



Title	Effective Date	Revision Date(s)	No. of Pages
NO. 300 PROCUREMENT	06/19/2007	October 2, 2012 October 7, 2015 December 2018	1 of 18

It is the policy of the Tri-County Regional Centre for Education that procurement of all goods, services, construction, and facilities shall be completed in an open, fair, consistent and transparent manner resulting in best value.

PROCEDURES under Policy 300

1.0 RESPONSIBILITY

- 1.1 It is the responsibility of the Director of Finance or Designate to ensure that this policy and procedures are implemented.
- 1.2 This policy applies to all Tri-County Regional Centre for Education staff involved in purchasing, recommending for purchase, or receiving; goods, services, construction or facilities.

2.0 DEFINITIONS AND DOCUMENTS

- 2.1 Definitions are noted in Appendix A of this document.
- 2.2 The TCRCE Procurement Policy shall adhere to the Education Act, Public Procurement Act, Province of Nova Scotia Policy on Sustainable Procurement, Atlantic Procurement agreement and other related provincial acts and policies.

3.0 GENERAL PROCEDURES

- 3.1 Where possible, Province of Nova Scotia Standing Offers as well as any standing offer established through other MASH (Municipalities, Academic Institutions, Regional Centres for Education, Hospitals) Sector entities and NSSBA Central Purchasing are to be used to procure goods and services. They are exempt from obtaining a minimum of three quotations and/or the RFX process. The standing offer number must be included on the purchase order.
- 3.2 A set of dollar-value thresholds shall determine what specific procurement procedures shall be followed. Splitting up of any one order into several smaller orders to stay below the assigned thresholds and/or authorized signing limits will be considered a violation of the Procurement Policy.

PROCEDURES under Policy No. 300 cont'd

3.0 GENERAL PROCEDURES ...CONTINUED

- 3.3** The Procurement Policy must be followed for all purchases in the name of the TCRCE, regardless of funding sources. Examples include all expenditures funded through donations, grants, fundraising, funding partners, outside organizations, etc. All TCRCE employees who have responsibility for the procurement of goods, services or construction must adhere to this policy. Failure to adhere may result in a temporary or permanent loss of procurement privileges or in more extreme cases result in disciplinary action and/or dismissal. TCRCE employees include without limitation: Procurement Analyst, each school Principal/Vice Principal, all Supervisors, Directors, Consultants, Coordinators, Managers and Requisition Entry Personnel (including their respective designates). All items purchased in the name of TCRCE or any of its schools or other TCRCE Offices/Sites are the property of the Tri-County Regional Centre for Education.
- 3.4** All Purchase Orders exceeding \$1,000 before HST, must be processed using the SAP computer system and released from the SAP system by the Procurement Analyst or designate.
- 3.5** All purchases with a value less than or equal to \$1,000 before HST can be processed on a manual Purchase Order. The Manual Purchase Order can be completed in Excel or by hand, approved by the principal, or other budget manager (or designate), then faxed or e-mailed to the vendor. Notwithstanding the points above, the Procurement Policy does not apply to the following contracts or expenditures: Employment Contracts, Student Travel, Student Yearbooks, Student Photographs, School Clothing (including team apparel), Municipal Utilities, and Insurance Premiums (while TCRCE is a member of the School Insurance Program (SIP)). With regard to the purchase of student travel, yearbooks, photographs and clothing; schools must ensure a competitive and open Procurement process is undertaken to maximize best value for students. Schools must ensure that ethical purchasing practices as outlined in Section 7 are complied with at all times.
- 3.6** Emergency purchasing is only used where there is an unforeseen occurrence and a material or service is required on an immediate basis. Emergency purchasing does not replace the need for proper planning. For orders greater than \$1,000, if an emergency arises during regular hours of operation, the user department shall notify the Procurement Analyst and the parties will work together to make the proper arrangements. If the emergency arises after normal hours of operation for a material or service vital to the functioning of the TCRCE, arrangements may be made by the user department and the Procurement Analyst must be notified at the start of the next business day. For both scenarios described above, a requisition will be entered by the user department at the first opportunity after the emergency has been dealt with.

PROCEDURES under Policy No. 300 cont'd

4.0 SIGNING AUTHORITY not including HST

The following are authorized by the TCRCE to approve purchase orders:

- Director of Finance or Designate or Regional Executive Director – No limit
Directors – Purchases \$10,001 or more
- Coordinators – Purchases up to \$10,000
- Budget Managers (including School Principals) – Purchases up to and including \$5,000.
- The Director of Finance (or designate) approves all Purchase Orders with a value of \$10,000 or greater in addition to the approval provided by the Director of the applicable budget area.

