

	Policy # FA3.003
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POLICY:

Community Living Trent Highlands (CLTH) will, at all times, adhere to the procurement procedures when obtaining goods and services to ensure alignment with legislation and ethical practices. And to:

- ensure that publicly funded goods and services, including construction, consulting services, and information technology are acquired by CLTH through a process that is open, fair, and transparent.
- outline responsibilities of CLTH throughout each stage of the procurement process; and
- ensure that procurement processes are managed consistently throughout CLTH.

PROCEDURES:

These procedures are based on the five key principles that allow CLTH to achieve value for money while following a procurement process that is fair and transparent to all stakeholders:

- **Accountability**
CLTH must be accountable for the results of their procurement decisions and the appropriateness of the processes.
- **Transparency**
CLTH must be transparent to all stakeholders. Wherever possible, stakeholders must have equal access to information on procurement opportunities, processes, and results.
- **Value for Money**
CLTH must maximize the value they receive from the use of public funds. A value-for-money approach aims to deliver goods and services at the optimum total life cycle cost.

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- **Quality Service Delivery**
Front-line services provided by CLTH, such as personal supports to people, must receive the right product, at the right time, in the right place.
- **Process Standardization**
Standardized processes remove inefficiencies and create a level playing field.

SUPPLY CHAIN CODE OF ETHICS (CODE)

The Code does not supersede codes of ethics that CLTH has in place but supplements such codes with supply chain-specific standards of practice. The policy intent is to establish that the conduct of all Members of an Agency involved with Supply Chain Activities must be in accordance with the Code. The Code must be made available and visible to all Members of the Agency, as well as suppliers and other stakeholders involved with Supply Chain Activities.

Ontario Broader Public Sector (BPS) Supply Chain Code of Ethics

Goal: To ensure an ethical, professional, and accountable BPS supply chain.

I. Personal Integrity and Professionalism

Individuals involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care, and due diligence must be integral to all Supply Chain Activities within and between CLTH, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

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II. Accountability and Transparency

Supply Chain Activities must be open and accountable. Contracting and purchasing activities must be fair, transparent, and conducted with a view to obtaining the best value for public money. All participants must ensure that public sector resources are used in a responsible, efficient, and effective manner.

III. Compliance and Continuous Improvement

Individuals involved with purchasing or other Supply Chain Activities must comply with this Code of Ethics and the laws of Canada and Ontario. Individuals should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.

1. Mandatory Requirement #1: Segregation of Duties

Agencies must segregate at least three of the five functional procurement roles: Requisition, Budgeting, Commitment, Receipt and Payment. Responsibilities for these roles must lie with different departments or, at a minimum, with different individuals. Where it is not feasible to segregate these roles, i.e., for smaller Agencies, adequate compensating controls approved by an external auditor must be put in place.

Procurement Roles

Functional Role	Responsibility	Accountable party
Requisition	Authorize that an order be placed.	Systems Manager, Director of Corporate Services
Budgeting	Authorize that funding is available to cover the costs of the order.	Executive Director/Board of Directors
Commitment	Authorize release of the order to the supplier under agreed contract terms.	Director of Corporate Services
Receipt	Authorize that the order was physically received, correct and complete.	Property Coordinator/Program manager
Payment	Authorize release of payment to the supplier.	Executive Director/Board of Directors

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2. Mandatory Requirement #2: Approval Authority

2.1. Goods and non-consulting services

Agencies must establish an approval authority schedule (AAS) for procurement of goods and non-consulting services. The AAS must identify, for each of the functional procurement roles identified in procurement roles. The AAS must be approved by the board of directors of CLTH. Prior to commencement, any procurement of goods and non-consulting services must be approved by an appropriate authority in accordance with the AAS of CLTH. Prior to commencement, any non-competitive procurement of goods or non-consulting services must be approved by an authority one level higher than the AAS requirements for competitive procurement.

Commitment Approval Authority Schedule

Total Procurement Amount	Delegated purchasing authority
\$0 up to but not including \$3,500	Manager
\$0 up to but not including \$10,000	Manager Property & Systems
up to but not including \$10,000	Director
up to but not including \$25,000	Executive Director
\$25,000 or more	Board of Directors

Prior to commencement, any procurement of consulting services must be approved in accordance with the Procurement Approval Authority Schedule for Consulting Services below. Pursuant to Lobbyist Registration Act, 1998, CLTH will not procure services of consultant lobbyists from public funds.

