PROCUREMENT AND PURCHASING

Scope

This policy and these administrative procedures apply to all procurement activity by or on behalf of the Cape Breton-Victoria Regional School Board.

Policy Statement

The Cape Breton-Victoria Regional School Board believes in the procurement of all goods and services, construction and facilities in an open, fair, consistent and transparent manner resulting in best value.

Cross Reference

- The Nova Scotia Public Procurement Act and the related Regulations (www.gov.ns.ca/tenders)
- Applicable guidelines/directives of the Procurement Services Division of NS Economic & Rural Development (Current list attached as Appendix B)
- Agreement on Internal Trade and applicable trade agreements including the Atlantic Procurement Agreement (www.gov.ns.ca/tenders)

Authorization

The policy has been authorized by the Board under motions number 2013-06-30.

Responsibility

It is the responsibility of the Director of Financial Services to ensure that these Administrative Procedures are implemented and ensure compliance with this policy.

Implementation

These Administrative Procedures shall be implemented by all Board employees who initiate or authorize purchases using Board funds or are otherwise involved with management of the Board’s procurement and purchasing system, including without limitation, the Purchasing Agent, each school Principal and Vice-Principal and all Supervisors, Directors, Consultants, Coordinators and Managers (including their respective designates). All Board employees who have responsibility for the procurement of goods, services, construction, or facilities must adhere to this policy. Failure to adhere may result in a temporary or permanent loss of procurement privileges or in more extreme cases result in disciplinary action and/or dismissal.
**Procedures**

**Procurement Processes**

There are different methods of procurement which are utilized to acquire goods, services, construction and/or facilities. There are many factors which determine which method is to be used including the requirements of these procedures, the urgency of the requirement, estimated dollar value, complexity of requirement, quantities required, commercial availability and source of supply. All of these factors will influence the procurement strategy and the selection of the best method of procurement in a given situation. Below are listed some of the various methods of procurement.

1. **Request for Construction (RFC):**

   Used to tender for a construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. When a supplier is invited to bid on a construction project, the tender documents must contain a set of terms and conditions and separate bid form that apply to that specific project. Suppliers are requested to submit a response (bid) in accordance with the predefined criteria. The selection of the successful proposal is based on a number of factors as described in the tender documents. A request for construction usually does not include professional consulting services related to the construction contract unless they are included in the specifications.

2. **Request for Proposal (RFP):**

   Used when a supplier is invited to propose a solution to a problem, requirement or objective. Suppliers are requested to submit detailed proposals (bids) in accordance with pre-defined evaluation criteria. The selection of the successful proposal is based on the effectiveness, value and price of the proposed solution. Negotiations with suppliers may be required to finalize any aspect of the requirement.

3. **Request for Quotation (RFQ):**

   Used on goods or products with a minimum specification. Award is usually made based on the lowest price meeting the specification. An RFQ does not normally but may sometimes include evaluation criteria.
4. **Request for Expression of Interest (REI):**

Similar process to the Request for Proposal and is sometimes referred to as a Pre-Qualification, where suppliers are invited to propose a solution to a problem. The REI, however, is only the first stage in the procurement process. Bidders responding to the REI will be short listed according to their scoring in the evaluation process. The short listed firms will then be invited to respond to the subsequent Request for Proposal. A REI does not normally include pricing, as price is a key evaluation criteria used in the second stage RFP process.

5. **Request for Standing Offer (RSO):**

A public tender to provide commonly used goods or services. The term of the standing offer can vary in duration but will be clearly defined in the tender documents. RSOs may include evaluation criteria depending on the requirement.

6. **Unsolicited Proposals:**

In order to promote innovation, the Board has defined a process to deal with unsolicited proposals. When an unsolicited proposal is received, the Board may consider a range of options, including a pilot project, partnership, or other arrangement that will be undertaken to assess the merit of the proposal as stated in the Province of Nova Scotia **Guide to the Submission and Evaluation of Unsolicited Proposals.** This guide can be found on the Procurement Web Portal. All unsolicited proposals must be authorized by the Director of Financial Services or the Superintendent of Schools.

