

Procurement Policy

Category: Operations and General Administration
Responsible Authority: Procurement Manager
Approval Authority: Chief Financial Officer
Last reviewed: 2020-02-05
Approved: 2020-02-12
Mandatory Revision Date: 2025-02-12

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1. PURPOSE

The purpose of this policy is to establish an accountability framework to effectively guide College staff with the assignment of clear responsibilities throughout each stage of the procurement process and to ensure that the College's procurement processes are managed appropriately and consistently.

This policy defines the role of the Procurement Department, identifies the responsibilities of all College staff who procure goods and services on behalf of the organization and ensures compliance with the Broader Public Sector (BPS) Procurement Directive and the Trade Agreements.

Our policy and procedures are designed to:

- a) Ensure fair, transparent and consistent practices;
- b) Promote the best value for money for the College in its purchasing and
- c) Foster continuous improvement of the procurement process, including supplier negotiation, contract award, supplier induction and supplier performance evaluation.

2. SCOPE

George Brown College strives to ensure its purchasing activities are conducted in a manner that is ethical, lawful, transparent, courteous, clearly documented and fiscally responsible. Procurement decisions must be taken with consideration given to short-term and long-term departmental and College-wide strategic objectives/goals.

This Procurement Policy applies to:

- a) All College employees, including contract personnel and part-time staff who purchase goods and services on behalf of the College; and
- b) Firms contracted to work for the College, whenever they procure goods and services on behalf of the College.

3. DEFINITION

See Appendix A – Glossary of Terms, which includes an explanation of terms and abbreviations used within this policy.

4. POLICY

Policy Statements

The goal of all purchasing activities is to provide competitively priced, quality goods and services to College employees and students. Purchasing activities shall be consistent with the College's mission, vision, values and strategic priorities.

- a) Purchasing activities will be conducted in a manner that:
 - i. Fosters documented financial accountability
 - ii. Practices professional competence, courtesy and ethics
 - iii. Supports the fair and impartial awarding of contracts
 - iv. Ensures best overall value
 - v. Complies with municipal, provincial, and federal regulations and legislation.
- b) Financial thresholds, using pre-tax costs, shall be established to determine personnel who may authorize various purchasing activities. Thresholds will also be used to determine the necessity for, and degree of, competitive quotation required before acquiring goods and services;
- c) Where appropriate and feasible, preferred vendors for goods and services will be identified; this shall occur through a public tendering process at intervals not exceeding three years;
- d) Where possible, and without compromising overall best value, purchasing preference will be given to environmentally friendly goods and services;
- e) Procurement decisions will be consistent with George Brown College's values; and
- f) Any exception to this policy and procedure shall be documented and must be approved by the Chief Financial Officer or the President, depending upon the financial threshold.

Code of Ethics

All individuals involved in purchasing or other supply chain-related activities must comply with this Code of Ethics, with the College's Corporate Policies and with the laws of Canada and Ontario. All staff involved in procurement for the College should continuously work to improve supply chain policies and procedures, improve their supply chain knowledge and skill levels, and share leading practices.

Personal Integrity and Professionalism

All individuals involved with purchasing or other supply chain-related activities must act and be seen to act with integrity and professionalism. Honesty, care, respect and due diligence are integral to all supply chain activities. Confidential information must be safeguarded. All participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts, favours, providing preferential treatment, or publicly endorsing suppliers or products (unless the endorsement is an accepted contract requirement). An overview of the College's requirements is publicly posted on our external website's [Procurement Supply Chain Code of Ethics](#).

Accountability and Transparency

Supply chain activities must be open and support accountability. In particular, contracting and purchasing activities must be fair, transparent and conducted to obtain the best value for public money.

All participants must ensure that public funds are consistently used in a responsible, efficient and effective manner.

Conflict of Interest

A conflict of interest exists when an employee has a personal interest or incurs an obligation in a business transaction or professional activity which conflicts with the proper discharge of the employee's duties and responsibilities or otherwise affects the integrity and confidence in the College or gives a vendor an unfair advantage during a procurement process.

A personal interest in a business transaction or professional activity may include but is not limited to, a financial, family or managerial interest.

All staff members must report and discuss with their manager any potential conflict of interest. If the manager concludes the activity constitutes a conflict of interest, the staff member must refrain from engaging in such activity.

- a) George Brown College employees, consultants and suppliers must disclose their involvement with a supply chain activity if it constitutes an actual or potential conflict of interest.

Interest in Personal Gain

The following activities are considered as interests for personal gain and, therefore, constitute a conflict of interest and are addressed accordingly in the above section, Conflict of Interest.

- a) Purchasing or influencing the purchase of equipment, material, and/or services for the College from a company in which the employee, a member of his/her immediate family, or an individual with whom the employee has a close personal relationship has a personal interest.
- b) Selection of textbooks or other instructional aids for a course that is based on a faculty/staff member's personal interest.
- c) Using for personal gain or other unauthorized purposes, privileged information acquired as a result of the employee's College-supported activities, including knowledge of forthcoming developments regarding contractor or sub-contractor selection, bulk purchases, etc.

