

Section: BPS Procurement Directive 25 Mandatory Requirements	Policy Number: 1A BP Overriding policy directions
Policy: Evaluation Process Disclosure	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: The purpose of the Directive is to ensure that publicly funded goods and services, including construction, consulting services, and information technology are acquired by BPS organizations through a process that is open, fair, and transparent; to outline responsibilities of BPS organizations throughout each stage of the procurement process; and to ensure that procurement processes are managed consistently throughout the BPS

Principles:

Accountability:

Organizations must be accountable for the results of their procurement decisions and the appropriateness of the processes.

Transparency:

CLB must be transparent to all stakeholder. Wherever possible, stakeholders must have equal access to information on Procurement opportunities, processes and results.

Value for Money;

CLB 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 lifecycle costs.

Quality Service Delivery:

Front-line services provided by CLB, such as teaching and people care, 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.

Mandatory Requirements

1. Segregation of Duties: BPS Policy #BPS 1
2. Approval Authority: BPS policy #BPS 2
3. Competitive Procurement Thresholds BPS policy #BPS 3
4. Information Gathering :BPS Policy #4
5. Supplier Pre-Qualification BPS Policy #5

6. Posting Competitive Procurement Documents BPS Policy #6
7. Timelines for Posting Competitive Procurements: BPS Policy #7
8. Bid Receipt: BPS Policy #8
9. Evaluation Criteria: BPS Policy #9
10. Evaluation Process Disclosure: BPS Policy #10
11. Evaluation Team: BPS Policy #11
12. Evaluation Matrix: BPS Policy #12
13. Winning Bid: BPS Policy #13
14. Non-Discrimination: BPS Policy #14
15. Executing the Contract: BPS Policy #15
16. Establishing the Contract BPS Policy #16
17. Termination Clauses: BPS Policy #17
18. Term of Agreement Modifications: BPS Policy #18
19. Contract Award Notification: BPS Policy #19
20. Supplier Debriefing: BPS Policy #20
21. Non-Competitive Procurement: BPS Policy #21
22. Contract Management: BPS Policy #22
23. Procurement Records Retention: BPS Policy #23
24. Conflict of Interest: BPS Policy #24
25. Bid Dispute Resolution: BPS Policy #25

**Community Living Burlington
Procurement Policies Abbreviations & Definitions**

Abbreviation	Definition
BPS	Broader Public Sector
CLB	Community Living Burlington
FIPPA	Freedom of Information & Protection of Privacy
RFEI	Request for Expression of Interest
RFI	Request for Information
RFP	Request for Proposal
RFQ	Request for Quotation
RFSQ	Request for Supplier Qualifications
RFT	Request for Tender
VOR	Vendor of Record

The Mission of Community Living Burlington is to enrich the quality of life and promote community integration of individuals who have a developmental disability.

3057 Mainway Drive Burlington, Ont. Telephone: 905-336-2225 Fax: 905-335-9919
Member of the United Way > Charitable registration # 10681 8826 RR0001

Community Living Burlington
Procurement Policies

Mandatory Requirements - Table of Contents	Policy #	Reviewed By	Review Date
Purposes & Principles			
Supply Chain Code of Ethics			
Abbreviations/Definitions			
Segregation of Duties	BPS 1	Judy Pryde	Feb.3.2022
Approval Authority for Procurement	BPS 2	Judy Pryde	Feb. 3 2022
Competitive Procurement Thresholds	BPS 3	Judy Pryde	Feb. 3 2022
Competitive Procurement Information Gathering	BPS 4	Judy Pryde	Feb. 3 2022
Supplier Pre-Qualification	BPS 5	Judy Pryde	Feb. 3 2022
Posting Competitive Procurement Documents	BPS 6	Judy Pryde	Feb. 3 2022
Timelines for Posting Competitive Procurements	BPS 7	Judy Pryde	Feb. 3 2022
Bid Receipt	BPS 8	Judy Pryde	Feb. 3 2022
Evaluation Criteria	BPS 9	Judy Pryde	Feb. 3 2022
Evaluation Process Disclosure	BPS 10	Judy Pryde	Feb. 3 2022
Evaluation Team	BPS 11	Judy Pryde	Feb. 3 2022
Evaluation Matrix	BPS 12	Judy Pryde	Feb. 3 2022
Winning Bid	BPS 13	Judy Pryde	Feb. 3 2022
Non-Discrimination	BPS 14	Judy Pryde	Feb. 3 2022

