team members must be made aware of the restrictions related to utilization and distribution of confidential and commercially sensitive information collected through the competitive procurement process and refrain from engaging in activities that may create or appear to create a conflict of interest.
- Evaluation team members must sign a conflict-of-interest declaration and non-disclosure of confidential information agreement.

**Mandatory Requirement: Evaluation Matrix**
- Each evaluation team member must complete an evaluation matrix, rating each of the submissions. Records of evaluation scores must be retained for audit purposes.
- Evaluators must ensure that everything they say or write about submissions is fair, factual, and fully defensible.

**Mandatory Requirement: Winning Bid**
- The submission that receives the highest evaluation score and meets all mandatory requirements set out in the competitive procurement document must be declared the winning bid.
Mandatory Requirement: Non-Discrimination
• Organizations must not discriminate or exercise preferential treatment in awarding a contract to a supplier as a result of a competitive procurement process.

Mandatory Requirement: Executing the Contract
• The agreement between the Organization and the successful supplier must be formally defined in a signed written contract before the provision of supplying goods or services commences.
• Where an immediate need exists for goods or services, and the Organization and the supplier are unable to finalize the contract as described above, an interim purchase order may be used. The justification of such decision must be documented and approved by the appropriate authority.

Mandatory Requirement: Establishing the Contract
• The contract must be finalized using the form of agreement that was released with the procurement documents.
• In circumstances where an alternative procurement strategy has been used (i.e., a form of agreement was not released with the procurement document), the agreement between the Organization and the successful supplier must be defined formally in a signed written contract before the provision of supplying goods or services commences.

Mandatory Requirement: Termination Clauses
• All contracts must include appropriate cancellation or termination clauses. Organizations should seek legal advice on the development of such clauses.
• When conducting complex procurements, organizations should consider, as appropriate, the use of contract clauses that permit cancellation or termination at critical project life-cycle stages.

Mandatory Requirement: Term of Agreement Modifications
• The term of the agreement and any options to extend the agreement must be set out in the competitive procurement documents. An approval by an appropriate authority must be obtained before executing any modifications to the term of agreement.
• Extending the term of agreement beyond that set out in the competitive procurement document amounts to non-competitive procurement where the extension affects the value and/or stated deliverables of procurement.

Mandatory Requirement: Contract Award Notification
• For procurements valued at $100,000 or more, Organizations must post, in the same manner as the procurement documents were posted, contract award notification. The notification must be posted after the agreement between the successful supplier and the Organization was executed. Contract award notification must list the name of the successful supplier, agreement start and end dates, and any extension options.

Mandatory Requirement: Supplier Debriefing
• For procurements valued at $100,000 or more, Organizations must inform all unsuccessful suppliers about their entitlement to a debriefing.
• Organizations must allow unsuccessful suppliers 60 calendar days following the date of the contract award notification to request a debriefing.

Mandatory Requirement: Non-Competitive Procurement
• Organizations should employ a competitive procurement process to achieve optimum value for money. It is recognized, however, that special circumstances may require Organizations to use non-competitive procurement. Organization may utilize non-competitive procurement only in situations outlined in the exemption, exception, or non-application clauses of the AIT or other trade agreements. Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by an appropriate authority within the Organization.
**Mandatory Requirement: Contract Management**
- Procurements and the resulting contracts must be managed responsibly and effectively.
- Payments must be made in accordance with provisions of the contract. All invoices must contain detailed information sufficient to warrant payment. Any overpayments must be recovered in a timely manner.
- Assignments must be properly documented. Supplier performance must be managed and documented, and any performance issues must be addressed.
- To manage disputes with suppliers throughout the life of the contract, Organizations should include a dispute resolution process in their contracts.

For services, organizations must:

  o Establish clear terms of reference for the assignment. The terms should include objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements, and knowledge transfer requirements.
  o Establish expense claim and reimbursement rules compliant with the Broader Public Sector Expenses Directive1 and ensure all expenses are claimed and reimbursed in accordance with these rules.
  o Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

**Mandatory Requirement: Procurement Records Retention**
- For reporting and auditing purposes, all procurement documentation, as well as any other pertinent information must be retained in a recoverable form for a period of seven years.
- Organizations must have a written policy for handling, storing and maintaining the suppliers’ confidential and commercially sensitive information.

**Mandatory Requirement: Conflict of Interest**
- Organizations must monitor any conflict of interest that may arise as a result of the Members’ of the Organization, advisors’, external consultants’, or suppliers’ involvement with the Supply Chain Activities. Individuals involved with the Supply Chain Activities must declare actual or as set out in the *Broader Public Sector Accountability Act, 2010* (s.10) potential conflicts of interest. Where a conflict of interest arises, it must be evaluated and an appropriate mitigating action must be taken.

**Mandatory Requirement: Bid Dispute Resolution**
- Competitive procurement documents must outline bid dispute resolution procedures to ensure that any dispute is handled in an ethical, fair, reasonable, and timely fashion. Bid dispute resolution procedures must comply with bid protest or dispute resolution procedures set out in the applicable trade agreements.