Gift Receiving

The integrity of the College must be preserved at all times. The acceptance of infrequent and reasonable hospitality or business gifts is permitted; however, College employees are not allowed to accept gifts, hospitality, or other benefits if a reasonable person may deem these gestures potentially influential to the integrity of the process and the employee in performing his or her duties. The vendor's previous record or intent of philanthropic giving should not influence the integrity of the procurement of goods and services.

For situations where there are doubts about the value/acceptability of a particular gift, the employee must consult their immediate manager. It is never allowable to accept cash, gift certificates or loans.

Business meals and entertainment with suppliers

Suppliers will occasionally offer George Brown College employees social amenities. This offer of hospitality is allowable whenever it would reasonably be expected that the invitation is intended to strengthen the partnership, would provide an opportunity to advance the College's standing in some way, provide an opportunity to access expertise or insight that would assist the College in its mission, or some other reason that would be in the College's business interests.

Confidential Information

Confidential information refers to information that an employee is privy to due to his or her employment, which is not generally available. This information may belong to a vendor or other partner, shared in confidence with the College, or it may be private information of the College itself (e.g., details of an ongoing procurement process or College budgets). In general, employees are prohibited from using or sharing confidential information. Exceptions require explicit prior written authorization from a senior manager.

In some situations, confidential information (e.g., data or insights of a strategic or proprietary nature) may need to be shared with an external supplier. In such cases, the manager should obtain the supplier's written execution of a confidentiality agreement noting the confidentiality and committing the supplier to maintain confidentiality.

Roles and Responsibilities

In general, the Business Unit and the Procurement Department will work collaboratively to identify potential suppliers and the best procurement methodology. Where available, the Procurement Department will utilize collaboratively negotiated contracts from various sources to achieve the best value for the College spend.

It is not uncommon for Business Units to have a preferred vendor for various reasons. The Procurement Department will work with the Business Unit as appropriate to clarify the underlying requirements and ensure that the Business Unit objectives are met while respecting the spend-threshold process requirements.

Notwithstanding the process requirements as specified above, the Procurement Department is accountable for searching for alternative suppliers if there is evidence that more economical sources exist for the goods or services.

The Procurement Department

- a) The Procurement Department provides advice, guidance and service to all Business Units of the College prior to and during their acquisition of goods and services. The Procurement Department is focused on corporate supply chain strategies, best practices, and knowledge sharing while leaving individual buys and tactical execution to the individual Business Units.
- b) The Procurement Department ensures that the College's acquisition of goods and services is compliant with Ministry policy, consistent with the Broader Public Sector Procurement (BPS) Directive, procurement best practices, and supportive of the organization's strategic priorities. As such, the Procurement Department seeks both to protect the interests of the College and, at the

same time, to assist Business Units to achieve their business objectives.

- c) The Procurement Department will proactively use various tendering techniques, maximize external collaborative procurement opportunities such as Ontario Educational Collaborative Marketplace (OECM) and utilize established Vendors of Record (VoR).
- d) Periodically, the Procurement Department may undertake an audit of goods and services required to ensure that suppliers are being treated in a fair, legal, ethical, non-discriminatory, non-arbitrary, non-abusive manner and that College employees are not personally benefiting from such acquisition to the detriment of the College.
- e) The Procurement Department maintains a current Internet site for communicating with vendors: <http://www.georgebrown.ca/procurement/>.
- f) The Procurement Department conducts training, mandatory for all College staff who procure goods and services.

The Divisions and Departments (“Business Units”)

- a) The Business Units are responsible for acquiring goods and services to achieve their business plans effectively, efficiently and economically. The Business Units identify their needs and requirements, establish the required budgets, and select/approve vendors.
- b) All Business Units have a responsibility to engage with the Procurement Department in the acquisition of goods and services, to exploit the College’s procurement knowledge, expertise and best-practice processes, and to comply with Ministry requirements.
- c) The Business Units will lead the definition of the scope of the project and the evaluation criteria to be used in assessing the bids, working collaboratively with the Procurement Department.

The Chief Financial Officer

- a) The Chief Financial Officer and the Procurement Manager are responsible for ensuring that this policy is enforced and that any exceptions are documented and approved.

Employees

- a) Employees are responsible for understanding and complying with this policy to ensure all procurement transactions are properly reviewed and executed.