5.0 PURCHASING THRESHOLDS not including HST

5.1 Goods and Services

Up to \$5,000 before HST and shipping costs Authorized TCRCE personnel shall make every effort to obtain the best value for their money. Best value is interpreted as price, availability, quality, delivery time, practicality, after sale service and warranty. All documentation is to be kept together and forwarded to the Procurement Analyst or designate..

Greater than \$5,000 and less than \$25,000 before HST and shipping costs: A Purchase Requisition shall be forwarded to the Procurement Analyst or designate accompanied by a minimum of three (3) written quotations, unless there are not three (3) qualified suppliers available, or the service is available through an existing Government of Nova Scotia or TCRCE Specific Standing Offer. All documentation is to be kept together and forwarded to the Procurement Analyst or designate.

\$25,000 and Above: The High Threshold Procurement documents shall be posted on the PNS Procurement Web Portal by the Procurement Analyst unless available through an existing Government of Nova Scotia Standing Offer. A copy of the tender opening form shall be submitted to the Director of Finance or Designate for approval.

5.2 Construction

5.2.1 Up to \$10,000 before HST: Authorized School TCRCE personnel shall make every effort to obtain the best value for their money. Best value is interpreted as price, availability, quality, delivery time, practicality, after sale service and warranty. All documentation is to be kept together and forwarded to the Procurement Analyst or designate.

PROCEDURES under Policy No. 300 cont'd

5.0 PURCHASING THRESHOLDS not including HST ...continued**5.2 Construction ...continued**

- 5.2.2 Greater than \$10,000 and less than \$50,000 before HST): A requisition shall be forwarded to the Procurement Analyst or designate accompanied by a minimum of three (3) written quotations, unless there are not three (3) qualified suppliers available, or the construction is available through an existing Government of Nova Scotia or TCRCE Specific Standing Offer. All documentation is to be kept together and forwarded to the Procurement Analyst.
- 5.2.3 \$50,000 & Above: Construction requirements with an estimated value in excess of \$50,000 shall be posted on the PNS Procurement Web Portal. A copy of the Tender Opening Form shall be submitted to the Director of Finance or designate for approval.

6.0 PROCESSES AND RESPONSIBILITIES OF STAFF**6.1 The Initiator of a purchase shall:**

- 6.1.1 Prepare a purchase requisition in SAP detailing all required information.
- 6.1.2 Release the requisition in SAP to allow the Procurement Analyst or designate to convert the requisition to a Purchase Order and seek approval from an Authorized Budget Manager.
- 6.1.3 An authorized Budget Manager is a staff member who has been designated as such by the Regional Executive Director or a Director for authorization and responsibility for one or more budget cost centres/funds/functional area combinations. Refer to section 4 for more information.

6.2 The Authorized Budget Manager (or designate) shall:

- 6.2.1 Review the PO within SAP by accessing it through ESS (Employee Self Service) utility.
- 6.2.3 Determine if there are sufficient funds in the remaining budget.
- 6.2.4 If in agreement, approve the PO in ESS.
- 6.2.5 Ensure the PO is coded with the correct budgeted GL fundcentre, fund and functional area.

6.3 For all purchase requisitions received, the Procurement Analyst (or designate) shall:

- 6.3.1 Review the purchase requisition to ensure it is has been completed properly.
- 6.3.2 Determine the procurement method by referencing purchasing threshold guidelines in this policy (sole source, standing offer, three quotes, tender or RFP). Determine what vendor shall be used.

PROCEDURES under Policy No. 300 cont'd

6.0 PROCESSES AND RESPONSIBILITIES OF STAFF ...continued**6.3 For all purchase requisitions received, the Procurement Analyst (or designate) shall ...continued**

- 6.3.3 Confer with Budget Manager to ensure the cost is acceptable.
- 6.3.4 Process the purchase requisition form by converting it to a purchase order number in SAP.
- 6.3.5 Review purchase order and check for accuracy and ensure proper budgetary approval has been supplied in ESS.
- 6.3.6 Proceed with purchase by releasing purchase order from ESS to the supplier offering best value.
- 6.3.7 Ensure authorized signature is obtained and displayed on the PO document.
- 6.3.8 Distribute purchase order copies to vendor and the requisitioner

6.4 Upon receipt of goods/services, the Authorized Budget Manager (or designate, in most cases the Requisitioner) shall:

- 6.4.1. Check goods received/service(s) provided for completeness, condition, compliance with purchase order, etc.
- 6.4.2 Perform Goods Receipt in SAP for regular Purchase Orders or provide a signature on the Invoice for work related to Framework Orders indicating goods and services were received. Send the signed document to Accounts Payable for processing.