7. **Cooperative Procurement:**

CBVRSB personnel are encouraged to look for opportunities to collaborate with government agencies when the arrangement may result in overall cost savings or other substantial advantages. Joint procurement may be appropriate to procure commonly used goods or services such as fuel, oil, multifunction devices, telecommunications, etc.

8. **Strategic Sourcing:**

Schools/departments may, in special circumstances and in consultation with Purchasing, consider the use of a source list of suppliers that can supply specific goods or services, approved on their ability to meet the end users’ requirements. A request must be made to Purchasing regarding the establishment of a source list, and Purchasing will make the final determination of the validity of the request and establish appropriate thresholds. Thresholds will not exceed the values permitted by applicable trade agreements. Procedures on the usage and limits of source lists will be made
available to users.

9. **Alternative Procurement Practices:**

In order to balance the need for open, competitive process with the demands of urgent or specialized circumstances, Alternative Procurement Practices may be used in specific circumstances. These exemptions must be used only for the purposes intended and not to avoid competition or used to discriminate against specific suppliers. To ensure appropriate use, each circumstance must be documented by CBVRSB personnel stating the rationale permitting the Alternative Procurement Practice, approved and signed by the Director of Financial Services. (All documents must be filed and maintained for audit purposes.)

See below for a list of Alternative Procurement circumstances, as well as further requirements on documentation.

**No Threshold Restrictions:**

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

a. Where an unforeseeable situation of urgency exists and the good, service, construction or facilities requirement cannot be obtained in time by means of open procurement procedures. Entities must ensure inadequate planning does not lead to inappropriate use of this exemption.

b. Where goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise Board confidentiality, cause economic disruption, or be contrary to the public interest.

c. Where compliance with the open tendering provisions set out in this Chapter would interfere with a Party’s ability to maintain security or order, or to protect human, animal, or plan life or health.

d. In the absence of tenders in response to an open or selective tender, or when the tenders submitted have been collusive, or not in conformity with the essential requirements in the tender.

e. For the procurement from philanthropic institutions, prison labor, persons with disabilities, sheltered workshop programs, or through employment equity programs.

f. For the procurement of goods intended for resale to the public.
g. For the procurement from the public body or non-profit organization.

h. For the procurement of services of expert witnesses; specifically in anticipation of litigation or for the purpose of conducting litigation.

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

a. To ensure compatibility with existing products; to recognize exclusive rights, such as exclusive licenses, copyright and patent rights; or to maintain specialized products that must be maintained by the manufacturer or its representative.

b. Where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists.

c. For the procurement of goods or services, the supply of which is controlled by a supplier that is a statutory monopoly.

d. For the purchase of goods on a commodity market.

e. For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor.

f. For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work.

g. For the procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study, or original development, but not for any subsequent purchases.

h. For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership but not for routine purchases.

i. For the procurement of original works of art.

j. For the procurement of subscriptions to newspapers, magazines, or other periodicals.

k. For the procurement of real property.
Threshold Restrictions:

CBVRSB personnel may use the following Alternative Procurement Practices up to the high value thresholds of these Administrative Procedures in the following circumstances:

a. For the procurement of goods or services for the purpose of evaluating or piloting new or innovative technology with demonstrated environmental, economic or social benefits when compared to conventional technology, but not for any subsequent purchases.

b. For procurement that fosters the development of minority business.

10. Sustainable Procurement:

Sustainable Procurement involves taking a holistic approach to obtain best value. This will be done by integrating the following considerations in the procurement process:

· Environmental considerations, e.g., Green House Gas Reduction, Waste Reduction, Toxic Use Reduction

· Economic considerations, e.g., Life Cycle Cost, Fiscal Responsibility, Support for the Local Economy

· Social considerations, e.g., Employee Health and Safety, Inclusiveness and Fair Wage, Health Promotion

11. Exceptions

In the event of a situation which requires amendment to one (or more) of the defined purchasing processes, purchasing or procurement shall only proceed with the approval of the Director of Financial Services and/or the Superintendent of Schools.
Purchase Thresholds

With respect to the procurement of goods, services, construction and facilities by or on behalf of the Board, the following criteria shall apply in accordance with the procedures set out below. The dollar amounts refer to a “procurement value” which is the total financial commitment of the Board resulting from a procurement of similar goods, services, construction or facilities at one time.