Executing the Contract	BPS 15	Judy Pryde	Feb. 3 2022
Establishing the Contract	BPS 16	Judy Pryde	Feb. 3 2022
Termination Clauses	BPS 17	Judy Pryde	Feb. 3 2022
Terms of Agreement Modifications	BPS 18	Judy Pryde	Feb. 3 2022
Contract Award Notification	BPS 19	Judy Pryde	Feb. 3 2022
Vendor Debriefing	BPS 20	Judy Pryde	Feb. 3 2022
Non-Competitive Procurement	BPS 21	Judy Pryde	Feb. 3 2022
Contract Management	BPS 22	Judy Pryde	Feb. 3 2022
Procurement Records Retention	BPS 23	Judy Pryde	Feb. 3 2022
Conflict of Interest	BPS 24	Judy Pryde	Feb. 3 2022
Bid Dispute Resolution	BPS 25	Judy Pryde	Feb. 3 2022

Community Living Burlington
Procurement Policies

Mandatory Requirements - Table of Contents	Policy #
Purposes & Principles	
Supply Chain Code of Ethics	
Abbreviations/Definitions	
Segregation of Duties	BPS 1
Approval Authority for Procurement	BPS 2
Competitive Procurement Thresholds	BPS 3
Competitive Procurement Information Gathering	BPS 4
Supplier Pre-Qualification	BPS 5
Posting Competitive Procurement Documents	BPS 6
Timelines for Posting Competitive Procurements	BPS 7
Bid Receipt	BPS 8
Evaluation Criteria	BPS 9
Evaluation Process Disclosure	BPS 10
Evaluation Team	BPS 11
Evaluation Matrix	BPS 12
Winning Bid	BPS 13
Non-Discrimination	BPS 14
Executing the Contract	BPS 15
Establishing the Contract	BPS 16
Termination Clauses	BPS 17
Terms of Agreement Modifications	BPS 18
Contract Award Notification	BPS 19
Vendor Debriefing	BPS 20
Non-Competitive Procurement	BPS 21
Contract Management	BPS 22
Procurement Records Retention	BPS 23
Conflict of Interest	BPS 24
Bid Dispute Resolution	BPS 25

Section: BPS Procurement	Policy Number: BPS 1
Policy: Segregation of Duties	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Purpose: To segregate the duties and delegation of authority within the purchasing-to-pay process and to ensure integrity of the process by reducing exposure to inappropriate, unauthorized or unlawful expenditures and maintain effective control in an organization.

Policy: To ensure at least three (3) of the five (5) purchasing-to-pay functional roles are segregated. Responsibilities for these functions should be with different departments or at a minimum with different individuals.

Procedure/Guideline: There are five (5) procurement roles that require segregated approval.

See chart below.

Roles	Explanation	Who
Requisition	Authorize the supply chain department to place an order	Individual supported, front line staff,
Budget	Authorize that funding is available to cover the cost of the order	Departmental budget holder
Commitment/P.O.	Authorize release of the order to the supplier under agreed-upon contract terms	Program manager
Receipt	Authorize that the order was physically received, correct and complete	Individual supported, program manager, front line staff
Payment	Authorize release of payment to the supplier	Accounts payable role

**** The creator of the Purchase Order can never be the receiver and accounts payable person authorized to release payment***

Section: BPS Procurement	Policy Number: BPS 2
Policy: Approval Authority for Procurement	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Purpose: To ensure proper authorization is in place to control Community Living Burlington in procurement threshold requirements.

Policy: To define authorization levels required to be in place that will identify the approvals required for various dollar levels when purchasing supplies, consulting services, capital, construction and other services.

Procedure/Guideline:

- Changes to authority levels may be delegated and approved by the Board of Directors or their designate.
- See chart below identify the dollar threshold for the person(s) authorized to commit the organization to a contract (not including consulting services).