Segregation of duties

Responsibilities for the functional procurement roles have been segregated as follows:

| Department | Function |
|----------------------------------|--|
| Academic Schools and Departments | Requisition |
| Budgeting Department | Planning and Reporting |
| Procurement Department | Policy compliance, including the Signing Limit and Approval Policy |
| Receiving Department | Delivery of goods |
| Accounts Payable | Payment of goods and services |

Accessibility for Ontarians with Disabilities Act (AODA)

Consistent with the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 and the O. Reg. 191/11: Integrated Accessibility Standards, the College's [AODA Accessibility Policy](#) notes the following requirements:

- a) The College will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, including self-serve kiosks, except where it is not practicable.
- b) Suppose it is not practicable to incorporate accessibility criteria and features when purchasing or acquiring goods, services or facilities. In that case, an explanation must be prepared as to why accessibility features were not included.
- c) If it is not practicable, George Brown College will provide a written explanation detailing why accessibility criteria could not be incorporated in the procurement or acquisition of goods, services, facilities, and/or kiosks.

The College has published [AODA Policies](#) to assist departments in meeting these standards.

Geographic Neutrality

The College must ensure that access for suppliers to complete business is geographically neutral with respect to other jurisdictions that practice reciprocal non-discrimination within Ontario.

Procurement Thresholds

The objective of the Procurement process is to obtain the best value for expenditures, ensuring that the highest level of institutional and professional integrity characterizes the procurement processes. The procurement process must be open, transparent and fair; comply with Broader Public Sector Procurement (BPS) Directives; and ensure that all qualified vendors can compete for the College's business.

A Business Unit is prohibited from breaking up a single purchase into smaller value purchases to circumvent the College policy and procedures and associated Ministry policies.

The Procurement Department must be involved in acquiring any goods and/or services for a single purchase of a value of \$100,000 and over.

Procurement Thresholds for Most Goods and **Non-Consulting Services**

| Total procurement value before tax | Means of procurement |
|------------------------------------|--|
| Up to \$5,000 | No quotation |
| \$5,001 - \$25,000 | A minimum of 1 written quotation |
| \$25,001 - \$100,000 | A minimum of three 3 written quotations |
| Over \$100,000 | Quotations via a public tendering process or a VoR with at least 3 written quotes. |

The above amounts are exclusive of applicable taxes.

Transactions **exempt** from the spend threshold requirements include the following:

- a) Athletic tournament and special events expenses
- b) Books, magazines and periodicals for the library, either print or electronic
- c) Customs
- d) Employee course registration fees
- e) Honorariums
- f) International Student fairs
- g) License costs (annual or recurring software or maintenance associated with systems or equipment the College uses – although review by ITS of software license renewals is required)
- h) Membership fees for business/job-related purposes
- i) Strategic academic partnerships
- j) Student placement commissions
- k) Taxes
- l) Textbook purchases for resale
- m) Revenue-producing contracts (recommended to follow the Procurement thresholds above, but not required)

Consulting Services

A Consultant is an external company or individual that provides advice solely for consideration and management decision-making. Special procurement requirements apply. Note that under this Policy's interpretation, professionals hired to deliver work products (e.g., for curriculum development services,

research reports, etc.), architects and engineers are all regarded as contractors, not consultants. The Procurement Department, in collaboration with the Business Unit, shall attempt to obtain quotations following the following criteria:

Competitive procurement threshold for Consulting Services

| Total procurement value before tax | Means of procurement |
|---------------------------------------|---|
| \$0 up to but not including \$100,000 | Invitational or open competitive process A minimum of 3 suppliers must be invited to bid |
| \$100,000 and more | Quotations via a public tendering process |

- a) Unless approved by the Human Resources Department, the Consultant must not be an employee of the College. Consultants do not have any signing authority and must adhere to the Procurement Policy herein.
- b) Once the services have been properly tendered, an Agreement must be executed.
- c) Consultants are prohibited from reimbursement for meal and hospitality expenses.

CONDUCTING PROCUREMENT

Trade Agreements and Broader Public Sector (BPS) Directive

The College shall ensure the provisions of the BPS, CFTA, CETA and any other prescribed ministry regulations are considered during procurement activities and throughout the competitive tendering process.

Procurement Planning

Procurement planning is an integral part of the procurement process in identifying the potential supply source, the procurement method, as well as what type of approvals and when approvals are needed to ensure that sufficient time is allowed to complete the procurement process.

Key steps during procurement planning include:

- a) Determine the procurement need;
- b) Confirm alignment with the approved project/program budget. A business case should support non-budgeted items;
- c) Establish the procurement value and procurement method (petty cash, Purchasing Card, competitive or non-competitive); and
- d) Seek appropriate procurement approval based on procurement value and procurement method.

Procurement Value

The procurement value is required to determine who needs to (the level of approval) approve the procurement and the procurement method that will be used. To determine the procurement value, all costs and benefits associated with acquiring the goods/services must be included.

- a) When determining the procurement value for approval purposes, applicable sales taxes should not be considered.
- b) In estimating the value of a procurement to ascertain whether it is a covered procurement, a procuring entity shall include the estimated maximum total value of the procurement over its entire duration, whether awarded to one or more suppliers, taking into account all forms of remuneration, including premiums, fees, commissions and interest; and if the procurement provides for the possibility of options, the total value of such options.
- c) Persons with financial authority for procurement approvals must not reduce or split the overall value of procurement (e.g. dividing a single procurement into multiple procurements) in order to circumvent competitive procurement thresholds. This includes acquiring several of the same goods/services from a single vendor or subdividing projects, procurements, or contracts and awarding multiple consecutive contracts or requisitions to the same vendor.