Low Value Procurement

- **Goods** up to and including $25,000
- **Services** up to and including $50,000
- **Facilities** up to and including $50,000
- **Construction** up to and including $100,000

For all low value procurement activity with a procurement value as outlined above (excluding taxes), CBVRSB personnel are expected to follow the procedures set out below. The only exception to this would be when the CBVRSB personnel are using Alternative Procurement Practices.

When selecting the list of suppliers to be provided the opportunity to quote, CBVRSB personnel will make every effort to ensure a fair and open process is followed. While CBVRSB personnel are expected to invite only qualified suppliers, they are not to consistently invite bids from only one or a select group of suppliers. Invitations and bidding opportunities are to be equitably distributed among all potential bidders in an area, and all interested and qualified suppliers are to be evaluated on a consistent and equitable basis. Where increased competition is appropriate, CBVRSB personnel may choose to publicly tender for goods, services, construction or facilities that fall within the above thresholds.

Purchases of goods, services or construction with a total procurement value of less than $1,000 (excluding taxes) – including the site-based purchase order – may be acquired by single source.

The initiator of the purchase shall:

- Prepare a requisition; and
- Obtain approval from their Principal/Coordinator/Director (or designate).

The Principal/Coordinator/Director (or designate) shall:

- Review the requisition.
- If purchase is recommended, sign requisition.
- Forward approved requisition to the appropriate person for inputting.
For all requisitions received, the Purchasing Agent (or designate) shall:

- Process requisition by assigning a purchase order number. (Purchase order is charged to the appropriate account in the Board’s financial system.)
- Review purchase order and check for accuracy.
- Obtain authorized signature.
- Distribute purchase order copies to vendor, requisitioner and accounts payable.

Upon receipt of goods/services, the Principal/Supervisor/Manager/Secretary/Coordinator/Director (or designate) shall:

- Check goods received/service(s) provided for completeness, condition, compliance with purchase order, etc.
- Process “Receiving Copy” (Yellow Copy) of purchase order; and
- Submit to the Board’s Accounts Payable office for payment.

Accounts Payable staff shall:

- Match purchase order and supplier invoice;
- Apply payment data to appropriate account in Board’s financial system;
- Issue payment to supplier; and
- File documentation.

When site-based requisitions are used, the authorized person shall:

- Verify that the purchase complies with the Board’s approved budget;
- Complete the requisition, specifying the proposed budget allocation;
- Retain and file the “Requisitioner Copy”; and

Attach “Finance Copy” to supplier invoice and submit to Board’s Accounts Payable Office. Upon receipt of “Finance Copy” of requisition and supplier invoice, Accounts Payable staff shall:

- Review “Finance Copy” and supplier invoice for accuracy;
- Apply payment data to appropriate account in Board’s financial system;
- Issue payment to supplier; and
Purchases of goods, with a procurement value (excluding taxes) between $1,000 up to and including $25,000 shall be acquired from:

- a standing offer or
- attempting to obtain, as far as practicable, at least three (3) quotes and award to supplier offering best value or
- a public tender when increased competition is appropriate

Purchases of services and facilities, with a procurement value (excluding taxes) between $1,000 up to and including $50,000 shall be acquired from:

- a standing offer or
- attempting to obtain, as far as practicable, at least three (3) quotes and award to supplier offering best value or
- a public tender when increased competition is appropriate

Purchases of construction, with a procurement value (excluding taxes) between $1,000 up to and including $100,000 shall be acquired from:

- a standing offer or
- attempting to obtain, as far as practicable, at least three (3) quotes and award to supplier offering best value or
- a public tender when increased competition is appropriate

For goods, services or construction valued below $1,000 excluding taxes, quotes are not required.

For goods, services or construction valued over $1,000 but under the limits set out above, the following processes should be adhered to:

The initiator of the purchase shall:

- Prepare a requisition; and
- Obtain approval from their Principal/Coordinator/Director (or designate).

The Principal/Coordinator/Director (or designate) shall:

- Review the requisition.
- If purchase is recommended, approve requisition.
- Forward approved requisition to the appropriate person for inputting.
For all requisitions received, the Purchasing Agent (or designate) shall:

- Process requisition by assigning a purchase order number. (Purchase order is charged to the appropriate account in the Board’s financial system.)

