

**ADMINISTRATIVE PROCEDURE 515**

**Purchasing and Tendering**  
**Administrative Procedure Manual**

# Purchasing and Tendering

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## **Background**

The Renfrew County District School Board believes in the wise use of resources, hence in purchasing competitively and seeking maximum educational value for every dollar expended, consistent with good purchasing practices.

This administrative procedure applies to all persons of the Renfrew County District School Board who acquire goods and/or services on behalf of the Board. This includes all departments, schools, **schools funds**, school councils, and any other related organizations as they may apply.

Following this procedure enables the RCDSB to deal with suppliers in a fair, open and equitable manner and provide customers with the right item at the right time at the best price. Adherence to this procedure also enables the RCDSB to be accountable to taxpayers who are funding the education system.

The Purchasing Department is exempt from procuring for land purchases and the following licensed professionals: medical doctors, dentists, nurses, pharmacists, veterinarians, engineers, land surveyors, architects, accountants, lawyers, and notaries.

## **Supply Chain Code of Ethics**

In accordance with the Broader Public Sector Procurement Directive, the RCDSB has formally adopted a Supply Chain Code of Ethics as detailed below.

It is the intent that all employees and suppliers of the RCDSB will read, understand and adhere to the Supply Chain Code of Ethics at all times while conducting business with the RCDSB.

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

### **I. Personal Integrity and Professionalism**

All 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. All individuals involved with purchasing or other supply chain-related 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 BPS organizations, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded.

### **II. Accountability and Transparency**

Supply chain activities must be open and accountable. In particular, 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**

All individuals involved in purchasing or other supply chain-related activities must comply with this Code of Ethics and the laws of Canada and Ontario. All 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.

## **Types of Competitive Procurement**

### **I. Open Competitive Procurement**

Open competitive procurement is the contractual acquisition (purchase or lease) by the Organization of any good and/or service which enables all suppliers to compete in a fair and open environment.

Open competitive procurement ensures the highest level of fairness, impartiality, and transparency; it maximizes suitability and the value for money of the obtained goods and/or services.

### **II. Invitational Competitive Procurement**

Invitational competitive procurement is the contractual acquisition (purchase or lease) by the Organization of any good and/or service which enables some but not all suppliers to compete in a fair and open environment.

The Organization can conduct an invitational competitive procurement by inviting three or more qualified suppliers to submit written proposals to supply goods and/or services as specified by the Organization.

## **Methods of Competitive Procurement**

### **I. Request for Information (RFI)**

The Board will issue an RFI when the need is to gather supplier or product information ONLY. It is not used to pre-qualify a potential supplier or suppliers. This mechanism may be used when the Board is researching a contemplated procurement and has not yet determined what characteristics the ideal solution would have (e.g., a school desires a new phone system but is unsure of which features are most important and needs more information to understand what is available and what are the suppliers' capabilities).

### **II. Request for Expressions of Interest (RFEI)**

The Board will issue an RFEI when the need is to gather information ONLY, whether it be information on supplier interest in an opportunity or information on supplier capabilities/qualifications. It is not used to pre-qualify a potential supplier or suppliers. This mechanism may be used when the Board wishes to gain a better understanding of the capacity of the supplier community to provide the services or solutions needed.

### **III. Request for Supplier Qualifications (RFSQ)**

The Board will issue an RFSQ when the need is to gather information on supplier capabilities and qualifications, with the intention of creating a list of pre-qualified suppliers. This mechanism may be used either to identify qualified candidates in advance of expected future competitions or to narrow the field for an immediate need. While the intent of the RFSQ is to pre-qualify suppliers, the terms and conditions of the RFSQ must state that the Board makes no guarantee that they will call on any supplier as a result of the pre-qualification.

### **IV. Request for Proposal (RFP)**

The Board will issue a RFP when the need is to request suppliers to supply solutions for the delivery of complex goods, services or construction or to provide alternative options or solutions. It is a process that uses predefined evaluation criteria in which price is not the only factor.

### **V. Request for Tender (RFT)**

The Board will issue a RFT when the need is to request suppliers' bids to supply goods, services or construction based on stated delivery requirements, performance specifications, terms and conditions. An RFT usually focuses the evaluation criteria predominantly on price and delivery requirements. This document may also be called a Request for Quotation (RFQ) where the organization has described exactly what needs to be purchased and the evaluation is made solely on price.