Procurement Methods

The Procurement Department may assist divisions in developing requirements for any procurement using informal market research and formal market research, including but not limited to requests for information (RFIs) and requests for expression of interest (REOIs.)

The Procurement Department shall not use a response from an RFI or an REOI to pre-qualify potential suppliers. It shall not use the response to influence the chances of the participating suppliers from becoming successful proponents in any subsequent opportunity.

General Principles

- a) Documents pertaining to competitive procurement will be drafted by the Requisitioning Department, in consultation with the Procurement Department. These documents will be reviewed and approved by the Procurement Department prior to publication;
- b) Calls for open competitive procurements will be made through an electronic tendering system that is readily accessible by all suppliers;
- c) Bidders will be given a reasonable amount of time, depending on the complexity of the acquisition, to prepare their bid submissions. The response time will not be lower than 15 calendar days under any circumstances, and the response time will not be lower than 30 days if the value of the procurement is subject to CETA;
- d) The Procurement Department shall ensure that the bid submission date and closing time are clearly stated in competitive procurement documents. The College will set the closing date of a competitive procurement process on a normal working day (Monday to Friday, excluding provincial and national holidays). Submissions that are submitted after the closing time will not be accepted;

- e) The College shall conduct an open and competitive procurement process where the value of goods and services exceeds \$100,000 subject to those exemptions or non-competitive procurement, or limited solicitation exceptions set out in the trade agreements;
- f) The College will not reduce the procurement value or subdivide the procurement into multiple procurements to avoid any competitive procurement threshold; and
- g) It is recommended that goods and services below the threshold of \$100,000 also be competitively procured through at least a limited solicitation, inviting at least three suppliers, subject to any applicable non-competitive procurement exception.

Competitive Quotation/Tendering

Open competitive procurement is the contractual acquisition by an organization of any good or service, which enables all suppliers to compete in a fair and open environment. Open competitive procurement ensures the highest level of fairness, impartiality, and transparency; it maximizes suitability and the value for money of the obtained goods or services.

To ensure appropriate stewardship of College resources, the principles of competitive bidding should guide all purchasing decisions. While price is a significant factor, other factors including, but not limited to, quality, maintenance, cost, terms of payment, resale value, technical service, warranty, environmental considerations, staffing, proprietary knowledge, understanding of the College, and proven accomplishment must be taken into consideration.

- a) Documents pertaining to competitive procurement will be drafted by the Requisitioning Department, in consultation with the Procurement Department. These documents will be reviewed and approved by the Procurement Department prior to publication.
- b) Calls for competitive procurements will be made through an electronic tendering system readily accessible by all suppliers.
- c) Bidders will be given a reasonable amount of time, depending on the complexity of the acquisition, to prepare their bid submissions. The response time will not be lower than 15 calendar days.
- d) For purchases valued at \$100,000 or more, George Brown College will inform all unsuccessful suppliers about their entitlement to a supplier debriefing.
- e) The Procurement Department will provide timely and meaningful notification (e.g. via Bonfire) to all suppliers on the award outcome of their participation in the selection process. For purchases valued at \$100,000 or more, George Brown College will post the award notification in the same manner as the procurement documents were posted.

Invitational Competitive

Invitational competitive procurement is the contractual acquisition of any good or service, which enables some but not all suppliers to compete in a fair and open environment. Three or more qualified suppliers must be invited to submit written proposals or quotes to supply goods or services.

Non-Competitive Procurement

Non-competitive procurement is when a good or service is procured from a “selected” supplier without a competitive process. “Sole-source” and “single-source” procurements are non-competitive procurements.

George Brown College may utilize non-competitive procurement methods (e.g. ACAN) only in situations outlined in CFTA and CETA. These situations will be in line with the transaction spend thresholds. The Procurement Department must be engaged in all non-competitive procurement.

PROCUREMENT PROCESSES

Evaluation Process

Competitive evaluation is a process that evaluates a supplier’s overall competitiveness based on factors such as price, quality, cost trends, lead time, flexibility and technical capabilities. The list of relevant criteria and the associated weighting factors will vary by product or service.