Procurement Approval Authority Schedule for Consulting Services

Procurement method	Procurement value	Approval Authority
Invitational competitive	\$0 to \$10,000	AAs appropriate employee
Open competitive	Any value	AAS appropriate employee
Non-competitive (Exemption based only)	up to \$25 000	Executive Director
	\$25000 and up	Board of Directors

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Agencies must not reduce the overall value of procurement (e.g., dividing a single procurement into multiple procurements) to circumvent the approval requirements of the organizational AAS or the Procurement AAS for Consulting Services.

3. Mandatory Requirement #3: Competitive Procurement Thresholds

CLTH must conduct an open competitive procurement process where the estimated value of procurement of goods or services is \$100,000 or more. The exemptions must be in accordance with the applicable trade agreements. Organizations must competitively procure consulting services irrespective of value. The exemptions must be in accordance with the applicable trade agreements.

Goods and Non-Consulting Services and Construction		
Total procurement value	Means of Procurement	Recommended/required
\$0 up to but not including \$100	Petty Cash or company credit card	Recommended
\$100 up to but not including \$4000	Company Credit card / invoice	Recommended
\$4000 up to but not including \$10,000	Purchase order/invoice	Recommended
\$10,000 up to but not including \$100,000	Invitational Competitive	Recommended
\$100,000 or more	Open Competitive	Required
Consulting Services		
Total procurement value	Means of Procurement	Recommended/required
\$0 up to but not including \$100,000	Invitational/open competitive	Required
\$100,000 or more	Open competitive	Required

Agencies must not reduce the overall value of procurement (e.g., dividing a single procurement into multiple procurements) to circumvent competitive procurement thresholds.

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4. Mandatory Requirement #4: 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.

Guidelines for Information Solicitation

An RFI or RFEI must be used for information gathering only and must not:

- Contain means of evaluation or comparing collected information.
- Result in the award of work
- Be used to pre-quality potential suppliers.
- Result in legal contract with a proponent. Care should be taken to avoid language that may create a commitment or liability on the part of CLTH.
- Require suppliers to provide proprietary information.

Information required	RFI	RFEI
General supplier or product information	X	
Information about supplier interest in opportunity		X
Information about supplier capabilities/qualifications		X

5. Mandatory Requirement #5: Supplier Pre-Qualification

The Request for Supplier Qualification (RFSQ) enables CLTH to gather information about supplier capabilities and qualifications to pre-qualify suppliers for an immediate product or service need or to identify qualified candidates in advance of expected future competitions. Terms and conditions of the RFSQ document must contain language that disclaims any obligation of CLTH to call on any supplier to provide goods or services because of pre-qualification.

5.1 The purpose of an RFSQ is to gather information about supplier capabilities and qualifications in order to narrow the field of potential suppliers for an immediate goods or services need or identify qualified suppliers in advance of expected future competitions. An RFSQ allows Organizations to reduce subsequent competitive

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procurement effort (e.g., bid preparation by the suppliers and evaluation by the Organization), as outlined below:

- i. An RFSQ can be used for the purpose of a single procurement — as the first pre-qualifying stage in a two-stage competitive procurement process (followed by either an RFP, RFT or RFQ), where only qualified suppliers are invited to participate in the second stage. This approach reduces the number of second-stage responses, which makes bid evaluation more manageable for the evaluators, while allowing unqualified suppliers to avoid the effort and expense of preparing a complete response.
- ii. A pre-qualified supplier list is usually created as a result of the RFSQ process identified above.
- iii. An RFSQ can be used to pre-qualify suppliers who are interested in supplying goods or services to the Organization during a specified time period in the future — if requested. An RFSQ used for this purpose should contain detailed specifications of goods or services to be supplied.
- iv. A Vendor Of Record (VOR) arrangement is usually created as a result of the RFSQ process identified above.
- v. An RFSQ should specify:
 - a. The type and specifications of goods or services to be provided with a necessary level of detail;
 - b. Upper limits of the value of future awards (for VOR arrangements — the ceiling price);
 - c. Time duration the pre-qualified supplier list or VOR arrangement will be valid;
 - The method(s) and time intervals by which additional suppliers can be placed on the list (for VOR arrangements); and
 - d. That any supplier who does not participate in the pre-qualification or does not appear on the list may be excluded from opportunities.