### **Segregation of Duties**

Segregation of duties prevents any one person from controlling the entire procurement process and leads to an open, fair and transparent procurement process.

<b>ROLE</b>	<b>RESPONSIBILITY</b>	<b>ACCOUNTABLE PARTY</b>
Requisition	Entry of the purchase into the electronic financial system requesting an order for goods and/or services	Support Staff
Budget & Approval (approval related to purchase level)	Approval of the requisition ensuring budget is available	Principals, Managers, Assistant Managers, Superintendents
Commitment	Creation and release of a Purchase Order	Purchasing Department
Receipt	Confirmation that order was received, correct and complete	Individual Receiving the Order
Payment	Authorize release of payment to supplier	Accounts Payable, Finance Manager, Superintendent of Corporate Services

### **Exemptions and Exceptions to Competitive Procurement**

Before any purchasing contract is entered into, the Purchasing Department shall invite tenders, except where:

- a) the need is one of pressing emergency in which delay would be injurious to the Board's interest;
- b) there is only one available source of supply;
- c) only one or more manufacturers' products have, through evaluation, been deemed acceptable by the requisitioning department.

Should any employee, department, or school decide to not proceed with a competitive procurement for any reason outside of the three listed above, sound and substantial reasons must be formally documented to support and justify the decision. Said documentation must be forwarded to the Purchasing Agent and approved by the Superintendent of Corporate Services or Designate. All supporting data shall be retained by the office of the Purchasing Agent.

### **Consultant and Consulting Services**

Consultant is defined as a person or entity that under an agreement, other than an employment agreement, provides expert or strategic advice and related services for consideration and decision-making.

Consulting Services is defined as the provision of expertise or strategic advice that is presented for consideration and decision-making.

Consultants, adhering to the definition above, must be procured through a competitive process irrespective of value. A non-competitive procurement of consulting services may be allowed only under the following circumstances:

1. Non-Application of Trade Agreements. Where a non-application clause exists under the Agreement on Internal Trade or other trade agreement, as amended, the Board may apply this clause as the basis for conducting a non-competitive procurement.

2. Exceptions from Competitive Procurements. Where an exception clause exists under the Agreement on Internal Trade or other trade agreement, as amended, the Board may apply this clause as the basis for conducting non-competitive procurement.
  - a. Single Sourcing
  - b. Sole Sourcing

The Board must not conduct non-competitive procurement of consulting services without documenting the decision and obtaining the appropriate approvals.

### **Approval Authority Schedule for Consulting Services**

Prior to commencement, any procurement of consulting services must be approved in accordance with the Approval Authority Schedule for Consulting Services below.

<b>PROJECT COST</b>	<b>PROCEDURE</b>	<b>APPROVAL AUTHORITY</b>
Any Value	Open Competitive	Follow Purchase Limits Below
\$0.01-\$100,000	Invitational Competitive (Qualified Suppliers)	Follow Purchase Limits Below
\$0.01 - \$1,000,000	Non-Competitive (As per Articles 1 and 2 Specified in Consultant & Consulting Services)	Director
\$1,000,000.01 or More	Non-Competitive (As per Articles 1 and 2 Specified in Consultant & Consulting Services)	Director and Board of Trustees

### **Approval Authority Schedule for Goods and/or Services (Non-Consulting)**

**Purchase\* Limits for the Board (excluding Facility Services):**

<b>PURCHASE* COST</b>	<b>PROCEDURE **See Appendix B for Full Details</b>	<b>APPROVAL AUTHORITY</b>
\$0.01 - \$2,000	Experience or Verbal quotation	Vice-Principal, Supervisor, Department Head, Assistant Manager, Administrative Assistant
\$2,000.01 - \$35,000	A minimum of three (3) written quotations must be obtained and forwarded to Purchasing Department	Principal, Manager, Assistant Manager
\$35,000.01 - \$200,000	Publicly advertised competitive procurement	Superintendent, Director
\$200,000.01 - \$500,000	Publicly advertised competitive procurement	Director and Superintendent of Corporate Services
Over \$500,000.01	Publicly advertised competitive procurement	Board Notified

## **Approval Authority Schedule for Goods and/or Services (Non-Consulting) – Facility Services**

### **Purchase\* Limits for Facility Services Department ONLY.**

Due to the nature of the Facility Services projects, as well as the higher volume of purchases and purchase price, the Facility Services Department **ONLY** will be governed by the following purchase limits..