- a) Competitive procurement documents will fully disclose the evaluation methodology and process to be used in assessing submissions, including the method of resolving tie score;
- b) Competitive procurement documents will clearly outline mandatory, rated, and other criteria that will be used to evaluate submissions, including the weight of each criterion. The evaluation criteria will only be altered by means of an addendum to the competitive procurement process;
- c) Competitive procurement documents will state that submissions not meeting the mandatory criteria will be disqualified. Mandatory criteria (e.g., technical standards) will be kept to a minimum to ensure that no bid is unnecessarily qualified;
- d) Maximum justifiable weighting must be allocated to the price/cost component of the evaluation criteria. Price can be the only criterion when the product definition and requirements are standard, and products offered by different suppliers are standard;
- e) George Brown College will not discriminate or exercise preferential treatment in awarding an agreement to a supplier as a result of a competitive procurement process and
- f) George Brown College may request suppliers to provide alternative strategies or solutions as a part of their submission. In such a case, the College will establish criteria to evaluate alternative strategies or solutions prior to the commencement of the competitive procurement process. Alternative strategies and solutions will not be considered unless they are explicitly requested in the competitive procurement documents.

Evaluation Criteria Matrix

Each evaluation team member shall independently complete an evaluation criteria matrix, rating/ranking

each of the bid submissions based on the pre-established evaluation criteria. Evaluators must ensure that they document their evaluation of each bid submission in a manner that is fair, factual, and fully defensible.

All records of evaluation scores will be retained for auditing purposes.

Evaluation Team

- a) Competitive procurement processes require an evaluation team responsible for reviewing and rating the compliant bids in accordance with the criteria disclosed in the solicitation;
- b) The same evaluation team shall be responsible for evaluating all submissions. The evaluation team shall include division staff member(s) with relevant experience to evaluate the bidder's or proponent's submissions. The team shall:
 - i. Complete an evaluation matrix, rating each of the submissions. Records of evaluation scores will be retained for audit purposes;
 - ii. Ensure that everything they say or write about submissions is fair, factual, and fully defensible and
 - iii. Make recommendations to the Chair of the Evaluation Committee.
- c) The size of the evaluation team shall be reflective of the complexity and value of the procurement and shall not be comprised of less than three (3) members. Staff representatives from operational and support divisions may also be included on the evaluation team where appropriate, including complex or high-profile projects and those having corporate-wide implications;
- d) The Procurement Manager or designate shall ensure that all evaluation team members are made aware of the restrictions related to the utilization and distribution of confidential and commercially sensitive information collected through the competitive procurement process and their obligation to refrain from engaging in activities that may create or appear to create a conflict of interest or evaluation bias; and
- e) Evaluation team members, as well as any other divisional staff involved in the preparation of the solicitation, must sign a conflict-of-interest declaration and non-disclosure agreement.
- f) The Chair of the Evaluation Committee is the principal (or designate) of the Requisitioning Department with responsibilities including:
 - i. Lead the dialogue surrounding the evaluation of the proposals in relation to the business
 - ii. requirement;
 - iii. Complete the Evaluation Committee Member Declaration form;
 - iv. Select participants for the Evaluation; and
 - v. Present the recommendation(s) to the appropriate authority for vetting.
- g) The Procurement Department's role during the Procurement and Evaluation process

The Procurement Department Completion Process:

- i. Complete the Evaluation Committee Member Declaration form
- ii. Complete both qualitative and quantitative analysis of vendor proposals
- iii. Negotiate pricing, terms and condition
- iv. Prepare the Bid Summary document

- v. Issue Vendor Award notice
- vi. Prepare appropriate contractual documents i.e. Letter of Intent etc.
- vii. Electronically organize all documents related to each project
- viii. Facilitate vendor debrief meetings
- ix. Conduct a contract review and facilitate contract management on behalf of the Business Unit

PROCUREMENT APPROVALS

Expenditure Authorization

This Signing Limit and Approval Policy outlines the approvals required by dollar amount and type of transaction. Informal delegation of expenditure approval authority is prohibited.

Commodity Approvals

The Commodity Approval Procedure identifies departmental reviews and signoffs required to purchase certain goods or services.

- a) IT hardware, audio-visual equipment and software must be reviewed by the ITS Department. Client Services requisitions for or including software licenses and version upgrades (but excluding maintenance patches) for either corporate or educational use must be approved by the ITS Department;
- b) Academic-related research database subscriptions must be reviewed by the Academic Services & Learning Resource Department before establishing a contract with the software vendor;
- c) The Public Safety and Security Department must review security equipment or specialized security-systems software;
- d) The specification and acquisition of all construction, renovation and building services and all electrical equipment, furniture and signage must be reviewed by Facilities Management;
- e) Digital publication (web, video, apps) and printing services for external distribution purposes from a branding and accessibility point of view must be reviewed by the Publications Department and
- f) Any procurement affecting teaching delivery must be reviewed by the relevant Academic Division Chair or senior manager.

Requisitions and Purchase Order

Requisitions

A requisition is a written request to acquire goods and services for a specific business requirement. An approved requisition is a required element of most procurements with a value of \$5,000 or more, ahead of the issuance of a purchase order. Requisitions must be developed using the College's Millennium WebReq module.