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5.2 This section outlines the key element of Vendor of Record (VOR) arrangements.

- i. Purpose and benefits CLTH may establish VOR arrangements with suppliers to:
 - Increase procurement process efficiency; and
 - Obtain consistent competitive prices for the identified goods and services.
- ii. VOR arrangements as a method of procurement for the purpose of the Directive, properly established, managed, and utilized VOR arrangements may be utilized as an open competitive method of procurement for individual procurements that do not exceed the ceiling price of the VOR arrangement.
- iii. VOR arrangements established by the Ontario Ministry of Government Services (MGS) The MGS has established VOR arrangements that are available to Organizations. Organizations may utilize VOR arrangements established by MGS to streamline the procurement process. A list of MGS-established VOR arrangements is published at: www.doingbusiness.mgs.gov.on.ca. To view VOR-related information, CLTH must register on the website as buyers. The MGS establishes VOR arrangements on an ongoing basis; Organizations are encouraged to visit the website regularly. When utilizing an MGS-established VOR arrangement, Organizations must follow the corresponding VOR User Guide provided by MGS.
- iv. Organization-specific VOR arrangements An Organization or group of Organizations may establish VOR arrangements where there is an identified need for common goods or services. A VOR arrangement must be utilized only by the Organization or group of Organizations that established this VOR arrangement. Prior to establishing a VOR arrangement, approval from an appropriate authority within CLTH must be received. The approval authority must be identified based on the total estimated value of procurement over the life of the VOR arrangement. Organizations must establish VOR arrangements through an open competitive procurement process. To ensure that Organizations obtain the optimum value for money from individual procurements under VOR arrangements, they must conduct a second-stage selection process. All VOR arrangements must identify methods of conducting the second-stage selection process based on dollar thresholds of a single procurement. Where the second stage of the selection process warrants invitation of only one supplier to submit a

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proposal, Organizations should evenly distribute individual procurement opportunities over time between the suppliers wherever feasible. VOR arrangements should be subject to regular contract management activities, including but not limited to monitoring and managing price, quality, and service cycles.

v. Establishing organization-specific VOR arrangements Organizations should establish VOR arrangement-related policies. These policies should include, among others, dollar thresholds at which VOR arrangements may be established, necessary approvals and second-stage supplier selection. A. Process of establishing a VOR arrangement Organizations should develop a standard process of establishing VOR arrangements. The process may include the following steps:

- Verify whether an MGS-established VOR arrangement for supplying the goods or services in question exists; if it does, utilize the arrangement where feasible.
- Identify business need for the VOR arrangement (based on frequency, volume, scope, etc.).
- Identify the ceiling price of the VOR arrangement — the dollar value of an individual procurement under the VOR arrangement above which the Organization must conduct procurement using a new open competitive process instead of the VOR arrangement; iv. Receive approval(s) from an appropriate authority; the authority should be identified based on total estimated spend expected to occur over the life of the VOR arrangement; v. Identify the process of conducting the second stage of the selection process, including the minimum number of suppliers to be invited to participate in the second-stage selection process based on dollar thresholds of the procurement.
- Conduct an open competitive procurement process to establish the VOR arrangement (RFSQ) in accordance with Section 10.3.3.3.1 of this Guidebook. This may include:
 - Collecting information related to product, market trends and internal demand.
 - Identifying parameters, specifications and applicable standards of goods and services to be provided under the VOR arrangement.

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- Determining the terms and conditions of the master agreement (seek legal advice as necessary)
 - Identifying the term and possible extensions of the VOR arrangement (see sub-section B);
 - Identifying when an open competitive process directed at adding new suppliers to the VOR arrangement list will be held, where applicable.
 - Identifying a market-driven mechanism of price modification for specific commodities or services (e.g., fuel) over the term of the VOR, where appropriate.
 - Identifying criteria and processes to utilize when selecting suppliers for the VOR list.
 - Determining whether suppliers are required to obtain proof of insurance to provide goods or services and at what stage of the selection process the proof would be required;
 - Drafting competitive procurement documentation (ensure that the documentation specifies that submission of a response to RFSQ or placement on the VOR list does not guarantee award of work or a supply contract);
 - Obtaining all necessary approvals to post the RFSQ document; • Posting competitive procurement documents; • Collecting supplier submissions;
 - Evaluating the submissions and selecting the suppliers — vendors of record; and
 - Executing the form of agreement with the selected suppliers. vii. Develop the VOR user guide.
- vi. Second stage of the selection process CLTH must establish and document rules of conducting the second stage of the selection process. The method of the second-stage selection process should be determined based on the dollar value of procurement, including possible extensions. Typically, the second stage of selection under a VOR arrangement represents the invitational competitive procurement process. Organizations must establish a schedule that outlines the minimum number of suppliers to be invited to submit bids based on the dollar value of procurement. The table below provides an example of such a schedule. CLTH Where there are fewer members on the VOR list than in the schedule, all

