ADMINISTRATIVE POLICIES & PROCEDURES MANUAL
POLICY AND PROCEDURE

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PROCUREMENT (PURCHASING)

POLICY

Brantwood Community Services is committed to acquiring goods and services through an open fair and transparent process. The procurement process will comply with all relevant legislation including Building Ontario Businesses Initiative and must use ethical, professional, standardized and accountable practices, provide equal access to vendors to procurement opportunities, processes and results. Agency procurement will commit funds prudently and responsibly without prejudice and will obtain maximum value from vendors prioritizing Ontario and Canadian vendors offering the best price consistent with the required specifications as to quality, availability and service.

PURPOSE:

The purpose of this Policy and Procedure is:

- To ensure that goods and services, including construction, consulting services and information technology are acquired through a process that is open, fair, and transparent
- To outline responsibilities throughout each stage of the procurement process
- To ensure that purchase processes are managed consistently

SCOPE:

The policy refers to the expenditure of public funding received by Brantwood and applies to:

- Employees
- Board Members
- Volunteers & Students

PRINCIPLES

This Policy and Procedure is based on five key principles:

1. **Accountabilit**y—Brantwood is accountable for the results of its procurement decisions and the appropriateness of the processes.
2. **Transparency**- Brantwood aims to be transparent to all stakeholders. Wherever possible, stakeholders must have equal access to information on procurement opportunities, processes, and results.
3. **Value for Money**—Brantwood shall maximize the value they receive from the use of public funds. A value-for-money approach aims to deliver goods and services at the optimum total lifecycle cost.
4. **Quality Service Delivery**—Services provided by Brantwood must receive the right product, at the right time, in the right place.
5. **Process Standardization**—Standardized processes remove inefficiencies and create a level playing field.

SUPPLY CHAIN CODE OF ETHICS:

To ensure an ethical, professional and accountable supply chain, Brantwood shall follow the following Code of Ethics:

Personal Integrity and Professionalism:

Individuals involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between Brantwood, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

Accountability and Transparency:

Supply Chain Activities must be open and accountable. In particular, contracting and procurement activities must be fair, transparent and conducted with a view to obtaining the best value for public funding. All participants must ensure that public sector resources are used in a responsible, efficient and effective manner.

Compliance and Continuous Improvement:

Individuals involved with procurement or other Supply Chain activities must comply with these Code of Ethics and the laws of Canada and Ontario. Individuals should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.

SEGREGATION OF DUTIES:

The Segregation of Duties prevents any one person from controlling the entire procurement process. The five typical functional procurement roles that require approval are requisition, budgeting, commitment, receipt, and payment. At least three of the five procurement roles must be segregated.

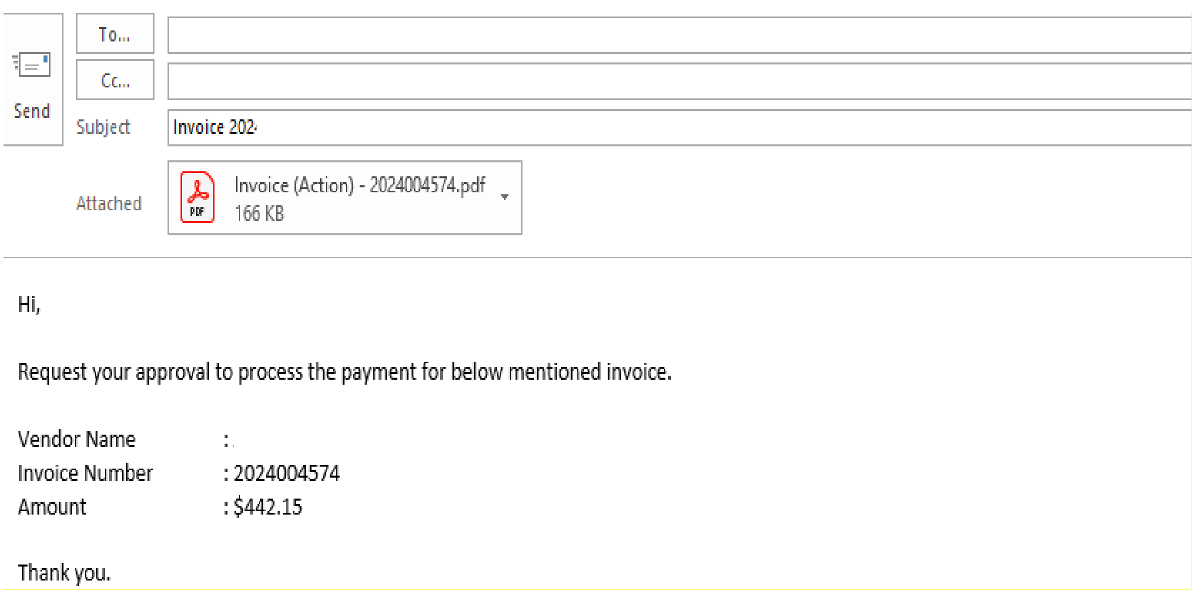
ELECTRONIC SUBMISSION FOR APPROVAL (E-MAIL/SOFTWARE):

The approval for all purchases of goods, non-consulting, and consulting services must be submitted via email to invoices@brantwood.ca in accordance with the approval and spending limit as outlined by the Procurement Policy.

When submitting an approved invoice, the **email must be sent from an @brantwood.ca** email account and include:

- The vendor name
- The invoice number
- The amount and
- The copy of the invoice attached.