- Ensure that proper approvals from the Principal/Coordinator/Director (or designate) are received prior to having purchase order authorized.

- Review purchase order and check for accuracy.

- Check vendor files to determine if requested item(s) are available from a selected supplier(s) and, if so, advise Principal/Coordinator/Director (or designate) of the preferred supplier.

- If Principal/Coordinator/Director (or designate) agrees to purchase from selected supplier, the Purchasing Manager (or designate) shall revise purchase order accordingly.

  If Principal/Coordinator/Director (or designate) disagrees with purchase from selected supplier, the Purchasing Manager (or designate) shall:

  - Obtain at least three (3) quotes, as far as practicable, from suppliers or issue a public tender when increased competition is appropriate. Advise Principal/Coordinator/Director (or designate) of prices/supplier information received as a result of the foregoing.
  - In consultation with Principal/Coordinator/Director (or designate), decide upon supplier.
  - Award to supplier offering best value.
  - Proceed with purchase by releasing purchase order.
  - Obtain authorized signature (Purchasing Agent, Director of Financial Services or Superintendent of Schools [or designate]).
  - Distribute purchase order copies to vendor, requisitioner and accounts payable.
Purchase Authorization

- Purchase requisitions for goods, services or construction with a total procurement value of less than $1,000 must be authorized by signature:
  - for schools, by the School Principal (or designate – Vice Principal or Teacher)
  - for Administrative Departments, by the Superintendent, any Director (or designate – Coordinator/Manager)

- Purchase requisitions for goods, services or construction with a total procurement value of $1,000 or more must be authorized by signature:
  - for schools, by the Superintendent or Director of Programs (or designate – Coordinator)
  - for Administrative Departments, by the Superintendent, or the Departmental Director (or designate – Coordinator/Manager)

- Purchase requisitions for goods, services or construction with a total procurement value of $5,000 or more must be authorized by signature:
  - for schools, by the Superintendent or the Director of Programs (or designate – Coordinator)
  - for Administrative departments, by the Superintendent, or the Departmental Director (or designate – Coordinator)

- Purchase requisitions for goods, services or construction with a total procurement value of $10,000 or more must be authorized by the Director of Financial Services (or designate – Coordinator of Finance) or Superintendent of Schools.

Upon receipt of goods/services, the Principal/Supervisor/Manager/Secretary/Coordinator /Director (or designate) shall:

- Check goods received/service(s) provided for completeness, condition, compliance with purchase order, etc.
- Process “Receiving Copy” (Yellow Copy) of purchase order; and
- Submit to the Board’s Accounts Payable office for payment.
Accounts Payable staff shall:

- Match purchase order and supplier invoice;
- Apply payment data to appropriate account in Board’s financial system;
- Issue payment to supplier; and
- File documentation.

**High Value Procurement**

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<th>Threshold</th>
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<td>Goods</td>
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<td>Services</td>
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<tr>
<td>Facilities</td>
<td>over $50,000</td>
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<tr>
<td>Construction</td>
<td>over $100,000</td>
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All procurement activity with a procurement value over the thresholds (excluding taxes) outlined above must be obtained through a public tender. See the section of these procedures entitled, **Procurement Processes**, for an outline of some of the various tools that can be used for public tender. The only exception to this would be when CBVRSB personnel are using an Alternative Procurement Practices or are accessing a publicly tendered standing offer. All public tender opportunities must be posted on the Province of Nova Scotia Procurement Web Portal. CBVRSB personnel may wish where appropriate to also advertise in local, provincial, or national media; however, there is no obligation to do so. In addition, a notice of tender opportunity may be sent to selected suppliers where required to ensure an adequate degree of competition.

Purchases of goods, with a procurement value (excluding taxes) over $25,000 shall be acquired from:

- a standing offer or
- a public tender

Purchases of services and facilities with a procurement value (excluding taxes) over $50,000 shall be acquired from:

- a standing offer or
- a public tender

Purchases of construction with a procurement value (excluding taxes) over $100,000 shall be acquired from:

- a standing offer or
- a public tender
The initiator of the purchase shall:

- Prepare a requisition; and
- Obtain approval from their Principal/Coordinator/Director (or designate).