6.5 Accounts Payable staff shall:

- 6.5.1 Match purchase order and signed supplier invoice or SAP Goods Receipt record; if no match exists, send to the Procurement Analyst or designate for investigation.
- 6.5.2 If all matches, apply payment data to appropriate account in TCRCE's financial system;
- 6.5.3 Issue cheque or EFT to supplier; and
- 6.5.4 File documentation

7.0 RFX DOCUMENT TYPES

Note: High Threshold Purchasing documents are prepared by the Procurement Analyst.

- 7.1 High Threshold Purchasing documents** are used for purchases detailed in higher value portions of section 5.0 above. Request for X (RFX) Documents may appear in several different formats including the following: Tender, Request for Proposal (RFP), Request for Construction (RFC), Request for Quotation (RFQ), Invitation to Quote (ITQ), Request for Standing Offer (RSO) and Request for Expression of Interest (REI).

PROCEDURES under Policy No. 300 cont'd**7.0 RFX DOCUMENT TYPES ...continued**

- 7.2 Tender:** Suppliers are invited to submit a sealed response (bid) in accordance with predefined criteria. The selection of the successful proposal is based on a number of factors as described in the tender documents.
- 7.3 Request for Proposal (RFP):** Used when a supplier is invited to propose a solution to a problem, requirement, or objective. Suppliers are requested to submit detailed proposals (bids) in accordance with predefined evaluation criteria. The selection of the successful proposal is based on the effectiveness, value, and price of the proposed solution. Negotiations with suppliers may be required to finalize any aspect of the requirement.
- 7.4 Request for Construction (RFC):** Used to publicly tender for a construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. When a supplier is invited to bid on a construction project the tender documents usually contain a set of terms and conditions and separate bid form that apply to that specific project. Suppliers are requested to submit a response (bid) in accordance with predefined criteria. The selection of the successful proposal is based on a number of factors as described in the tender documents. A request for construction usually does not include professional consulting services related to the construction contract, unless they are included in the specifications.
- 7.5 Invitation to Quote (ITQ) / Request for Quotation (RFQ):** An invitation to quote for goods or products with a minimum specification. Award is usually made based on the lowest price meeting the specification. An ITQ/RFQ does not normally, but may sometimes, include evaluation criteria.
- 7.6 Request for Standing Offer (RSO):** A public tender to provide commonly used goods or services. The term of the standing offer can vary in duration but will be clearly defined in the tender documents. RSOs may include evaluation criteria depending on the requirement. A TCRCE Standing Offer is usually covering a topic that is not specifically covered by the Provincial Standing Offer.
- 7.7 Request for Expression of Interest (REI):** The Request for the Expression of Interest is similar to the Request for Proposal and is sometimes referred to as a Pre-Qualification, where suppliers are invited to propose a solution to a problem. The REI, however, is only the first stage in the procurement process. Bidders responding to the REI will be short listed according to their scoring in the evaluation process. The short listed firms will then be invited to respond to a subsequent Request for Proposal. A REI does not normally include pricing as price is a key evaluation criteria used in the second stage RFP process.

PROCEDURES under Policy No. 300 cont'd

7.0 RFX DOCUMENT TYPES ...continued**7.8 General Preparation**

- 7.8.1 Staff requiring a RFX document shall provide the Procurement Analyst all specifications, plans, drawings, material lists, conditions and a suggested list of qualified vendors who can provide the goods or perform the required services. These documents must be provided to the Procurement Analyst a minimum of ten business days prior to the posting date. The Procurement Analyst shall then prepare the appropriate RFX documentation.
- 7.8.2 If the services of a professional consultant or firm with specialized skills and/or knowledge are required to develop specifications/architectural designs for the RFX document, the request must be provided to the Procurement Analyst a minimum of ten business days prior to the RFX being posted in order to ensure that a RFX request will be processed in time.
- 7.8.3 As a general rule, thirty to sixty calendar days will be required between the Procurement Analyst being notified of the RFX and the vendor starting construction work or supplying the goods/services.