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process	Reporting Process
Less than \$500	Y	Manager	Quote or Single Source	N/A
\$500 - \$2,999	Y	Director	2 Quotes invitation Competitive at least 2 sources	N/A
\$3000 - \$24,999	Y	Executive Director	Invitation Competitive at least 3 sources	N/A
\$3000 - \$24,999	N	Executive Director	Invitation Competitive at least 3 sources	Summary Quarterly Report: Finance Committee
\$25000 - \$99,999	Y	Finance Committee	Invitation Competitive at least 3 sources	Summary Report Next Board Meeting
➤ \$25,000	N	Board Approval	Open Competitive Process	Report to Board for Approval
➤ \$100,000	Y	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval
Property Acquisition of Mortgage	Y/N	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval

3. Any procurement of consulting services must be approved in accordance with the Approval authority Schedule for consulting Services Below:

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process
Less than \$500	Y	Manager	Open Competitive Process - 2 sources
\$500 - \$2,999	Y	Director	Open Competitive Process - 2 sources
\$3000 - \$24,999	Y	Executive Director	Open Competitive Process - 3 sources
\$3000 - \$24,999	N	Executive Director	Open Competitive Process - 3 sources
\$25000 - \$99,999	Y	Finance Committee	Open Competitive Process – 3 sources
➤ \$25,000	N	Board Approval	Open Competitive Process - 3 sources
➤ \$100,000	Y	Board Approval	Open Competitive Process - 3 sources

4. These Delegated Purchasing authority levels must be competed for every item that is purchased by the Agency.
5. The Delegation of Purchasing Authority defines approval levels corresponding to job roles and ensures that each individual's approval authority is commensurate with the responsibility levels for his/her position.

***All consulting services are open competitive unless exempt through the Agreement of Internal Trade.**

Section: BPS Procurement	Policy Number: BPS 2
Policy: Approval Authority for Procurement	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Purpose: To ensure proper authorization is in place to control Community Living Burlington in procurement threshold requirements.

Policy: To define authorization levels required to be in place that will identify the approvals required for various dollar levels when purchasing supplies, consulting services, capital, construction and other services.

Procedure/Guideline:

- Changes to authority levels may be delegated and approved by the Board of Directors or their designate.
- See chart below identify the dollar threshold for the person(s) authorized to commit the organization to a contract (not including consulting services).

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process	Reporting Process
Less than \$500	Y	Manager	Quote or Single Source	N/A
\$500 - \$2,999	Y	Director	2 Quotes invitation Competitive at least 2 sources	N/A
\$3000 - \$24,999	Y	Executive Director	Invitation Competitive at least 3 sources	N/A
\$3000 - \$24,999	N	Executive Director	Invitation Competitive at least 3 sources	Summary Quarterly Report: Finance Committee
\$25000 - \$99,999	Y	Finance Committee	Invitation Competitive at least 3 sources	Summary Report Next Board Meeting
➤ \$25,000	N	Board Approval	Open Competitive Process	Report to Board for Approval
➤ \$100,000	Y	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval
Property Acquisition of Mortgage	Y/N	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval

3. Any procurement of consulting services must be approved in accordance with the Approval authority Schedule for consulting Services Below:

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process
Less than \$500	Y	Manager	Open Competitive Process - 2 sources
\$500 - \$2,999	Y	Director	Open Competitive Process - 2 sources
\$3000 - \$24,999	Y	Executive Director	Open Competitive Process - 3 sources
\$3000 - \$24,999	N	Executive Director	Open Competitive Process - 3 sources
\$25000 - \$99,999	Y	Finance Committee	Open Competitive Process – 3 sources
➤ \$25,000	N	Board Approval	Open Competitive Process - 3 sources
➤ \$100,000	Y	Board Approval	Open Competitive Process - 3 sources

4. These Delegated Purchasing authority levels must be competed for every item that is purchased by the Agency.
5. The Delegation of Purchasing Authority defines approval levels corresponding to job roles and ensures that each individual's approval authority is commensurate with the responsibility levels for his/her position.