- a) The user Department should prepare the requisition for submission to the Procurement

Department. The Procurement Department provides training on accepted standards for a properly completed requisition. Required elements include description, quantities, agreed prices, appropriate account code, sufficient budget and proper approval;

- b) Prior to engaging an external supplier/contractor, the Requisitioning Department shall verify with the Procurement Department the external supplier/contractor's existence in Banner;
- c) All quotations obtained must be documented and electronically attached to the requisition respectively; and
- d) The Procurement Department is accountable for ensuring that all requisitions and related documents align with the authorities in this section, for working with the user Department to address any deficiencies, and for rejecting any requisitions not made to be consistent with this policy and procedure.

Purchase Order

A Purchase Order (PO) is an offer issued by the College to a vendor. Acceptance of this offer constitutes a legal contract between both parties. **A Purchase Order (PO) is required for all spending over \$5,000 unless exempted by this policy.**

The user department must forward a fully completed requisition to the Procurement Department to trigger the creation of a Purchase Order. Once received and reviewed, the Procurement Department will complete and forward the Purchase Order to the vendor. Time is often of the essence in procurement, and user departments can assist by ensuring the requisition is complete and submitted in a timely manner.

The Procurement Department is accountable for ensuring that all requisitions and related documents align with the authorities in this section, for working with the user Department to address any deficiencies, and for rejecting any requisitions not made consistent with this policy and procedure.

Before any agreement or purchase order is issued with 'new' external suppliers, the Procurement Department has the responsibility to ensure suppliers are evaluated and assessed to verify that they meet certain criteria to be qualified suppliers. These criteria include financial solvency, compliance with applicable international, national and local laws and regulations, and compliance with the College technical standard.

- a) Where a purchase order is required, the requisition must be created and approved before any goods or services are ordered and invoices are received;
- b) If the supplier/contractor does not have a valid Banner supplier ID, the Requisitioning Department must contact the Procurement Department to verify and set up a new vendor. The Procurement Department will check the validity of the supplier through the Canadian Revenue Agency website and internet search before the supplier record is established;
- c) If there is an agreement in place with the supplier, this should be referenced on the requisition and purchase order, and
- d) Although the following commodities or Business Units are **exempt** from issuing a Purchase Order, it should be noted that Competitive Quotation still applies, where appropriate:

- i. Athletic tournaments
- ii. Books, magazines, subscriptions and periodicals for the library, either print or electronic
- iii. Bookstore Purchases
- iv. CHCA ICC food, beverage and related purchases for student use or resale
- v. Course fees for professional development taken by staff
- vi. Customs and duty charges
- vii. Honorariums – ex gratia services
- viii. International student fairs
- ix. Membership fees for business/job-related purposes
- x. Purchases using the Procurement Card
- xi. Requirements under \$5,000 unless the vendor or Business Unit requires a Purchase Order
- xii. Strategic academic partnerships (exceptional, well-documented relationships)
- xiii. Student placement commissions

MANAGING PROCUREMENT

Bid Dispute Resolution

To manage disputes with suppliers throughout the agreement, the College will include a dispute resolution process in its agreements. For services, George Brown College will:

- a) Establish clear terms of reference for the assignment. The terms will include objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements, and knowledge transfer requirements;
- b) Engage the Procurement Department to act as a facilitator in the arbitration of any vendor disputes. Any pre-award dispute must be received in writing by the Procurement Manager as soon as possible from the time when the basis for the dispute becomes known. The Procurement Manager may delay an award or any interim stage of a procurement pending the acknowledgement and resolution of any pre-award dispute.

The Procurement Manager, in consultation with the Chief Financial Officer where appropriate, shall conduct a review of the tendering or pre-award dispute and determine whether:

- i. Cancel the tender;
- ii. To dismiss the tender/pre-award dispute;
- iii. To accept the tender/pre-award dispute and take the appropriate remedial action.

The Procurement Manager may adopt and publish such further procedures as are necessary to ensure a timely review and resolution of tender/pre-award bid disputes.

Contract Establishment, Execution and Administration

- a) Written agreements should be established for the engagement of a supplier to provide goods and/or services to a worksite.
- b) A written agreement must be established where there are intellectual property, insurance, confidentiality or disclosure requirements.

- c) The value and conditions of the agreement impact the level of contract management required. Effective contract management ensures the objectives of the procurement are met.
- d) Contract management is an important component of the procurement process as it enables a clear set of contract requirements and objectives to be managed and monitored throughout the contract term.

Contractor Performance Evaluation

The Procurement Department, in consultation with divisions, will develop further procedures related to contractor performance.

Project Leads must manage and document Supplier performance in accordance with the terms of the contract, and any performance issues must be addressed. In addition to any other performance evaluation criteria developed by the College, Project Leads must provide a poor past performance rating for suppliers less than the full performance of the College contract that results from either:

- a) A termination of the contract due to the supplier's default; or
- b) A conditional amendment of the contract due to the supplier's default.

Vendor Management

Business Units must purchase from a financially sound, reputable vendor that meets the College's needs. Business Units must manage relationships with suppliers, with the engagement of the Procurement Department as appropriate, to deal with the best suppliers and achieve optimal service, ultimately supporting the strategic objectives of the College.