7.9 Procurement Analyst's Role

- 7.9.1 RFX documents shall be posted on the Nova Scotia Procurement web portal (www.gov.ns.ca/tenders). Advertising in local newspapers shall be at the discretion of the Procurement Analyst or designate for the purpose of advising bidders who may not have access to the provincial government's web portal , e.g. snow plowing, garbage removal, surplus bus sales etc.
- 7.9.2 RFX documents shall use language which is common in the general field of the product or service being requested and any special terms shall be clearly defined. They shall clearly identify the requirements for procurement, the evaluation method, evaluation criteria based on the purpose and objectives of this administrative procedure, and the weights assigned to each criterion.
- 7.9.3 Escape clauses shall be included in multi-year contracts.
- 7.9.4 RFX Documents shall clearly state the FOB (Free on Board) terms and locations for deliveries.
- 7.9.5 RFX Documents shall clearly specify a date, time and location for closing of the tender or RFP.
- 7.9.6 Tenders, RFQs, RFCs, and RSOs will be posted on the PNS Procurement web portal for a minimum of ten (10) business days and RFPs and REIs will be posted on the PNS webportal for a minimum of fifteen (15) business days. The only exceptions are for emergency situations.

PROCEDURES under Policy No. 300 cont'd

7.0 RFX DOCUMENT TYPES ...continued**7.9 Procurement Analyst's Role ...continued**

- 7.9.7 RFX submissions shall be received in a sealed envelope directed to the Procurement Analyst with the assigned RFX number and the name of the bidder clearly visible on the exterior of the envelope. Fax or e-mail submissions shall only be accepted if indicated in the bid documents.
- 7.9.8 Upon receipt, sealed, faxed or e-mailed bids shall be date stamped and the time recorded by the Receptionist/Clerk. The Procurement Analyst (or designate) shall place it in a locked tender box ASAP at the Regional office.
- 7.9.9 RFX submissions received after the date and time specified for closing shall be recorded, but shall not be opened or considered further. They shall be returned unopened to the bidder.
- 7.9.10 A bidder's written request for withdrawal of a bid shall be accepted prior to the opening of the tenders. The withdrawn bids shall remain in the locked tender box until the closing date and time for the RFX opening. They shall be set aside unopened and shall not be considered further. The bids shall be returned unopened to the bidder.
- 7.9.11 RFX submissions shall be opened in public immediately after the closing date and time with a minimum of two Regional Centre for Education staff present. Reading of lump sum prices only shall take place at the tender opening.
- 7.9.12 RFX submissions shall be signed by an authorized representative of the company and witnessed. Unsigned bids shall be deemed incomplete and shall not be considered.
- 7.9.13 For RFX calls involving large purchases or contracts of a highly technical nature, a pre-tender meeting and/or site visit, as appropriate, may be scheduled for potential bidders to meet with end users to discuss requirements.
- 7.9.14 All inquiries from a potential bidder regarding a tender must be directed to the Procurement Analyst, who shall in turn, notify the individual requesting the RFX. The Procurement Analyst shall report the information back to the bidder.
- 7.9.15 After contracts have been awarded, bidders or any member of the public may request a listing of bidders and lump sum bid prices. All other tender documents and unit prices shall be subject to the provisions of the Freedom of Information Act and the Protection of Privacy Act.

PROCEDURES under Policy No. 300 cont'd

7.0 RFX DOCUMENT TYPES ...continued**7.9 Procurement Analyst's Role ...continued**

- 7.9.16 The Procurement Analyst shall review and tabulate the results of each tender as soon as possible after the opening of the RFX replies..
- 7.9.17 In the event that no bids were received, the Procurement Analyst may re-tender the requirements, time permitting, or obtain three (3) written quotations, after receiving approval from the Director of Finance or designate.
- 7.9.18 The Procurement Analyst shall use interviews with bidders, references, and/or consultants as necessary in order to clarify elements of a specific tender.
- 7.9.19 When analysis of the RFX results has been completed, the Procurement Analyst, after consultation with the requesting individual or department, shall forward their recommendation to the Director of Finance or Designate for approval.
- 7.9.20 When a decision has been made and the successful bidder has been notified in writing, the PNS Procurement web portal will be updated with the successful bidder, date of award and for tenders, the award amount (not unit prices).
- 7.9.21 After a RFX has been awarded, any extra work performed beyond the scope of the RFX must have approval by the original signing authority. Then the successful bidder will be issued a revised purchase order to cover the costs involved.
- 7.9.22 For service related RFXs, the recommended bidder must provide the TCRCE with a Clearance letter from the Workers' Compensation Board of NS and a Letter of Insurance prior to issuance of a purchase order.
- 7.9.23 The Procurement Analyst will ensure that RFX documents include or have attached the terms and conditions that govern the purchase of goods, services and construction. The TCRCE Terms and Conditions must be consistent with the Atlantic Terms and Conditions for the procurement of goods, services or facilities and the Construction Contract Guidelines developed in collaboration with the Construction Association of Nova Scotia (CANS) for the procurement of construction.
- 7.9.24 The Procurement Analyst will utilize proper recordkeeping and Records Retention procedures. Documents are to be electronically stored, where practical, including the use of key Procurement documents being stored against the PO record within SAP and on the Finance Drive. After contracts have been awarded, access to RFX documents is subject to the Freedom of Information and Protection of Privacy Act through the issuing department.