The Principal/Coordinator/Director (or designate) shall:

- Review the requisition.
- If purchase is recommended, approve requisition.
- Forward approved requisition to the appropriate person for inputting.

For all requisitions received, the Purchasing Agent (or designate) shall:

- Process requisition by assigning a purchase order number. (Purchase order is charged to the appropriate account in the Board’s financial system.)
- Ensure that proper approvals from the Principal/Coordinator/Director (or designate) are received prior to having purchase order authorized.
- Review purchase order and check for accuracy.
- Check vendor files to determine if requested item(s) are available from a selected supplier(s) and, if so, advise Principal/Coordinator/Director (or designate) of the preferred supplier.
- If Principal/Coordinator/Director (or designate) agrees to purchase from selected supplier, the Purchasing Manager (or designate) shall revise purchase order accordingly.

If Principal/Coordinator/Director (or designate) disagrees with purchase from selected supplier, the Purchasing Agent (or designate) shall:

- Issue a public tender.
- Prepare specifications for proposed goods/service/construction.
- Refer (as appropriate) specifications to Director of Financial Services for review/revision/confirmation.
- Issue tender and advertise tender on the Nova Scotia Procurement Web Portal.
- Receive/stamp (date/time received) and file all bids/tenders.
- Hold bid/tender opening meeting (on date/time scheduled) and open all bids/tenders.
- Following bid/tender opening meeting, prepare analysis (spreadsheet) of bids/tenders.
- Inform appropriate Principal/Coordinator/Director of analysis results and determine successful bidder.
The Purchasing Agent (or designate) shall:

- Proceed with purchase by releasing purchase order.
- Obtain authorized signature (Director of Financial Services or Superintendent of Schools [or designate]).
- Distribute purchase order copies to vendor, requisooter and accounts payable.
- Post winning bidder and contract award amount on the Province of Nova Scotia Procurement Web Portal.

Upon receipt of goods/services, the Principal/Supervisor/Manager/Secretary/Director (or designate) shall:

- Check goods received/service(s) provided for completeness, condition, compliance with purchase order, etc.
- Process “Receiving Copy” (Yellow Copy) of purchase order; and
- Submit to the Board’s Accounts Payable office for payment.

Accounts Payable staff shall:

- Match purchase order and supplier invoice;
- Apply payment data to appropriate account in Board’s financial system;
- Issue payment to supplier; and
- File documentation.

**Bid Opening, Evaluation and Award**

**Bid Opening:**

Bids are accepted in accordance with the closing time, date and place stipulated in the bid request documents. The list of companies that submitted a bid, the successful bidder and the award amount will be posted on the Province of Nova Scotia Procurement Web Portal.

**Bid Evaluation:**

All bids are subject to evaluation after opening and before award of contract. The bid request documents must clearly identify the requirements of the procurement, the evaluation method, evaluation criteria based on the purpose and objectives of the procedures, and the weights assigned to each criterion. When evaluating the bids the evaluator(s) shall obtain best value.
Bid Award:

Tenders recommended that are not the lowest bid or are for projects that are outside the approved budget and/or Department of Education capital initiatives shall be brought to the Board for information purposes.

The successful bidder and contract award amount for all high value procurement activity must be posted on the Province of Nova Scotia’s Procurement Web Portal. After contracts have been awarded, routine access to information at the vendors request shall be provided in the following areas:

- Bidders list
- Name of successful bidder
- Award price excluding taxes of the successful bidder

Access to tender documents or other proprietary information is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Supplier Debriefing:

At the request of a supplier who submitted a bid, CBVRSB personnel will conduct a supplier debriefing session to provide feedback on the evaluation of the public tender. Suppliers can find out how their proposal scored against published criteria, obtain comments on their bids, and gather information on how future bids may be improved. Supplier’s bids are not compared to other bids, nor will information on other bids be provided.

Supplier Complaint Process (SCP):

When a supplier is not satisfied with the information provided in a supplier debriefing, the supplier may file a complaint in accordance with the chief Procurement Officer as set out in the *Public Procurement Act*. The SCP is not a dispute resolution process, but rather is intended to handle supplier complaints and to improve faulty or misleading procurement processes. The SCP is an integral part of a fair and open procurement policy.