- a) Engage the Procurement Department to perform vendor financial and risk management analysis;
- b) Monitor, measure and document the vendor's performance in relation to the scope of the project and the vendor proposal;
- c) Ensure the vendor provides products and services that are innovative and abreast with current market standards; and
- d) Engage the Procurement Department to act as a facilitator in the arbitration of any vendor disputes.

Procurement Records Retention

For reporting and auditing purposes, all procurement documents, as well as any other pertinent information, must be retained in a recoverable form for a period of seven years and in accordance with George Brown College's practices for handling, storing, and maintaining the supplier's confidential and commercially sensitive information.

Receiving goods

All goods will be delivered to Receiving unless otherwise specified in the Purchase Order.

- a) Goods must be accompanied by a packing slip that indicates the purchase order number. Receiving will deliver the goods to the Business Units.
- b) Business Units are responsible for validating that the goods received are in accordance with the order and sending the approved invoice (one signature if there is a Purchase Order, two signatures if no Purchase Order) via email to Accounts Payable for payment. Hard copy of the invoice/packing slip is to be sent to Accounts Payable via interoffice mail and
- c) If goods received are not in accordance with the order, Business Units are responsible for following up with the vendor, in consultation with the Procurement Office.

Green Purchasing

Green purchasing is set within the context of achieving value for money. It requires the integration of environmental performance considerations into the purchasing process, including planning, acquisition, use and disposal. In this context, value for money includes the consideration of many factors such as cost, performance, availability, quality and environmental performance.

As part of the College's sustainability management, within its overall Green Plan, the College has a [Green Purchasing Policy](#) which provides guidelines for sustainable procurement. In particular, environmental attributes of products and services should be considered as part of any relevant tender development and evaluation.

Disposal of Assets

To dispose of non-capital assets (under \$5,000), contact the Facilities Department for goods such as office furniture, equipment, etc. or the ITS Department for electronic goods such as computers, printers, or telephones. Wherever possible, assets should be reused (including possible reuse by students or other College community members) or recycled.

To dispose of capital assets (over \$5,000), contact the Finance Department for the relevant form to be completed.

Purchasing Card

The Purchasing Card (PCard) is a convenient alternative that is recommended when procuring goods and services of a low dollar value.

5. NON-COMPLIANCE IMPLICATIONS

Non-compliance is a deviation from the policy and procedures specified in this document and would create financial, legal and/or reputational costs and risks for the College.

The Business Unit is responsible for acquiring goods and services in a manner that mitigates risks and helps achieve their business requirements and the College's strategic objectives in alignment with the Corporate Procurement Policy and Procedures.

If a situation of non-compliance is identified and confirmed, the Procurement Department reserves the right to suspend the associated procurement process and report the non-compliance to an appropriate authority (management or more senior management of the department, potentially leading to external reporting to appropriate authorities).

6. SUPPORTING DOCUMENTATION

Appendix A – Glossary of Terms

7. RELATED POLICIES

Signing authority policy
Expense Claim Policy
Conflict of Interest Policy
Employee/Employer Relations Policy
Receiving Policy
[AODA Accessibility Policy](#) [Green Purchasing Policy](#)
Computer Equipment Purchase Policy and Procedures

8. RELATED MATERIALS

Broader Public Sector Procurement Directive Canadian Free Trade Agreement (CFTA)
Comprehensive Economic and Trade Agreement (CETA)
[Procurement Supply Chain Code of Ethics](#)
[AODA Policies](#)
WebREQ User Guide
Purchasing Card Procedure
Purchase Order Requisition Procedure

APPENDIX A – GLOSSARY OF TERMS

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| ACAN | An Advance Contract Award Notice (ACAN) is a public notice indicating to the supplier community that the College intends to award a good, service or construction contract to a pre-identified supplier, believed to be the only one capable of performing the work, thereby allowing other suppliers to signal their interest in bidding by submitting a statement of capabilities. |
| Approval Authority | The authority delegated to a person designated to occupy a position to approve one or more procurement functions up to specified dollar limits. |
| Approval Level | Dollar levels that define which approvals are needed for various business transactions. Limits are set on the size and nature of the business transactions and are assigned to the individual or job role authorized to execute based on the appropriate level of responsibility. |
| Award | The notification to a proponent of acceptance of a proposal, quotation or tender. |
| Bid | A proposal, quotation or tender submitted in response to a solicitation from a contracting authority. A bid covers the response to any of the three principal methods of soliciting bids (i.e., Request For Proposal, Request For Tender and Request For Quotation). |
| Bid Protest | A dispute raised against the methods employed or decisions made by a contracting authority in the administration of a proposal, tender or quotation process. |
| Broader Public Sector (BPS) | As defined in the Broader Public Sector Accountability Act, 2010. |
| BPS Procurement Directive | BPS Procurement Directive, which replaces the BPS Supply Chain Guideline issued by the Ontario Ministry of Finance in 2011. |
| Competitive Procurement | A set of procedures for developing a procurement contract through a bidding or proposal process. The intent is to solicit fair, impartial competitive bids. |
| Conflict of Interest | A situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the professional's judgment is likely to be compromised. |
| Construction | Construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a |