PROCEDURES under Policy No. 300 cont'd

7.0 RFX DOCUMENT TYPES ...continued**7.9 Procurement Analyst's Role ...continued**

7.9.25 At the request of a supplier who submitted a bid to a RFX, the Procurement Analyst shall conduct a supplier debriefing session to provide feedback. For Tenders, RFCs and RFQs, only the total bid prices are released. For other RFXs, information will be provided regarding how their submission compared to the criteria set out in the RFX document. There is to be no direct comparison on one RFX submission to another. If the supplier is not satisfied with the information provided in the debriefing, the supplier may file a complaint in accordance with the Supplier Complaint Process (SCP) as defined in the Public Procurement Act. The SCP is not a dispute resolution process, but rather is intended to handle supplier complaints and to improve faulty or misleading procurement processes. The SCP is an integral part of a fair and open Procurement Policy.

7.9.26 The Procurement Analyst shall endeavor to ensure proper communication with suppliers after the contract has been awarded. This shall include the following; Project Update Meetings for RFCs, (mainly conducted by Operations) Quarterly Update Meetings for multi-year contracts for Goods & Services to help ensure TCRCE receives the value that was pledged during the RFX process. The concept of Value Added will also be promoted and tracked.

8.0 EVALUATION OF BIDS

8.1 Depending on the nature of the RFX, bids shall be evaluated not only on the price, but also on safety, quality, service level, production location, product specifications, delivery, past performance, references, environmental considerations, warranty and the capability of the bidder to meet the criteria stated in the RFX document. When evaluating bids, evaluator(s) shall obtain best value.

9.0 CONFLICT OF INTEREST

9.1 Staff shall adhere to Policy # 791 re Conflict of Interest For Employees whenever involved in any aspect of procurement. TCRCE personnel must ensure their conduct in relation to Procurement activity is consistent with the "duties of public sector entity employees" in the public Procurement Act. This includes a request for removal from a Procurement Activity when a conflict of interest is perceived.

10.0 CONFIDENTIALITY OF INFORMATION

10.1 Until a decision has been made and the vendor has been notified by telephone or in writing that they have been awarded the business, all information received other than the bid price must be treated as "Confidential", and must not, under any circumstances, be divulged to any potential bidders. Confidential information should not be used for personal gain. Information given in the course of duty should be true and fair.

PROCEDURES under Policy No. 300 cont'd

11.0 WARRANTIES

- 11.1 In matters relating to warranties, the Procurement Analyst shall ensure the following elements are considered:
- 11.1.1 Vendors have clearly provided details of terms and conditions of warranties;
 - 11.1.2 End users are instructed to ensure preventive maintenance requirements are met;
 - 11.1.3 End users are instructed to check terms and conditions of warranties prior to affecting repairs;
 - 11.1.4 End users are instructed to utilize warranty coverage whenever possible.

12.0 ENVIRONMENTAL CONCERNS

- 12.1 In matters relating to environmental concerns, the TCRCE's Occupational Health and Safety Officer shall work in conjunction with the Procurement Analyst or designate to ensure the following elements are considered when goods and services are purchased or disposed of:
- 12.1.1 Product specifications and product future use do not pose any unnecessary environmental or personal risk.
 - 12.1.2 Materials are suitable for their intended environment.
 - 12.1.3 All employees using these materials are provided with the appropriate Material Safety Data Sheet(s) (MSDS) and proper personal protective equipment required for their use.
 - 12.1.4 All employees give proper adherence to Workplace Hazardous Materials Information System (WHMIS) documents and procedures.

