

## PROCUREMENT

Also see [A5-10 PROCUREMENT](#).

The organization complies with the mandatory requirements set forth in the Broader Public Sector (BPS) Procurement Directive.

### Summary of Mandatory Requirements:

These are summarized mandatory requirements. Please see BPS procurement directive link below for additional information.

#### 1. **Supply Chain Code of Ethics**

##### 1.1 *Personal Integrity and Professionalism:*

- Individuals involved must act, and be seen to act, with integrity and professionalism

##### 1.2 *Accountability and Transparency:*

- Contracting and purchasing activities must be fair, and transparent

##### 1.3 *Compliance and Continuous Improvement:*

- must comply with supply chain code of ethics and the laws of Ontario and Canada

#### 2. **Procurement Policies and Procedures**

##### 1.1 *Segregation of Duties:*

- must segregate at least 3 of the 5 functional procurement roles:
  - 1.1.1 Requisition
  - 1.1.2 Budgeting
  - 1.1.3 Commitment
  - 1.1.4 Receipt
  - 1.1.5 Payment

##### 1.2 *Approval Authority:*

- 1.2.1 Goods and Non-Consulting Services

<b>Procurement Approval Authority Schedule for Goods and Non-Consulting Services</b>		
<b>Procurement Method</b>	<b>Procurement Value</b>	<b>Approval Authority</b>
Invitational competitive procurement (minimum of three suppliers are invited to submit a bid)	\$10,000 up to but not including \$100,000	Appropriate SMD group
Open competitive process	\$100,000 or more	Appropriate SMD group
Non-Competitive	\$0 up to but not including \$1,000,000	Chief Executive Officer
<b>Exemption – based only</b>	\$1,000,000 or more	Board of Directors

- 1.2.2 Consulting Services: The provision of expertise or strategic advice that is presented for consideration and decision-making

- Any procurement of consulting services must be approved by appropriate approval authority prior to commencement

<b>Procurement Approval Authority Schedule for Consulting Services</b>		
<b>Procurement Method</b>	<b>Procurement Value</b>	<b>Approval Authority</b>
Invitational Competitive or Open Competitive	\$0 up to but not including \$100,000	Appropriate SMD group
Open Competitive	\$100,000 or more	Appropriate SMD group
Non-Competitive	\$0 up to but not including \$1,000,000	Chief Executive Officer
<b>Exemption – based only</b>	\$1,000,000 or more	Board of Directors

### 1.3 Competitive Procurement Thresholds:

<b>Consulting Services</b>		
<b>Procurement Method</b>	<b>Procurement Value</b>	<b>Recommended/Required</b>
Invitational Competitive or Open Competitive	\$0 up to but not including \$100,000	Required
Open Competitive	\$100,000 or more	Required
<b>Goods, Non-Consulting Services and Construction</b>		
Invitational competitive procurement (minimum of three suppliers are invited to submit a bid)	\$10,000 up to but not including \$100,000	Recommended but Required as per PCC policy
Open Competitive process	\$100,000 or more	Required

### 1.4 Information Gathering:

- Request for information (RFI) or Request for Expression of Interest (RFEI) may be used

### 1.5 Supplier Pre-Qualification:

- The Request for Supplier Qualification (RFSO) used to pre-qualify supplier

### 1.6 Posting Competitive Procurement Documents:

- Open competitive procurements must be made through an electronic tendering system that is readily accessible by all suppliers

### 1.7 Timelines for Posting Competitive Procurements:

- 15 calendar days for procurements of goods and services valued at \$100,000 or more.
- 30 calendar days for procurements of high complexity, risk, and/or dollar value

### 1.8 Bid Receipts:

- Bid submission date and closing time must be clearly stated

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**1.9 Evaluation Criteria:**

- Evaluation criteria must be developed, reviewed and approved by an appropriate authority prior to commencement of the competitive procurement process

**1.10 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

**1.11 Evaluation Team:**

- Competitive procurement processes require an evaluation team responsible for reviewing and rating the compliant bids

**1.12 Evaluation Matrix:**

- Each evaluation team member must complete an evaluation matrix, rating each of the submissions

**1.13 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

**1.14 Non-Discrimination:**

- Must not discriminate or exercise preferential treatment in awarding a contract to a supplier as a result of a competitive procurement process

**1.15 Executing the Contract:**

- Written contract must be signed before the provision of supplying goods or services commences

**1.16 Establishing the Contract:**

- The contract must be finalized using the form of agreement that was released with the procurement documents

**1.17 Termination clauses:**

- All contracts must include appropriate cancellation or termination clauses

**1.18 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

**1.19 Contract Award Notification:**

- Procurements valued at \$100,000 or more, contract award notification must be posted in the same manner as the procurement documents were posted

**1.20 Supplier Debriefing:**

- Must inform all unsuccessful suppliers about their entitlement to a debriefing and allow 60 calendar days following the date of the contract award notification to request a debriefing

**1.21 Non-Competitive Procurement:**

- Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by Chief Executive officer

**1.22 Contract Management:**

- Procurements and the resulting contracts must be managed

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- responsibly and effectively
- 1.23 *Procurement Records Retention:*
- All procurement documentation, as well as any other pertinent information must be retained in a recoverable form for a period of seven years
- 1.24 *Conflict of Interest:*
- Must declare actual or potential conflicts of interest. Where a conflict of interest arises, it must be evaluated and an appropriate mitigating action must be taken
- 1.25 *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

Refer to the **Ministry of Government and Consumer Services on Procurement of Goods, Services and Consulting Services** for best practices and documentation guidelines

Also see:

- [A5-20 PURCHASING GOODS](#)
- [A5-25 PURCHASING SERVICES](#)
- [A5-30 PURCHASING LEASES](#) and
- Ontario Broader Public Sector Procurement Directive at: [https://www.doingbusiness.mgs.gov.on.ca/mbs/psb/psb.nsf/Attachments/001-BPS\\_Procurement\\_Directive/\\$FILE/BPS\\_Procurement\\_Directive.pdf](https://www.doingbusiness.mgs.gov.on.ca/mbs/psb/psb.nsf/Attachments/001-BPS_Procurement_Directive/$FILE/BPS_Procurement_Directive.pdf)

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