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| | building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement. |
| Consultant vs. Contractor | <p>Consultant - A person or entity under an agreement, other than an employment agreement, that provides expert or strategic advice and related services for consideration and decision-making.</p> <p>Contractor – A person or entity retained under a fee-for-service arrangement to perform specific tasks at the direction of the College for a limited period of time.</p> |
| Consulting Services | The provision of expertise or strategic advice that is presented for consideration and decision-making. |
| Contract | An obligation, such as an accepted offer, between competent parties upon a legal consideration to do or abstain from doing some act. |
| Electronic Tendering | A computer-based system that provides suppliers with access to information related to open competitive procurements. |
| Equipment | All capital equipment, supplies, operational and service documents to be delivered, including all parts provided during the warranty period and all work necessary to deliver and install the equipment. |
| Evaluation Criteria | A benchmark, standard in which accomplishment, conformance, performance and suitability of an individual, alternative, activity, product or plan is measured to select the best supplier through a competitive process. Criteria may be qualitative or quantitative in nature. |
| Evaluation Matrix | A tool allowing the evaluation team to rate supplier proposals based on multiple pre-defined evaluation criteria. |
| Evaluation Team | A group of individuals designated/responsible for making an award recommendation. The evaluation team would typically include representatives from the purchasing organization and subject-matter expert(s). Each member participates to provide business, legal, technical and financial input. |
| Evaluation Team Lead (Chair) | The individual responsible for coordinating the evaluation process. |
| Goods | Moveable property (including the costs of installing, operating, maintaining or manufacturing such moveable property), including raw materials, products, equipment and other physical objects of every kind and description, whether in solid, liquid, gaseous or electronic form, unless they are procured as part of a general construction contract. |
| Goods and Services, Goods or Services | All goods and/or services, including construction, consulting services and information technology/ |

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| Information Technology | The equipment, software, services and processes used to create, store, process, communicate and manage information. |
| Invitational Competitive Procurement | Any form of requesting a minimum of three (3) qualified suppliers to submit a written proposal in response to the defined requirements outlined by an individual/ organization. |
| Non- Discrimination | Fairness in treating suppliers and awarding contracts without prejudice, discrimination or preferred treatment. |
| Offer | A promise or a proposal made by one party to another, intending the same to create a legal relationship upon the acceptance of the offer by the other party. |
| Procurement | Procurement is the overarching process of acquiring goods and services from external sources for the Divisions and Departments, referred to as “Business Units”. |
| Procurement /Contract Lead | An individual assigned to each procurement to ensure that it is conducted in an ethical, lawful, effective and accountable manner. |
| Procurement Policies and Procedures | A framework and mandatory requirements to govern how Organizations conduct sourcing, contracting and purchasing activities, including approval segregation and limits, competitive and non-competitive procurement, conflict of interest and contract awarding. |
| Procurement Value | The estimated total financial commitment resulting from procurement, taking into account optional extensions. |
| Purchase Order (PO) | A written offer made by a purchaser to a supplier formally stating the terms and conditions of a proposed transaction. |
| Request For Expressions of Interest (REOI) | <p>A document used to gather information about supplier interest in an opportunity or information about supplier capabilities/qualifications. This mechanism may be used when a BPS organization wishes to gain a better understanding of the capacity of the supplier community to provide the services or solutions needed.</p> <p>A response to a REOI must not pre-qualify a potential supplier and must not influence their chances of being the successful proponent on any subsequent opportunity.</p> |
| Request For Information (RFI) | <p>A document issued to potential suppliers to gather general supplier, service or product information. It is a procurement procedure whereby suppliers are provided with a general or preliminary description of a problem or need and are requested to provide information or advice on how to better define the problem or need, or alternative solutions. A response to an RFI must not pre-qualify a potential supplier and must not influence their chances of being the successful proponent on any subsequent opportunity.</p> |

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| Request For Proposal (RFP) | A document used to request suppliers to supply solutions for the delivery of complex products or services or to provide alternative options or solutions. It is a process that uses predefined evaluation criteria in which price is not the only factor. |
| Request for Qualification (RFQ) | A document used to solicit, from potential vendors, financial stability, technical information and product or service suitability, and which measure the products and services against stated evaluation criteria. |
| Vendor of Records (VoR) | Suppliers are selected from established collaborative VoR arrangements with the Ministry of Government and Consumer Services (MGCS), Ontario Education Collaborative Marketplace (OECM), other agreements open to Broader Public Sector (BPS) organizations, or agreements resulting from a College of Toronto-led competitive procurement process. These arrangements result in an approved supplier records. |