13.0 ALTERNATIVE PROCUREMENT PRACTICES (APPs)

- 13.1 In order for the procurement process to balance the need for open, competitive opportunity with the demands of urgent or specialized circumstances, alternative procurement practices have been created. These are detailed in Appendix B of this document. These circumstances must be used only for purposes intended and not to avoid competition or used to discriminate against specific suppliers. All instances of APPs will be logged by the Procurement Analyst for future reference and maintained for audit purposes.

14.0 YEAR END PURCHASE REQUESTS

- 14.1 In order to ensure that a request will be processed prior to the fiscal year end, all requests (requisitions), should be received by the Procurement Analyst or designate by March 1 or any other date that would reasonably allow the item or service to be completed before year end, without creating an emergency situation.

PROCEDURES under Policy No. 300 cont'd

15.0 CELL PHONE/REQUESTS

- 15.1** All requests for smartphones must be authorized by the appropriate Director or Supervisor, then forwarded to the Coordinator of Finance, who shall ensure it is forwarded on to the vendor for processing.

16.0 PETTY CASH

- 16.1** In order to reduce the number of purchase orders created for minimal amounts, each school or the Regional office may maintain a petty cash account for small purchases, to a recommended maximum of \$300.00. A summary sheet with receipts attached and approved by the Principal or Director of Finance or Designate, shall be forwarded to the Accounts Payable office in Bridgewater for replenishment as required.

17.0 REGIONAL CENTRE FOR EDUCATION CREDIT CARDS

- 17.1** Under regular circumstances, and to be consistent with the other terms noted in this policy, normal credit card limits are \$5,000 maximum. Requests for higher limits must be submitted to the Coordinator of Finance, in writing and approved by the Coordinator of Finance and the Regional Executive Director.
- 17.2** Credit Cards shall be issued and authorized by the Director of Finance or Designate.
- 17.3** Credit Card holders are not to use the card for personal purchases. Credit card holders shall use the card only to purchase TCRCE goods & services within cardholder's limits, in accordance with the approved budget and/or within their area of responsibility.
- 17.4** Card holders are not to use the card for non-TCRCE related purchases and/or purchases for their personal property.
- 17.5** Credit Card holders shall ensure that all charges are approved and receipts forwarded to the Finance Department for timely payment, to avoid interest charges.
- 17.6** Purchases that are for the card holder's own travel expenses shall be reviewed and approved by the card holder's supervisor.
- 17.7** Banks require that credit cards not be in the name of the Regional Centre for Education but in the name of the individual in care of the TCRCE. Any cardholder must sign a credit agreement with the TCRCE.
- 17.8** Improper use of any card may result in disciplinary action and/or the revoking of credit card privileges.
- 17.9** The use of a credit card to obtain tangible items, for orders greater than \$1,000.00 should not be undertaken without prior consent of the Procurement Analyst. Splitting an individual transaction into smaller amounts to circumvent set limit is not permitted.

PROCEDURES under Policy No. 300 cont'd

18.0 GIFT CARDS

18.1 The purchase and use of gift cards should be avoided when possible. If they are used, the following must be followed:

- 18.1.1 Prior written approval from a Principal, Director or the Regional Executive Director
- 18.1.2 The amount is limited to \$50.00.
- 18.1.3 The user must provide a written log to indicate what the card was used for. This document must be kept on file for audit purposes.
- 18.1.4 Gift Cards are not to be used for the financial gain for staff/employees.

19.0 FORMS

All forms related to the purchasing process shall be available on the TCRCE website or via Finance Services staff.

20.0 TECHNOLOGY ORDERS

20.1 All technology items must be requested through the Technology Services Group under the Operations Department. Many items are on Standing Offers. Requests to purchase these items should be directed through the Manager of Technology. The Manager will ensure this policy is followed. This applies regardless of the value of the purchase. Examples include computers, laptops, servers, printers, projectors, tablets, software, Apple Product etc. The Technology Services Group will only support equipment obtained in this manner. The Technology Services group will ensure the proper specifications and standard are purchased and the equipment is configured to fit your needs before it is delivered to the appropriate end user location.

21.0 UNSOLICITED PROPOSALS

21.1 In order to promote innovation, TCRCE has defined a process to deal with unsolicited proposals. When an unsolicited proposal is received, the TCRCE may consider a range of options, including a pilot project, partnership, or other arrangement, that will be undertaken to assess the merit of the proposal as stated in the Province of Nova Scotia Guide to the Submission and Evaluation of Unsolicited Proposals. All unsolicited proposals must be authorized by the Director of Finance or designate or Regional Executive Director.

