



Procurement Policy

Policy Directive

Date Approved: 03/11

Projected Review Date: 03/14

1.0 Procurement Procedures

1.1 Advertising

All tenders and RFPs valued at over \$100,000 will be advertised electronically. Additional advertising in other media will be at the discretion of the Manager, Purchasing Services. Any advertising for tenders and RFPs below this value will be at the discretion of the Manager, Purchasing Services.

1.2 Awarding a Contract

In awarding a contract, consideration will be given to the supplier's ability to perform the work. Other criteria that may be considered includes: past performance, references, price, operating costs, disposal costs, environmental factors, safety record and other criteria, as required. The lowest, or any, prices will not necessarily be accepted. When locality is part of the evaluation matrix, it shall be considered to a maximum weighting as defined by the Broader Public Sector Supply Chain Guidelines.

Where the lowest tendered bid that meets the required specifications is not recommended, the Manager, Purchasing Services will notify the Superintendent of Business and Treasurer of the reason for rejection of the lowest bid.

1.3 Bidder's Recourse

By contacting the Board's Manager, Purchasing Services or designate, unsuccessful bidders will have an opportunity for a debriefing session. This request must be received within the timeline identified per the Broader Public Sector Supply Chain Guidelines. The debriefing will provide a bidder with a critical review of the unsuccessful proposal/tender, and of what, in the opinion of the Board, were its particular strengths and weaknesses.

1.4 Claims or Possible Claims

The Hamilton-Wentworth District School Board will preclude a vendor bidding if the vendor has made a formal demand or otherwise put the Board on notice of a pending action or is involved in any actual litigation proceedings (excepting only construction lien demands, notices or proceedings) by or against or otherwise involving the Board. Once approved, the Manager, Purchasing Services will oversee the tender process, subject to the request for proposal.

1.5 Consulting Services

Refer to Administrative Memo Procurement of Consulting Services

1.6 Co-operative Purchasing

The Board may enter into co-operative Purchasing agreements with other public bodies providing their Purchasing policy adheres to the accepted public purchasing practices. In such cases, the Board may accept pricing obtained by other public bodies and will not be required to solicit independent pricing quotations or tenders.

1.7 Disclosure of Price

All vendors submitting bids and any interested persons shall be freely admitted to any public tender opening. The name of a successful bidder and the accepted price is public knowledge, once the award is made and a purchase order issued, the Board will make every effort to make this information available.

1.8 Disposal of Surplus

The Manager, Purchasing Services is responsible for the disposal of surplus and obsolete supplies and equipment. In accordance with Board guidelines, any such equipment is to be first offered to other schools and administrative offices within the Board. Surplus is to be re-located to other schools in the most cost effective manner possible.

The Manager, Purchasing Services will dispose of surplus from school closure in consultation with the Principal of the closing school and the Principal's Superintendent of Education. Remaining identified surplus may be made available to non-profit community groups or employees at no cost to the Board. Any surplus deemed scrap will be disposed of in an appropriate, environmentally friendly manner.

1.9 Emergency Purchasing

The Board has the authority to obtain goods and services in the most expedient manner, regardless of the amount, in the case of emergency. Emergencies are usually defined as circumstances or situations which may result in the shutdown of a school, have potential health or safety concerns, could result in undue financial loss or to prevent serious delays or further damage. When an emergency situation exists, completion of "Request for Single/Sole Source Purchase" must be completed in full and submitted with relevant documentation to Purchasing Services per the Broader Public Sector Supply Chain Guidelines.

1.10 Occupational Health and Safety Act

Suppliers and/or contractors must comply with the Occupational Health and Safety Act and its regulations. All employees and sub-contractors will have received health and safety training appropriate to their trade and will be able to provide proof.

1.11 Petty Cash

Not intended to circumvent Board policy.2.11

1.12 Pilot Programs

If a department/school wishes to participate in a pilot/demonstration program to test certain of the products in specific Administrative environments, the following must take place:

- Standard agreement to be formalized by the originator to include terms of agreement (list of products, title risk, termination, etc.) and duly authorized by the Appropriate Superintendent. All administrative pilots should incorporate (if feasible) a minimum of three vendors for comparison purposes.

1.13 Purchasing Card

Refer to Administrative Memo #B-3.

1.14 Records

The Purchasing Department will retain records as follows:

- Purchase Orders - 7 years (6 years plus current)
- Tenders/Quotations - 7 years (6 years plus current)
- Vendor Files - at Purchasing Department discretion

1.15 Registry of Suppliers

The Purchasing and Facilities Departments shall each maintain a registry of suppliers of materials and services required by their departments. A supplier may apply at any time to be added to the registry. All suppliers will be subject to the supplier application procedures of the Board prior to being included on the registry.

1.16 Request for Tender/Request for Proposal Process

To ensure the Board takes advantage of any potential savings from the competitive process, promotes fairness in the selection process, and helps safeguard the Board's interest, the Purchasing Department (under the direction of the Manager, Purchasing Services or designate) is responsible for the tendering process.

The Purchasing Department will distribute the bid document, receive bids, record bid information and forward all relevant information to the requisitioner. All tenders and proposals will remain sealed until the specified closing time.