***All consulting services are open competitive unless exempt through the Agreement of Internal Trade.**

Section: BPS Procurement	Policy Number: BPS 3
Policy: Competitive Procurement Thresholds	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Purpose: This policy defines the minimum competitive requirements for purchases and is meant to assist CLB with determining the most suitable procurement process under the information provided by the requestor. The respective procurement processes are defined in: a.) Competitive Procurement and b.) Non-Competitive Procurement

Policy: Community Living Burlington (CLB) ensures open competitive procurement practices are being met where the estimated value of procurement goods, services or construction is \$100,000 or greater. For goods, services and construction under \$100,000, CLB will follow the approach as outlined below.

Procedure/Guideline:

CLB may use their discretion to determine the best procurement process based on information provided to them by the requisitioner.

Procurement Procedure Threshold's by Procurement Value for Goods and Construction.

Total Procurement Value	Approval Authority	Procedure	Pricing Approach	Mandatory
< \$100	Manager	Petty Cash	No quotes required	
< \$4,000	Director/Executive Director	Credit Card	Three (3) written sources	
\$ 4,001 - \$99,999 Goods, services, construction	Executive Director/Finance Committee	Purchasing Recommendation Report	Invitational Competitive Procurement, minimum of three (3) supplier's invited to bid in writing where available	
> \$100,000 – goods, services and construction	Board of Directors	Purchasing Recommendation Report	Open competitive Process – Electronically Posted	X

The process cannot be circumvented by dividing requirements into multiple procurements to reduce the estimated value of a single procurement and avoid the threshold of the identified value threshold.

This policy covers any contract with a value exceeding \$100,000 even if spread over multiple years.

Consulting Services

For all consulting services less than \$100,000, an invitation process or open competitive process is required. For consulting services over \$100,000 an open electronic process is required.

Section: BPS Procurement	Policy Number: BPS 10
Policy: Evaluation Process Disclosure	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2017
Approved by:	Approved by:

Policy: To ensure open competitive procurement documents outline the evaluation methodology and process.

Procedure:

- All open competitive procurement documents must disclose the process to be used in accessing submissions
- All open competitive procurement documents must disclose the process in resolving a tie score
- All open competitive procurement documents must state that submissions that do not meet the mandatory criteria are disqualified.

Section: BPS Procurement	Policy Number: BPS 10
Policy: Evaluation Process Disclosure	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure open competitive procurement documents outline the evaluation methodology and process.

Procedure:

- All open competitive procurement documents must disclose the process to be used in accessing submissions
- All open competitive procurement documents must disclose the process in resolving a tie score
- All open competitive procurement documents must state that submissions that do not meet the mandatory criteria are disqualified.

Section: BPS Procurement	Policy Number: BPS 11
Policy: Evaluation Team	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: Every competitive process requires an evaluation team that will be responsible for reviewing all the compliant bids and scoring each of those bids. The evaluation team may be different for each competitive process executed, depending on the expertise required to help make the decision.

Procedure:

- a. Evaluation team members should be selected and their participation confirmed before the competitive documents have been posted. The evaluation team members will have been included in the development of the evaluation criteria and weighting. Team members may include clinicians, educations, supply chain experts, subject matter experts, financial experts and representatives of the procurement function of the organization. Evaluation teams should be composed of appropriate members to ensure that a proper evaluation is conducted.
- b. An Evaluation Team Lead will be selected by the evaluation team members to be responsible for coordinating the evaluation process.
- c. Each Evaluation Team member must sign a "Conflict of Interest" form and a "Non-Disclosure Agreement" form.
- d. The Evaluation Team is entitled to ask proponents for clarification on their bid if required as long as it does not change their bid in any way.

Section: BPS Procurement	Policy Number: BPS 12
Policy: Evaluation Matrix	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure the evaluation of all open competitive procurement bids are evaluated in an equitable manner.

Procedure:

- Each evaluation team member must complete an evaluation matrix rating of each of the compliant bids.
- The evaluation matrix will be kept in the contract file which is retained in the Finance Department.
- Each evaluation team member must ensure that all verbal and written communication about the bid submissions is fair, factual and fully defensible.
- The method to resolve a tie score must be identified in the evaluation criteria, including weighting, if applicable.

Section: BPS Procurement	Policy Number: BPS 13
Policy: Winning Bid	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure the winning bid of an open competitive procurement process is selected in a fair and transparent manner.