<b>PURCHASE* COST</b>	<b>PROCEDURE **See Appendix A for Full Details</b>	<b>APPROVAL AUTHORITY</b>
\$0.01 - \$2,000	Experience or Verbal quotation	Area Supervisor, Foreman, Accountant.
\$2,000.01 - \$10,000	A minimum of two (2) quotations, whether Experience, Verbal, or Written and must be documented	Area Supervisor, Foreman, Accountant. <b>MUST</b> also be approved by Facility Services Manager
\$10,000.01 - \$50,000	A minimum of three (3) written quotations must be obtained and forwarded to Purchasing Department	Facility Services Manager
\$50,000.01 - \$200,000	Publicly advertised competitive procurement	Superintendent
\$200,000.01 - \$500,000	Publicly advertised competitive procurement	Director and Superintendent of Corporate Services
Over \$500,000.01	Publicly advertised competitive procurement	Board Notified

*\*Purchase is defined as a single purchase or multiple purchases related to one project or location. Purchases are not to be separated into smaller purchases as a means to circumvent the requirements under the purchasing limits.*

## **Procedures**

### **1. General**

- 1.1 The Purchasing Department shall be responsible for the overall competitive procurement process for the Board. Competitive procurement is the contractual acquisition (purchase or lease) by the Board for assets of any kind, whether goods or services, enabling all qualified and/or deemed responsible vendors to compete in a fair and open process to ensure impartiality and transparency in the procurement process.
- 1.2 The primary goal of the Purchasing Department is to ensure that all required goods and/or services are acquired in a timely fashion, at the correct quantity, quality and price and are procured in a professional manner that adheres to Board policies and procedures, the BPS Procurement Directive, the Education Act, the BPS Expenses Directive, and all other legislated areas as they apply.
- 1.3 All procurement activities will comply with legislation and agreements applicable to school boards and other public sector agencies. These include, but are not limited to, the following:
  - 1.3.1 Agreement on Internal Trade,
  - 1.3.2 Ontario-Quebec Trade and Cooperation Agreement,

- 1.3.3 North American Free Trade Agreement,
  - 1.3.4 Canadian Law of Competitive Processes and Contract Law,
  - 1.3.5 Freedom of Information and Protection of Privacy Act,
  - 1.3.6 Municipal Freedom of Information and Protection of Privacy Act; and
  - 1.3.7 Accessibility for Ontarians for Disabilities Act.
- 1.4 In accordance with Section 217 of the Education Act, as amended, the Board will not purchase goods and/or services from employees, with the exception of books and teaching or learning materials of which the employee is an author and the only compensation received is in the form of a fee or royalty.
- 1.5 The Board will not conduct business with any supplier who is currently in litigation against the Board.
- 1.6 All members of the Board must refrain from any discrimination or preferred treatment in awarding a contract.
- 1.7 All documentation pertaining to any competitive procurement will be kept by the Board for seven (7) years.
- 1.8 The Board requires that any individual; employees, advisors, external consultants, or suppliers, must declare all actual or potential conflicts of interest.
- 1.9 When public advertisements are required, the general practice shall be to advertise across the County.
- 1.10 Commitments against budgets are the responsibility of the persons having budget jurisdiction. The specific authority to issue a purchase order in the name of the Board is delegated to the Purchasing Agent by the Director of Education.
- 1.11 With the exception of emergency orders, all orders that require an extended amount of time for delivery must be entered and forwarded to Purchasing by April 30<sup>th</sup> of each year. All non-emergency orders must be entered and forwarded to Purchasing by May 31<sup>st</sup> of each year. Subsequent purchases under normal circumstances will be charged against the next year.
- 1.12 Local suppliers shall be given the opportunity to submit quotations, where applicable. If service, quality and price are considered equal, priority for the order shall be first with the vendor whose place of business is within the County of Renfrew.
- 1.13 The Board will take advantage of all cash discounts from vendors with the exception of discounts being offered via a RCDSB employee family member, for example a Wal-Mart employee discount.
- 1.14 The Board will take advantage of all early payment discounts.
- 1.15 The Board will enforce the Blackout Period after all tender closings. The Blackout Period is the length of time from the date and time of the tender closing until an award has been announced.
- 1.16 When a contract is awarded to other than the lowest bidder, sound and substantial reasons for the award must be documented by the Purchasing Agent and approved by the Superintendent of Corporate Services or designate. The Purchasing Agent shall keep a record of tenders and quotations received and, where other than the lowest is accepted, supporting data shall be retained by the office of the Purchasing Agent.