**Obligations Under the Public Procurement Act**

In addition to the areas already covered by this Policy, the following are additional obligations of the *Public Procurement Act* that the CBVRSB personnel are required to adhere to with their Procurement practices.
Terms and Conditions

Every public tender notice must include or have attached the terms and conditions that govern the purchase of goods, services, construction or facilities. The terms and conditions of every public tender notice will be the CBVRSB Terms and Conditions, Goods and Services which are consistent with the Atlantic Standard Terms and Conditions for the procurement of goods, services, or facilities and the Construction Contract Guidelines developed in collaboration with the Construction Association of Nova Scotia for the procurement of construction.

Posting Tender Notices and Awards

All opportunities subject to a public tender must be advertised on the Province of Nova Scotia Procurement Web Portal. CBVRSB personnel must also post on the Procurement Web Portal the name of the successful bidder for the public tender and the contract amount awarded.

Code of Ethics

CBVRSB personnel and board members must ensure their conduct in relation to procurement activity is consistent with the “Duties of public sector entity employees” in the Public Procurement Act. (See Appendix A)

Other

Policy Posting – CBVRSB personnel will ensure this policy is posted on the CBVRSB website.

Supplier Development Activities – CBVRSB personnel will make every attempt where appropriate to participate in vendor outreach activities and professional development programs as requested by the Procurement Governance Secretariat.

Regulations – CBVRSB personnel will make sure that procurement practices remain consistent with any regulations that are adopted under the Public Procurement Act.

Competition Bureau of Canada – CBVRSB personnel will take steps to become familiar with the Competition Bureau of Canada bid rigging awareness and prevention guidelines and adopt applicable practices.
Additional Procurement Procedures

Purchasing Card:
These cards may be issued at the request of a Coordinator, Director or Superintendent, and upon the approval of the Department Director, Superintendent and the Purchasing Agent; any disputes as to approval shall be determined by the Director of Financial Services.

Cardholders will receive, prior to receiving the card, a review and will be required to sign the Mastercard Purchasing Card, Policy and Procedure Guidebook.

Purchasing cards shall be used by Board employees to whom they are issued to improve payment processes and reduce paper. Purchasing cards have various transaction and monthly limits.

The cardholder shall use the card only to purchase goods or services within the cardholder’s limits. All transactions require the approval of the person responsible for the applicable budget.

The cardholder shall:

- Purchase goods to their individual transaction/monthly limit only.
- Keep all receipts.
- Ensure receipts are reconciled with monthly statement.
- Have reconciled monthly statement and receipts approved by Department Coordinator/ Director or Superintendent (per Department guidelines) and in to the Accounts Payable Department five (5) full business days prior to statement due date.

Budget
The Coordinator of Finance and Accounting shall monitor all budget line items.

The Purchasing Agent (or designate) is responsible for monitoring all “School instruction budgets” to ensure that schools do not spend beyond their budgetary allowances.

All staff with budget responsibility are accountable to ensure that goods and services purchased are in accordance with the approved budget and/or within their area of accountability.

Reporting
A monthly report on all tenders greater than $10,000 will be prepared by Purchasing and forwarded to the Director of Financial Services with copies for the Management Committee. This report would include information on goods/services/ construction where a tender exception or an alternate procurement practice has been approved by the Director of Financial Services or the Superintendent of Schools.
PROCUREMENT PROCESS
DEFINITIONS

Alternative Procurement Circumstances
The situations set out in these Administrative Procedures where a contract may be concluded, absent a public tender process.

Alternative Procurement Practices
Procurement conducted without a public tender process in a situation where Alternative Procurement Circumstances exist.

Atlantic Standard Terms and Conditions
Standard instructions that support public tenders issued by the four Atlantic Provinces for goods and services. Supplements may be added if and when required.

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

Bid
A supplier response to a public tender notice to provide goods, services, construction or facilities.

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

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

Goods
Materials, furniture, merchandise, equipment, stationery and other supplies required by CBVRSB for the transaction of its business and affairs, and includes services that are incidental to the provision of such supplies.
Facilities (also referred to as Building Leases)

All building lease requirements covering the conveyance of the right to use tangible building property for a specified period of time in return for rent.