All tenders/RFPs submitted must identify and comply with all specifications and be submitted within the time specified in the tender document. It is the bidder's responsibility to ensure that the tender is received before the deadline. Tenders submitted by facsimile will not be accepted. Late tenders will be returned unopened to the bidder.

Tenders must be legible, written in ink or typed, and must not be qualified by any statement that conflicts with the terms and conditions of the tender call. All tenders should be double-checked for accuracy and must be signed by an authorized representative. Submissions must be complete and include delivery dates and schedules as required in the terms and conditions.

Where practical, tenders will be opened in public by the Manager, Purchasing Services or designate, shortly after the closing time specified. If a tender is not opened in public, a summary of tender results will be made available. The lowest tender will not necessarily be accepted. The Board reserves the right to reject any or all bids submitted. The Board reserves the right to pre-qualify bidders.

Bidders who do not meet the mandatory bid requirements shall be disqualified. Bids that are unsigned, improperly signed, conditional, illegible, or obscure shall be regarded as disqualified and the bidder shall be notified.

1.17 Requisition Process and Limits

The following acquisition process indicates the methodology to be applied, by the Purchasing Department within the outlined source selection techniques, taking into consideration the following guidelines:

- More than \$50,000.00
- \$5,001.00 and up to (and including) \$50,000.00
- \$1,001.00 and up to (and including) \$5,000.00
- \$351.00 and up to (and including) \$1,000.00
- Zero (\$0) and up to (and including) \$350.00

Tender

Where it is estimated that goods and services will cost (in total value) over \$50,000.00, the Manager, Purchasing Services shall issue a Purchase Order based on the Purchasing Department completing the tender process.

3 Written Quotes

Where it is estimated that goods and services will cost (in total value) between \$5,001.00 and \$50,000.00, the Manager, Purchasing Services or designate, in consultation with the initiating Superintendent, Principal or Manager, shall obtain at least three (3) written quotes and issue a purchase order. If the authorized originator has previously acquired quotes, the quotes must be forwarded to the Purchasing Department for review and approval prior to the issuance of a Purchase Order.

3 Verbal Quotes

Where it is estimated that goods and services will cost (in total value) between \$1,001.00 and \$5,000.00 non-cumulative, and providing the item is a non-tendered product or service, three verbal quotes should be obtained and kept on file (for future reference if required) and a purchase order will be issued by the Purchasing Department after receipt of a requisition from the authorized originator. All capital purchases over \$1,001.00 (equipment, furniture, A/V equipment, computers, etc.) must be purchased with the issuance of a purchase order. This is due to the Ministry's reporting requirement of Tangible Capital Asset Acquisition.

Low Dollar Purchases

Where it is estimated that goods and services will cost (in total value) up to \$350.00, it should be processed directly through petty cash, following the petty cash procedure or using a p-card. A purchase order will not be issued. Where it is estimated that goods and services will cost (in total value) between \$351.00 and \$1000.00, (providing the item is a non-tendered product or service) it will remain at the discretion of the authorized originator and a purchase requisition may be issued.

If the Requisitioning Process and Limits are circumvented, Purchasing reserves the right to refuse the invoice from the supplier or return received invoice to the requisitioner for correct processing through FIS.

1.18 School Generated Funds

Refer to Administrative Memo #B-2.

1.19 Single Source

Single and sole sourcing shall be used in narrowly defined circumstances, as identified in the Broader Public Sector Supply Chain Guidelines. Completion of "Request for Single/Sole Source Purchase" must be completed in full and submitted with relevant documentation to Purchasing Services per the Broader Public Sector Supply Chain Guidelines.

1.20 Specifications

Specifications for required goods and services must be brief but detailed and include all necessary information to correctly identify the product required or to describe the function or service required. As much detail as possible must be submitted by the department requesting the item. It is desirable that specifications be close to standard products to avoid paying a premium for a special item.

Unless requesting a brand name without exception, two or more acceptable brand names, if possible, should be detailed. Any alternates submitted on a tender/proposal/quote must be adequately appraised to be certain that they are the equivalent to the brands specified.

Standard specifications are available from various industry and user sources. In the final analysis, it is the responsibility of the user to provide the Purchasing Department with sufficient detail for the preparation of the specifications.

The Purchasing Department reserves the right to issue an order to the supplier of their choice, provided any detailed specifications are honoured.

1.21 Workplace Hazardous Materials Information System (W.H.M.I.S.)

In accordance with the Workplace Hazardous Materials Information Systems' requirements, suppliers must submit current Material Safety Data Sheets (MSDS) for all "controlled" products. "Controlled" products must bear an appropriate W.H.M.I.S. label on each container. Refer to WHMIS regulations for specific wording and requirements.

1.22 Workplace Safety and Insurance Board

Suppliers and/or contractors shall comply and shall ensure that they and all sub-contractors (where applicable) are in compliance with the Workplace Safety and Insurance Board Act requirements. Contractors shall be held responsible for any sub-contractors where such are permissible by the Board. Refer to WSIB Policy and Procedure for specific wording and requirements.

2.0 Alignment to Other Board Policies and Procedures

- Partnership Policy 4.04
- Purchasing Card Administrative Memo #B-3
- School Generated Funds Administrative Memo #B-2
- Environment Policy
- Nutrition Policy
- Student Trip Policy 7.07
- Procurement of Consulting Services Administrative Memo