- 1.17 Wherever in the organization it is proposed to have equipment left on approval, it should be cleared through Purchasing.

## 2. Process

When a competitive procurement is posted:

- 2.1 The Board will utilize an electronic tendering system, which is equally accessible to all suppliers.
- 2.2 A minimum response time of fifteen (15) days must be allowed for and stipulated in the competitive procurement document. The Board will consider providing a longer response time for procurements of higher complexity, risk, and/or dollar value.
- 2.3 The closing date of said procurement will be set for anytime from 9:00:00am to 4:00:00pm on any workday (Monday to Friday), excluding Provincial and National holidays.
- 2.4 It must be stipulated in the procurement document that any submissions received after the closing date and time, according to the date and time stamp clock of the RCDSB receptionist, will not be considered and will be returned to the bidder, unopened.
- 2.5 It must be stipulated in the procurement document what constitutes an allowable expense and how it shall be charged and invoiced. This is applicable to all competitive procurements (goods, services, consultants, and/or consulting services).
- 2.6 The evaluation criteria must be stipulated in the procurement document and the document must identify those criteria that are considered mandatory and any technical standards that need to be met. Once the procurement document has been approved and distributed, the evaluation criteria can only be altered or changed via an addendum.

Additionally, the procurement document must also stipulate the method to resolve a tie score.

- 2.7 Each member of an evaluation team must sign a conflict-of-interest declaration and a confidentiality agreement.
- 2.8 Each member of an evaluation team must complete an evaluation matrix rating each of the bidders and select only the highest ranking submission(s) that have met all the mandatory requirements as stipulated in the procurement document. The submission that receives the highest evaluation score and meets all mandatory requirements as set out in the procurement document must be declared the winning bid.

Should the above result in a tie score, the evaluation team must follow the method to resolve a tie score as stipulated in the procurement document.

- 2.9 The form of agreement or contract that must be signed between the Board and the successful bidder(s) must be stipulated in the procurement document. The stipulated form of agreement or contract must also state the appropriate cancellation or termination clauses.

Further, the written form of agreement or contract must be signed by both the Board and the successful bidder(s) before any construction commences or goods and/or services are provided.

Where an immediate need exists for goods and/or services, and the Board and the successful Bidder are unable to finalize the contract, an interim purchase order may be used. The justification for proceeding in this manner must be documented and approved by the appropriate authority.

- 2.10 The term of the resulting agreement or contract, the appropriate cancellation or termination clauses, and any options to extend said agreement or contract, must be stipulated in the procurement document and must also be included in the resulting form of agreement or contract.
- 2.11 The Board will post, in the same manner as the competitive procurement document was posted, the name(s) of the successful bidder(s) and the agreement or contract start and end dates, including any options for extension.
- 2.12 The procurement document must stipulate that all bidders submitting a bid are entitled to a debriefing. Bidders are allowed up to sixty (60) calendar days to request a debriefing.
- Further, the Board must inform all bidders of their entitlement to a debriefing in the award of agreement or contract notification letter.
- 2.13 The procurement document must stipulate the bid protest procedures.
- 2.14 The tender opening may be a public opening if so desired by the Board, but it is not required.
- 2.15 The tender opening shall take place in the Board Office shortly after the deadline for submission of tenders.
- 2.16 At least two individuals representing the Board must be present at the opening of the tender.
- 2.17 The tender opening will be conducted by the first person listed below (Presiding Officer), and in his/her absence by the next person present in order of succession:
- a) The Purchasing Agent
  - b) The Manager of Finance
  - c) The Superintendent of Corporate Services
- 2.18 The Presiding Officer shall announce **ONLY** the dollar amount of each tender. No further information will be announced until the Presiding Officer has reviewed the bid for compliance.

### **Cooperative Purchasing**

The Board will participate in tenders/contracts administered by cooperative purchasing agencies involving school boards and/or governmental agencies whenever it is in the best interest of the Board to do so.

### **Standing Orders**

A Standing Order is a Board Purchase Order issued to a vendor for a specific timeframe (usually the school year) with a specified dollar figure.

The Board will utilize Standing Orders for the procurement of supplies with a low dollar value, excluding standardized Board equipment and furniture.