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suppliers on the list must be invited to participate in the invitational procurement process.

Procurement Value	Minimum number of suppliers to be invited to the second stage selection
\$0 up to but not including \$25,000	1
\$25,000 up to but not including \$100,000	3
\$100,000 up to but not including \$250,000	5
\$250,000 up to the VOR ceiling price	7
More than the VOR ceiling price	Open competitive procurement

6. Mandatory Requirement #6: Posting Competitive Procurement Documents

Calls for open competitive procurements must be made through an electronic tendering system that is readily accessible by all Canadian suppliers.

The competitive procurement documents should include:

- Name, telephone number and location of the person to contact for information about the procurement documents. Suppliers should be cautioned that contacting any other person from CLTH regarding the competition may lead to their disqualification. Individuals within CLTH should also be cautioned against providing any information related to the procurement to a third party;
- Clear description of required goods or services. Goods or services must be described in generic and/or functional terms specific to the business needs. Where it is necessary to provide specifications in non-generic and/or non-functional terms, the specifications must set out the performance requirements in a manner that would not unfairly favour certain suppliers;
- Conditions that suppliers must meet before obtaining procurement documents, such as conflict-of-interest declarations, confidentiality agreements and non-disclosure agreements;
- Submission rules and other competitive procurement clauses to follow in order for a bid to be compliant. These may include bid format, language, number of copies to be submitted, attendance at a bidder's conference, etc.;

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- Process and time deadline for the submission of questions regarding the procurement documents, including a description of how the answers will be provided;
- Address and time deadline for bid submissions, including a caution that submissions received after the deadline will be returned unopened;
- Time, place and method of bid opening;
- Mandatory criteria (e.g., technical standards) that must be met. Competitive documents must clearly outline that submissions that do not meet the mandatory criteria will be disqualified;
- Full disclosure of the evaluation criteria (including weights), process and methodology to be used to assess submissions;
- Request for a list of subcontractors to be used to complete the procurement, where applicable. To ensure that the full responsibility for completing the contract rests with the primary supplier, Organizations may specify that the request is for information purposes only;
- Period of bid irrevocability (typically 120 days from closure of the competitive process);
- A statement that the procurement is subject to the AIT annex 502.4;
- Notice that any confidential information supplied to CLTH may be disclosed by CLTH where it is obliged to do so under FIPPA and/or PHIPPA, by an order of a court or tribunal, or otherwise required by law; and
- A draft form of agreement to be signed in the event of procurement award.

7. Mandatory Requirement #7: Timelines for Posting Competitive Procurements

Organizations must provide suppliers a minimum response time of 15 calendar days for procurement of goods and services valued at \$100,000 or more. Organizations must consider providing suppliers a minimum response time of 30 calendar days for procurements of high complexity, risk, and/or dollar value.

8. Mandatory Requirement #8: 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.

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Competitive documents that allow or require responses to be submitted in hard-copy format should identify bid opening information, including place, time and attendance.

The process for opening bids submitted in a hard copy format should be as follows:

- i. Stamp each bid, as it arrives, with the date, time, location, company name and contact information.
- ii. Open bids only after the closing time specified in the competitive documents has lapsed.
- iii. Ensure there is at least one witness to view the bid opening.
- iv. When opening the bids, follow the process outlined in the competitive documents.

9. Mandatory Requirement #9: 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.

Each competition will have criteria established that may have the following criteria as appropriate:

- Total cost of ownership, including price of product or service, taxes, other expenses.

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- Quality
- Quantity
- Transition costs
- Delivery
- Servicing
- Environmental considerations
- Experience
- Expertise
- Financial capacity of supplier to meet procurement requirements.