Procedure:

Only the highest ranked submission(s) that have met all mandatory requirements set out in the related procurement document will be selected. In responding to procurement documents, suppliers may sometimes propose alternative strategies or solutions to the organization's business needs. Unless expressly requested in the procurement documents, CLB must not consider alternative strategies or solutions proposed by a supplier.

CLB 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 CLB was executed. Contract award notification must list the name of the successful supplier, agreement start and end dates and any extension options.

All contracts over \$100,000 must be accompanied by a contract award letter or purchase order accepting CLB terms and conditions. CLB and the successful supplier must both sign off on the letter of award or written contract.

Section: BPS Procurement	Policy Number: BPS 14
Policy: Non-Discrimination	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: Under **no** circumstances will any preferred treatment or discrimination in awarding a contract to the preferred supplier from the competitive process be permitted.

Procedure:

- a. CLB will not discriminate, goods or services of a particular province or region, or the suppliers of such goods or services of a particular province or region.
- b. CLB will refrain from any biasing of technical specification in favour of, or against, particular goods or services, allow unreasonable timing of events in the competitive process so as to prevent suppliers from submitting bids, providing unreasonable quantities and delivery schedules in the specification as to prevent some suppliers from being able to meet the requirements of the procurement, or to use price discounts or preferential margins to favour particular suppliers.
- c. CLB will not impose or consider, in the evaluation of bids or the award of contracts, local content or other economic benefits criteria that are designed to favour local goods, services and suppliers.

Section: BPS Procurement	Policy Number: BPS 15
Policy: Executing the Contract	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure a formal process for procurement contracts is in place in the event time is of the essence.

Procedure:

The agreement with the successful supplier will be formally defined in a signed written contract before the provision of supplying goods and services commences.

Should an immediate need exists for goods or services (i.e.: Health & Safety), and the contract cannot be finalized as described, an interim purchase order may be used. The justification of such a decision must be documented and approved by the Executive Director, following consultation with CLB's finance committee and Finance Director.

Section: BPS Procurement	Policy Number: BPS 16
Policy: Establishing the Contract	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that all procurement contracts are written and signed prior to commencement of services.

Procedure:

CLB and the successful supplier will finalize and sign off a formal written contract, as was released with the procurement document prior to the commencement of services.

In circumstances where an alternative procurement strategy has been used (i.e.: form of agreement was not released with the procurement document), the contract with the successful supplier must be defined formally before the supplying of goods or services commences.

Section: BPS Procurement	Policy Number: BPS 17
Policy: Termination Clauses	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that all procurement contracts include a termination clause.

Procedure:

All contracts will include appropriate cancellation or termination clauses and CLB reserves the right to seek appropriate legal counsel on the development of the clause.

Section: BPS Procurement	Policy Number: BPS 18
Policy: Terms of Agreement Modifications	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that terms for the modification of a procurement contract are set out within the agreement.

Procedure:

The term of the agreement and any options to extend the agreement will be set out in the competitive procurement documents. CLB will obtain approval by the appropriate authorities to approve any modifications to the term of the agreement.

Extending the term of agreement beyond that set out in the competitive procurement document is considered non-competitive procurement and CLB must seek appropriate approval prior to proceeding, where the extension affects the value and/or stated deliverables of procurement.

Section: BPS Procurement	Policy Number: BPS 19
Policy: Contract Award Notification	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that contract award notification is posted in a timely manner and contains all pertinent information.

Procedure:

For procurements valued at \$100,000 or more, CLB will post, in the same manner the procurement documents were posted, contract award notification. The notification will be posted after the agreement with the successful supplier is executed. Contract award notification must list the name of the successful supplier, agreement start and end dates, and any extension options.

After executing the contract, CLB will notify all suppliers who participated in the competitive process. The notification will include: thanking them for participating in the competitive process, that a contract has been signed and the competitive process is completed.

Section: BPS Procurement	Policy Number: BPS 20
Policy: Vendor Debriefing	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: The purpose of the policy is to cover the rules associated with vendor debriefing following an award of a contract.

Scope:

For all contracts established through an open competitive procurement process CLB will provide a debriefing upon request. The details of the vendor debrief are to be included in the competitive documents including the process for booking debrief sessions at the conclusion of the procurement process. Vendors have sixty (60) days from the date of the contract award to request a debriefing.