### **Furniture and Equipment**

The Purchasing Department will post furniture and equipment catalogues as items are tendered. If procuring outside of the posted catalogues, the Purchase Limits and Approval Authority Schedule must be followed.

Legal Reference:

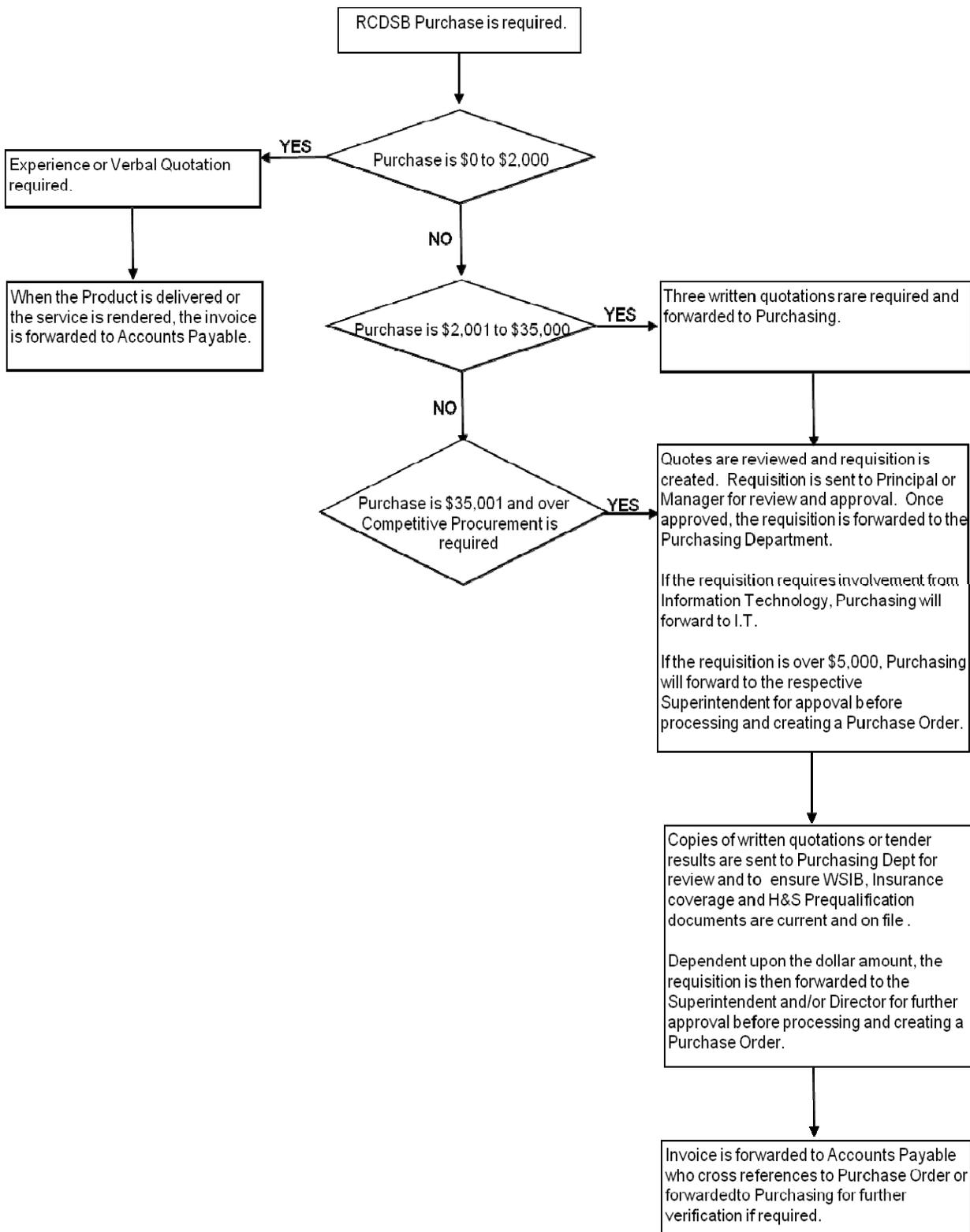
*Education Act, as amended*

*BPS Procurement Directive, July 2011*

*BPS Expenses Directive*

*Bill 122, Broader Public Sector Accountability Act, 2010*

**APPENDIX A**  
**PROCEDURE – BOARD (Excluding Facility Services)**



**APPENDIX B  
PROCEDURE – FACILITY SERVICES DEPARTMENT ONLY**