An evaluation team that signed non-disclosure and confidentiality agreement and a conflict-of-interest form will evaluate using a predetermined point system. Wherever possible the scoring matrix will be determined prior to the start of procurement.

9. Mandatory Requirement #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. Competitive procurement documents must state that submissions that do not meet the mandatory criteria will be disqualified.

10. Mandatory Requirement #11: 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.

11. Mandatory Requirement #12: 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.

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12. Mandatory Requirement #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. All submission evaluation details must be kept confidential.

13. Mandatory Requirement #14: Non-Discrimination

Organizations must not discriminate or exercise preferential treatment in awarding a contract to a supplier because of a competitive procurement process.

Discriminatory procurement practices

Organizations must not differentiate between suppliers, or goods or services based on geographic location in Canada.

Organizations must not adopt or maintain any forms of discrimination based on the province of origin of goods, services, construction materials or the suppliers of such goods, services, or construction materials in their procurement practices.

Discriminatory procurement practices include, but are not limited to, the following:

- Registration requirements and restrictions on calls for bids based upon the location of a supplier and its subcontractors, or the place where the goods or services are produced and, generally, qualification procedures that discriminate between suppliers by province of origin.
- The biasing of specifications in favour of, or against, a particular good or service for the purpose of circumventing the Directive;
- The timing of bid opening and closing dates so as to prevent qualified suppliers from submitting bids;
- The specification of quantities and delivery schedules of a scale and frequency that may reasonably be judged as deliberately designed to prevent qualified suppliers from meeting the requirements of the procurement;

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- The division of required quantities or the diversion of budgetary funds to subsidiary organizations in a manner designed to circumvent the requirements of this section;
- The consideration, in evaluating bids, of provincial or local content or economic benefits that favour a supplier or good;
- The giving of preference to selected bids after bids have been submitted and without any mention of the intended preference in the competitive procurement documents;
- The use of price discounts or preferential margins to favour certain supplier;
- The unjustifiable exclusion of a qualified supplier from bidding; and
- The requirement that a construction contractor or subcontractor use workers, materials or suppliers of materials originating from the Province where the work is being carried out.

Legitimate objectives Where it is established that a measure is inconsistent with sub-section 1 – Discriminatory procurement practices, that measure is still permissible where it can be demonstrated that:

- The purpose of the measure is to achieve a legitimate objective;
- The measure does not operate to impair unduly the access of persons, goods, services or investments of a Province that meet that legitimate objective; and
- The measure is not more trade restrictive than necessary to achieve that legitimate objective. For the purpose of this policy “legitimate objective” means one of the following objectives:
 - Public security and safety;
 - Public order;
 - Protection of human, animal or plant life or health;
 - Protection of the environment;
 - Consumer protection;
 - Protection of the health, safety and well-being of workers; or
 - Affirmative action programs for disadvantaged groups.

14. Mandatory Requirement #15: Executing the Contract

The agreement between the CLTH and the successful supplier must be formally defined in a signed written contract before the provision of supplying goods or

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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.

15. Mandatory Requirement #16: 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 CLTH and the successful supplier must be defined formally in a signed written contract before the provision of supplying goods or services commences.

16. Mandatory Requirement #17: 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.

17. Mandatory Requirement #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. 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.

18. Mandatory Requirement #19: 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 CLTH was executed. Contract award notification must list the name of the successful supplier, agreement start and end dates, and any extension options.

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19. Mandatory Requirement #20: 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.

20. Mandatory Requirement #21: 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 documents.

Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by an appropriate authority within the Organization.

21. Mandatory Requirement #22: 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:

- Establish clear terms of reference for the assignment. The terms should include objectives, background, scope, constraints, employee responsibilities, tangible deliverables, timing, progress reporting, approval requirements, and knowledge transfer requirements.

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- 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.
- Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

As set out in the Broader Public Sector Accountability Act, 2010 (s.10)

22. Mandatory Requirement #23: 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.

23. Mandatory Requirement #24: 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 potential conflicts of interest. Where a conflict of interest arises, it must be evaluated, and an appropriate mitigating action must be taken.

24. Mandatory Requirement #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. Bid dispute resolution procedures must comply with bid protest or dispute resolution procedures set out in the applicable trade agreements.