Appendix "A" ...continued

For the TCRCE Procurement Policy, the following definitions are provided.

Alternate Procurement Circumstances: The situations set out in the policy where a contract may be concluded absent a public RFX process.

Alternate Procurement Practices: Procurement conducted without a public tender

Authorized Budget Manager: Process in a situation where Alternative Procurement circumstances exist.

Best Value: Evaluating RFX submissions not only on purchase price and life cycle cost considerations, but also taking into account items such as environmental and social considerations, delivery, servicing, and the capacity of the supplier to meet other criteria as stated in the RFX documents.

Bid: A supplier response to a RFX notice to provide goods, services or construction.

CANS: Construction Association of Nova Scotia

Certificate of Liability Insurance: a document providing proof of coverage for various insurances. Normal minimum level requested by TCRCE from its on-site service providers is \$2 million dollars.

Competition Bureau of Canada: An independent law enforcement agency that ensures that Canadian businesses operate in a competitive manner.

Construction: The construction, reconstruction, demolition, repair, or renovation of a building, structure, road or other engineering or architectural work, excluding the professional consulting services related to the construction contract unless they are included in the procurement.

Construction Contract Guidelines: Standard instructions developed in consultation with the Construction Association of Nova Scotia that support construction RFX documents.

EECD: Education & Early Childhood Development, a department within the Provincial Government of Nova Scotia.

ESS: Employee Self Service, a portal where Purchase Orders are approved and released.

Evaluation Criteria: Evaluation criteria are the standards and measures used to determine how satisfactorily a proposal has addressed the requirements identified in an RFX opportunity. Once basic evaluation criteria are identified, it must be determined which criteria will be mandatory and which will be weighted/ranked.

Freedom of Information and Protection of Privacy Act: an act from the Province of Nova Scotia that ensures that public bodies are fully accountable to the public.

FOB: (*Free On Board*) is a term in international commercial law specifying at what point the seller transfers ownership of the goods to the buyer.

Framework Order: A PO type within SAP that allows for multiple payment postings against one line of the order. Used most often for services.

DEFINITIONS ...continued

Appendix "A" ...continued

Goods: Materials, furniture, merchandise, equipment, stationery, and other supplies required by the TCRCE for the transaction of its business and affairs and includes services that are incidental to the provision of such supplies.

Goods Receipt: The mechanism, within SAP, where confirmation that the items on a Purchase Order have been received.

GST: Goods and Services Tax, a federal sales tax applied to most goods and services purchased by TCRCE from outside Nova Scotia, New Brunswick and Newfoundland & Labrador.

HST: Harmonized Sales Tax, a combined federal and provincial sales tax applied to most goods and services purchased by TCRCE from sources within Nova Scotia, New Brunswick and Newfoundland & Labrador.

Life Cycle Costing: A type of analysis that goes beyond the purchase price and also considers the costs of items such as shipping and packaging, disposal of packaging, energy use, maintenance, warranty, parts and repairs, consumable supplies, disposal, training, etc.

Mandatory Criteria: Suppliers either meet or do not meet the criteria. A points system is not associated with mandatory criteria. Mandatory criteria are those elements that establish the basic requirement of the RFX.

MASH Sector: The term MASH Sector refers to publicly funded municipalities, academic institutions, school boards, and hospitals. The MASH Sector is responsible for following the procurement policies established by the Provincial government.

MSDS: Material Safety Data Sheet, a document that contains information on potential hazards and how to work safely with a chemical product.

PNS: Province of Nova Scotia

Procurement Activity: The acquisition of all goods, services or construction procured by purchase, contract, lease, or long-term rental.

Procurement Value: The value of the total contract excluding taxes but including all options whether exercised or not.

Procurement Web Portal: The public website, maintained by the Province of Nova Scotia, where TCRCE public tender notices are posted.

Public Advertisement: Advertising a public tender notice on the procurement web portal.

Public Procurement Act (PPA): An Act outlining the rules related to the procurement activity of all public sector entities in the Province of Nova Scotia.

DEFINITIONS ...continued

Appendix "A" ...continued

Purchase Order (PO): A written legal contract in a standard form to formalize a purchase transaction between TCRCE and a designated supplier. Purchase Orders are used to convey offers to suppliers and to accept offers from suppliers.

Purchase Requisition: The document, within SAP, initiated by an authorized employee, to signify the desire to purchase goods or services.

Quote: A statement or listing, from a supplier, of the price for goods, services or construction.