Procedure:

Scheduling Vendor Debriefings:

Upon a written request from a Vendor who participated in a contract offering, CLB will in turn confirm, in writing, a date and time for the debriefing session.

All debriefings will be done on an individual basis allowing each Vendor their own opportunity to discuss their own bids short comings.

The responsible Director for the procurement, along with a member of the Evaluation Team (preferably lead person), will conduct any and all debriefings.

All correspondence and documentation relevant to the debriefing session will be maintained in the contract file.

Conducting Vendor Debriefings:

CLB will provide a general overview of the evaluation process set out in the procurement document.

Discussions around the strengths and weaknesses of the Vendor's submission in relation to the specific evaluation criteria and the Vendor's evaluated score should be the focus. If more than price is evaluated, you may provide the Vendor's evaluation scores and their evaluation ranking, such as you were third (3rd) out of five (5) bids.

Suggestions may be provided on how the Vendor may improve future submissions.

Allow the Vendor to provide feedback on the current procurement processes and practices, and address specific questions and issues raised by the Vendor in relation to their submission.

The name(s) and address(es) of all vendors who participated in the proposal, including qualified and disqualified proponents as well as those who submitted no bid may also be provided.

Disclosure of information concerning other bids, outside of what has been specified above, is not permitted as it may contain confidential third-party information subject to mandatory third party exemption under the Freedom of Information and Privacy Protection Act. If a Vendor makes such a request, they must be advised that a formal Freedom of Information request must be submitted.

Questions unrelated to the procurement process must not be responded to during the debriefing and must be noted as out of scope based on the debriefing process agreed to in the procurement documents and/or governed by this policy.

Section: BPS Procurement	Policy Number: BPS 21
Policy: Non-Competitive Procurement	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that a formal process is in place in the event that the competitive procurement process cannot be followed.

Procedure:

CLB will use a competitive procurement process should be used to achieve optimum value for money. However it is recognized that special circumstances may require use of a non-competitive procurement. Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by the Executive Director to ensure it is not being done to avoid competition between suppliers or to discriminate against suppliers.

A non-competitive procurement may be used in situations outlined in the exemption, exception, or non-application clauses of the Agreement on Internal Trade, or other trade agreements.

A non-competitive procurement may also be used where only one supplier is able to meet the requirements of a procurement – known as sole-source situations. Some examples of these situations would be for product compatibility, procurement of real estate property, for work to be performed on a leased building where work must be done by lessor.

There are also exceptions known as sole-source situations. One circumstance considered a sole-source situation would be where an unforeseeable situation of urgency exists (i.e.: Health & Safety) and goods or services cannot be obtained in time by means of open procurement – note, failure to plan and allow sufficient time for a competitive procurement process does not constitute an unforeseeable situation of urgency.

When sole sourced is accessed or acceptance of not the lowest bid, CLB's Board of Directors must approve prior to proceeding.

Section: BPS Procurement	Policy Number: BPS 22
Policy: Contract Management	Page: 1 of 1
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure that procurement contracts are managed in a responsible and effective manner.

Procedure:

- Payments are made in accordance with the provisions of the contract.
- All invoices contain detailed information sufficient to warrant payment
- Overpayments must be recovered in a timely manner.
- Assignments must be properly documented.
- Supplier performance must be managed and documented; any performance issues must be addressed.
- Disputes must be managed with the suppliers throughout the life of the contract as outlined in bid resolutions.
- For services establish clear terms of reference for the assignment. The terms should include: objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements and knowledge transfer requirements.
- Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

Section: BPS Procurement	Policy Number: BPS 23
Policy: Procurement Records Retention	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: The procurement documents as well as any other pertinent information for reporting and auditing purposes must be retained for a period of seven (7) years and be in recoverable form if requested. These documents may also be used as support in the event of a bid protest or competitive process dispute.

Scope: The purpose of this policy is to define how confidential or proprietary information is to be stored and the location of the storage.