Life Cycle Costing

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

Procurement

Procurement means the acquisition by any means, including by purchase, rental, lease or conditional sale, of goods, services, construction or facilities, but does not include:

- any form of government assistance such as grants, loans, equity infusion, guarantees, or fiscal incentives
- government provision of goods and services to persons or other government organizations.

For purposes of this definition Procurement also includes what can be referred to as “Reverse Procurements”. A Reverse Procurement is any transaction where tangible or intangible public resources are made available to be used, consumed, or sold by the private sector in return for a fee, service or other form of valuable benefit.

These procurements include but are not restricted to the distribution, use or sale of government information, processes, intellectual property, computer software or real property and facilities. All such procurements must comply with the Province of Nova Scotia Public Procurement Act and Regulations and all relevant provisions of the Surplus Crown Property Disposal Act and Regulations as they are viewed as valuable resources which must be managed and safeguarded as are other government assets.

The award approval processes which apply to reverse procurements are the same as those for regular procurements with the exception that departments are required to select the best value tender for award or seek the approval of the Director of Financial Services (or designate).

Procurement Activity

The acquisition of all goods, services, construction, or facilities procured by purchase, contract, lease, or long term rental.
Procurement Advisory Group

The advisory group established by the Public Procurement Act to provide advice and recommendations to advance the goals of the Act.

Procurement Value

The value of the total contract excluding taxes but including all options whether exercised or not. For Facilities this value is determined by the monthly lease/rent times the term of the contract.

Procurement Web Portal

The public website maintained by the Province of Nova Scotia where all public tender notices are posted.

Advertising a public tender notice on the procurement web portal.

Public Advertisement

Advertising a public tender notice on the procurement web portal.

Public Procurement Act (PPA)

An Act outlining the rules related to the procurement activity of all public sector entities in the Province of Nova Scotia.

Public Tender

Procurement for goods, services, construction or facilities obtained through public advertisement. (See Section “Procurement Processes” for an outline of the various tools that can be used for public tender.)

Public Tender Notice

Notice of intended procurement for goods, services, construction, or facilities obtained through public advertisement.
Quote
A statement or listing from a supplier of the price for goods, services, construction or facilities.

Selected Supplier
A selected supplier refers to a vendor who has responded previously to a tender, within the previous twelve (12) months, and had submitted the lowest competent bid for the good/service/construction. The vendor will provide the Board with the good/service/construction for a price equal to or less than such tendered price.

Services
A service required by CBVRSB for the transaction of its business and affairs, excluding services provided by an employee or through a personal services contract.

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

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

Supplier
A supplier means a person carrying on the business of providing goods, services, construction and facilities to a public sector entity.

Tender
Tender (also referred to as a bid or proposal) means a supplier’s response to a tendering procedure (also referred to as a call for tenders).

Tendering Procedures
Tendering procedures (also referred to as Procurement Processes) are the processes by which suppliers are invited to submit a tender, a proposal, or a cooperative business solution and includes the ways in which those tenders,
Associated Forms

Policy Review

This policy will be reviewed by the Director of Finance within three years from this authorization date.

Distribution

Board Members
All Policy Manual Holders
CBVRSB Website
APPENDIX A

PUBLIC SECTOR CODE OF ETHICS/DUTIES OF PUBLIC SECTOR ENTITY EMPLOYEES

There are a number of obligations that each individual who works in the area of procurement must be aware of and follow. These obligations are outlined in Section 15 of the Act where it states that public sector employees shall:

a) Ensure their procurement activities are conducted according to policies, provincial and federal legislation, trade agreements, and ethical business practices.

b) Encourage and support collaborative procurement amongst Public Sector Entities.

c) Follow leading procurement practices.

d) In good faith, conduct business with current and prospective suppliers and be fair in all business dealings.

e) Strive to obtain the best value for each expenditure.

f) Require suppliers provide accurate representations of goods, services, and construction.

g) Encourage suppliers to consider sustainability in their product or service offerings.

h) Encourage the negotiation of an equitable and mutually acceptable settlement when a dispute arises.

i) Request removal from a procurement process when a personal conflict of interest is perceived.