RFX (Request For X): Procurement for goods, services, or construction obtained through public advertisement. (See Section 5.0 for an outline of the various tools that can be used for public RFX.) RFX includes Tenders, Request for Proposals, Invitations to Quote, Requests for Quotations and any other applicable solicitation.

RFX Public Notice: Notice of intended procurement for goods, services, or construction obtained through public advertisement.

RFX Submission: A supplier response to a public RFX notice to provide goods, services or construction.

SAP: The Financial Management computer system that is used to maintain and track corporate financial information including most transactions within the SSRSB Procurement Process.

School Insurance Program (SIP): A not-for-profit entity that manages all aspects of property and casualty related insurance for the Regional Centres for Education/CSAP of Nova Scotia and the Nova Scotia Community College sites.

Services: Services required by the TCRCE for the transaction of its business and affairs, excluding services provided by an employee through a personal services contract.

TCRCE General Terms & Conditions: General instructions that support RFXs issued by TCRCE for goods, services and construction. (The term RFX is used to indicate the various types of procurement instruments as detailed in TCRCE Procurement Policy).

TCRCE Personnel: Refers to any person directly employed by the TCRCE or who is affiliated with the TCRCE as it relates to this policy.

Statutory Monopoly: Refers to an enterprise that in any relevant market has been designated by law or by governmental authority as the sole provider of a good or service.

Supplier: A person or company who, based on an assessment of that person's or company's financial, technical and commercial capacity is capable of fulfilling the requirements of procurement and includes a person or company who submits a RFX reply for the purpose of obtaining a contract.

Supplier Complaint Process (SCP): a process for dealing with formal complaints of business transactions as defined in the Public Procurement Act.

Appendix "A" ...continued

DEFINITIONS ...continued

Standing Offer: A standing offer is a contractual arrangement with a supplier to provide certain goods or services on an as required basis, during a particular "period of time," at a predetermined price or discount, generally within a predefined dollar limit.

Tender Opening Form: A TCRCE form used to record all bidders and the amount bid. This is signed by the Director of Finance before award takes place.

User Department: Any department, office, school, etc., whom compliance to this administrative procedure is required.

Value Added: A hard (tangible) or soft (potential) saving or cost avoidance from which TCRCE can benefit following an action on the supplier's part. The action could be reactive (TCRCE initiates the idea) or proactive (Supplier initiates the idea). They are normally tracked on a form used for this purpose and signed by both parties.

WHMIS: Workplace Hazardous Materials Information System, Health Canada's national hazard communication standard.

Workers Compensation Board of Nova Scotia: an organization helping to keep Nova Scotians safe and secure from workplace injury. A quarterly letter is issued to companies who are covered. These are tracked for all on-site service providers to SSRSB.

APPENDIX B

Alternative Procurement Circumstances

TCRCE personnel may use Alternative Procurement Practices for the procurement of goods, services or construction with no threshold restrictions in the following circumstances:

1. Where an unforeseen situation of urgency exists and the goods, service or construction cannot be obtained in time by means of open procurement procedures. Entities must ensure that inadequate planning does not lead to inappropriate use of this exemption.
2. Where goods or consulting services regarding matters of confidential or privileged nature are to be purchased and the disclosure of those matters through an open RFX process could reasonably be expected to compromise Boards confidentiality, cause economic disruption, or be contrary to the public interest.
3. In the absence of bids in response to an open or selective RFX, or when the bids submitted have been collusive, or not in conformity with the essential requirements of the RFX document.
4. For the procurement of goods intended for resale to the public.
5. For the procurement from the public body or non-profit organization
6. For the procurement of services of expert witnesses, specifically in anticipation of litigation or for the purpose of conducting litigation.

Where only one supplier is able to meet the requirements of a purchase, Alternative Procurement Practices may be used in the following circumstances:

1. To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative.
2. Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists.
3. For the procurement of goods or services, the supply of which is controlled by a supplier that is a statutory monopoly.
4. For the purchase of goods on a commodity market.
5. For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor.
6. For work to be performed on property by a contractor according to provision of a warranty or guarantee held in respect of the property of the original work.
7. For the procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study, or original development , but not for any subsequent purchases.
8. For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases.
9. For the procurement of original works of art
10. For the procurement of subscriptions to newspapers, magazines or other periodicals.
11. For the procurement of real property
12. For the repairs of equipment where it is not feasible or cost effective to ship the item to three sources to obtain a quotation.
13. For special single source situations due to remote geographic areas, suppliers busy due to reasonable demand or suppliers unable to meet requested time frames.