Procedure:

A record of the procurement process documentation includes the following:

- A copy of the procurement justification or the business case
- Information regarding all vendor consultations, including any requests for information, undertaken in the development of the procurement business case and/or procurement documents;
- Evidence that all required approvals were obtained;
- Copies of all procurement documents used to qualify and select the supplier;
- Where the procurement was conducted through a Vendor of Record (VOR) arrangement, information regarding the second-stage selection process used to select the particular VOR;
- Where the procurement was single or sole sourced, documented justification, applicable exemptions and associated approvals;
- Copies of all procurement documents;
- Copies of all disclosure agreements are signed by Working Group members who evaluate tenders.
- Copies of all successful and unsuccessful responses, submissions, proposals and bids received in response to procurement documents.
- Information regarding any issues that arose during the procurement process;

- Information regarding all evaluations of submissions, proposals and bids received in response to procurement documents
- Information regarding all vendor debriefings including written documentation of the offer of vendor debriefing.
- Copies of all award letters, notices and posted announcements;
- Copies of the agreement(s);
- Information regarding all changes to the terms and conditions of the Agreement, including any changes that resulted in an increase in the Agreement price;
- Information regarding the management of the supplier, including how the supplier's performance was monitored and managed and where applicable, mechanisms used to transfer knowledge from the supplier to organization and staff;
- Risk assessment information and recommendations, where applicable;
- Contractor security screening decisions, where applicable;
- Information regarding all protests, disputes or supplier complaints regarding the procurement including any Agreement disputes;
- Evidence of receipt of deliverables (electronic records/packing slips), and
- Any other documentation as identified by the organization.

Section: BPS Procurement	Policy Number: BPS 24
Policy: Conflict of Interest	Page: 1 of 3
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure persons engaged in any aspect of the purchasing function appropriately manage conflict of interest concerning the avoidance of conflict of interest situations.

Scope: This policy applies to all employees, volunteers, advisors, external consultants or suppliers who participate in any phase of the purchasing process/activities. Any individual involved in supply chain-related activities must declare all actual or potential conflicts of interest.

General: Any person engaged in purchasing who has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform the Executive Director or designate of the circumstances involved. This information is to be reviewed at an appropriate level for decision on whether a conflict of interest is present and if so, what course of action is to be taken.

Suppliers:

The following provisions must be implemented when dealing with suppliers in procurement activities:

- Define conflict of interest, to include situations or circumstances that could give a supplier an unfair advantage during a procurement process or compromise the ability of a supplier to perform its obligations under the agreement;
- CLB reserves the right to solely determine whether any situation or circumstance constitutes a conflict of interest;
- CLB reserves the right to disqualify prospective suppliers from a procurement process due to a conflict of interest;
- Require prospective suppliers participating in a procurement process to declare any actual or potential conflict of interest;
- Require suppliers to avoid any conflict of interest during the performance of their contractual obligations for the organization;
- Require suppliers to disclose any actual or potential conflict of interest arising during the performance of an agreement;

- Reserve the right of the organization to prescribe the manner in which a supplier should resolve a conflict of interest;
- Allow CLB to terminate an agreement where a supplier fails to disclose any actual or potential conflict of interest or fails to resolve its conflict of interest as directed by the organization; and
- Allow the organization to terminate an agreement where a conflict of interest cannot be resolved.

Consultants:

Where a consultant is involved in the development of procurement documents, they will not be allowed to bid on the associated procurement needs either in full or part.

Employees, Volunteers and Advisors:

Consideration must also be given when there may be conflicts of interest where our own employees, volunteers or advisors may be involved. The employee or advisor is ultimately responsible and accountable for using good judgement in the exercise of the organization's duties and must:

- Disclose conflicts of interest to his/her department supervisor or designate in writing and
- Avoid situations that may present conflicts of interest while dealing with person or organizations doing business or seeking to do business with the organization.

Situations that might result in a conflict of interest include the following:

- Engaging in outside employment
- Not disclosing an existing relationship that may be perceived as being a real or apparent influence on their objectivity in carrying out an official role;
- Providing assistance or advice to a particular supplier participating in a competitive process;
- Having an ownership, investment interest, or compensation arrangement with any entity participating in a competitive process;
- Having access to confidential information; and
- Accepting favours or gratuities from those doing business with the organization.
- CLB needs to consider situations where there may be an employee or advisor conflict of interest and those situations must be dealt with accordingly.

Evaluation Team Members

In addition to the situations that might result in a conflict of interest for all employees and advisors, organizations must be aware of and identify any additional conflicts of interest that may arise as a result of evaluation team members participating in the selection of products or services.

Evaluation team members must also sign a "Non Disclosure Agreement" before each evaluation committee commences work.

Section: BPS Procurement	Policy Number: BPS 25
Policy: Bid Dispute Resolutions	Page: 1 of 2
	Date Approved: March 2012
	Date Reviewed: February 2022
Approved by:	Approved by: J. Pryde

Policy: To ensure Vendors have the opportunity to address concerns/protests involving any aspect of the procurement process.

Procedure: The Bid Protest procedures must be communicated in all competitive and procurement documents to ensure that any dispute is handled in a reasonable and timely fashion. A bid protest can occur any time during the procurement process, which is defined as the time from which the procurement request is posted to the time of award.

Notice to Bidders

The Evaluation Team notifies bidders in writing or electronically, as soon as possible (and prior to award of a contract) if their bid is rejected due to an irregularity. The evaluation team notifies all bidders, in writing or electronically of the results of evaluation of a contract. The notice explains the reason for CLB's recommendation and advises the bidder that objections to the recommendation must be made to CLB, in writing, within three (3) working days from the date of the notice otherwise; the award recommendation will proceed to approval.

Any person engaged in purchasing who has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform the Executive Director or designate of the circumstances involved. This information is to be reviewed at an appropriate level for decision on whether a conflict of interest is present and if so, what course of action is to be taken.

The Evaluation Team is responsible for filing a copy of each notice of pending award, in the procurement file.

Responding to Bidder's Objection Level 1:

The Evaluation Team is responsible for providing an initial response to bidder questions or objections to CLB's evaluation teams decision. The response may be made in writing, and where possible, will be issued within three (3) working days. If the bidder requires further information, the Evaluation Team will notify the bidder to forward specific issues and questions, in writing to their attention.

The Evaluation Team may arrange a meeting with the bidder, and will provide a written response addressing the bidder's concerns. The response will be provided, where possible, within ten (10) working days of receipt of the written bidder questions or objections.

If the bidder is not satisfied, The Evaluation Team will advise the bidder that a bid protest may be made by registering with the Executive Director.

The Evaluation Team is responsible for keeping a copy of each response, in the procurement file located in the Finance Department.

Registering Bid Protest Level 2 – if required:

The protestor shall submit all documents which supports their protest. The protestor shall state if they wish an informal conference in which to discuss the protest further. If any information is omitted or incomplete, the Executive Director will notify the protestor in writing and the protestor shall be required to provide such information within three (3) working days if the protest is to be further considered.

All protests must be submitted in writing and be addressed to the Executive Director. The protest shall include:

- Name of the protestor
- Name of the request #/contract (i.e. RFP – 00)
- State the grounds of the protest; and
- State the relief sought.

Failing a resolution to all concerns the protestor may make a formal complaint and demand of formal deputation before an appropriate review committee. In this event, the bidder must notify the Executive Director of his/her intent to register, within five (5) working days of receiving the Executive Directors response.

Any protestor who questions the process is encouraged to exhaust all methods described in the bid documents of resolving a procurement issue before filing a more formal protest with CLB.

Dispute Resolution – Level 3:

If a more formal conference has been requested, the Executive Director will give the protestor written notice of the place, location and time of the formal conference, which shall be within five (5) business days of such notice.

Any information to be considered in the protest decision must be submitted in writing within twenty-four (24) hours after receiving the formal meeting notice.

The Executive Director will form a review committee comprised of two (2) additional Directors to hear both the Evaluation Team and the Bidders relevant facts and issues.

The review committee will address the presenters concerns within five (5) business days of the meeting. The written response shall respond in detail to each substantive issue raised in the protest meeting. Such decision is final.

Award will not be made prior to resolution of a protest, or open bids or proposals prior to resolution of a protest filed before bid opening/proposal due date.

Potential bidders will be advised of a pending protest if made prior to the award.

Should the protestor be dissatisfied with the decision rendered by CLB, the protest would have to be taken to the appropriate provincial, local administrative or judicial authority.

In the event of a timing issue around funding for the project and/or health and safety concerns the Executive Director in collaboration with the Senior Team may aware the contract prior to Bid protest resolution.