Sample e-mail:


Send
To...
Cc...
Subject Invoice 202
Attached Invoice (Action) - 2024004574.pdf 166 KB

Hi,

Request your approval to process the payment for below mentioned invoice.

Vendor Name :
Invoice Number : 2024004574
Amount : $442.15

Thank you.

If an invoice is submitted without the required information, Finance will respond back to the sender identifying the missing information. Payment will not be processed until all information is received and approved according to policy.

APPROVAL AUTHORITY:

Prior to commencement, any procurement of goods, non-consulting services, and consulting services must be approved by the appropriate authority level. Any non-competitive procurement of goods, non-consulting services, or consulting services must be approved by an authority one level higher than the requirements for competitive procurement.

The overall value of procurement must not be reduced by dividing it into multiple procurements in order to circumvent the approval requirements.

Goods and Non-Consulting Services:

All purchases exceeding $200 made by front line employees (Direct Support Professionals, RPNS, Administration, etc.) are to be pre-authorized by the appropriate Leader in writing. The appropriate Leader approving the purchase will maintain the record of approval.

Purchase Value (not including taxes)	**Procurement Method**	**Approval Authority**
$0 Up to $200	P/Card	Administration, Frontline Staff (Excluding Seating and Facilities)
$0 Up to $500	P/Card	Frontline Staff – Seating and Facilities
$0 Up to $100	Petty Cash	Leader
$101 Up to $3000	P/Card – Procurement Commitment	Leader, Executive Assistant and Community Relations
$3001 Up $10,000	Preferred Supplier	Facilities Leader /Director
$10,001 Up to $50,000	Invitational Competitive (minimum of 3 qualified suppliers invited to bid)	Executive Director

$50,001 Up to but not including $121,200	Invitational Competitive Procurement (minimum of 3 qualified suppliers invited to bid)	Board of Directors
$121,200 or more	Open competitive Process	Board of Directors

Consulting Services:

Purchase Value (not including taxes)	**Procurement Method**	**Approval Authority**
$0 Up to $25,000	Invitational Competitive Procurement	Executive Director
$25,001 up to but not including $121,200	Invitational Competitive Procurement (minimum of 3 qualified suppliers invited to bid)	Board of Directors
$121,200 or more	Open competitive Process	Board of Directors

COMPETITIVE PROCUREMENT PROCEDURES:

The following outlines the steps to be taken in the procurement of goods, non-consulting services, and consulting services:

1. Planning
   - Determine what goods and services are necessary to meet business requirements
   - Look at opportunities to create efficiencies to maximize value for money
   - Review potential supply sources. **For procurements below $121,200, preference must be given to Ontario businesses, wherever feasible.**
   - Where established contracts or agreements with preferred suppliers or with Vendors of Record for the Ontario Broader Public Sector are in place, staff shall purchase goods and/or services against these contracts or from these preferred suppliers or Vendors of Record.
     Note - Preferred Supplier: *A supplier or contractor who has previously gone through a quotation or tender process successfully with Brantwood Community Services and has continued to supply the organization with superior workmanship, supply of products, or unique technical expertise, may be deemed a preferred supplier or preferred contractor. A preferred supplier must be approved by the Executive Director. Preferred suppliers are subject to tenders every five years. (**List of Preferred Suppliers are maintained by Finance and Facilities**)*
   - Determine appropriate procurement method

- Determine the necessary approval requirements and when these approvals will be needed
- Determine the overall time necessary to complete the procurement process

2. <u>Information Gathering</u>
   Where results of informal supplier or product research are insufficient, formal processes such as a Request for Information (RFI) or Request for Expression of Interest (RFEI) may be used if warranted. A response to RFI or RFEI must not be used to pre-qualify a potential supplier and must not influence the chances of the participating suppliers from becoming the successful proponent in any subsequent procurement opportunity.

3. <u>A Request for Supplier Qualification</u> (RFSQ) may be conducted to gather information about supplier capabilities and qualifications in order to pre-qualify suppliers for an immediate product or service need or to identify qualified candidates in advance of expected future competitions. The terms and conditions of the RFSQ document must contain language that disclaims any obligation of Brantwood to call on any supplier to provide goods or services as a result of the pre-qualification. This process can be used to develop a Vendor of Record list. *(**Refer to Request for Pre-Qualification Form**)*

4. <u>Posting Competitive Procurement Documents</u>—Calls for open competitive procurements will be made through an electronic tendering system that is readily accessible by all Canadian suppliers.

5. <u>Timelines for Posting Competitive Procurements</u>—Brantwood will provide suppliers a minimum response time of 15 calendar days for goods and services valued at $100,000 or more. This shall be increased to 30 calendar days for procurements of high complexity, risk, and/or dollar value.

6. <u>Bid Receipt</u>—The bid submission date and closing time (Monday to Friday, excluding holidays) must be clearly stated in competitive procurement documents. Submissions delivered after the closing time must be returned to the supplier unopened.

7. <u>Evaluation Criteria</u>
   - Evaluation criteria is developed, reviewed, and approved by the appropriate authority prior to commencement of the competitive procurement process.
   - Competitive procurement documents clearly outline mandatory, rated, and other criteria that will be used to evaluate submissions, including the weighting of each criterion.

- Mandatory criteria (i.e. technical standards) should be kept to a minimum to ensure that no bid is unnecessarily disqualified.
- Maximum justifiable weighting must be allocated to the price/cost component of the evaluation criteria.
- The evaluation criteria can only be altered by means of an addendum to the competitive procurement documents.
- Suppliers may be requested to provide alternative strategies or solutions as part of their submission. Criteria must be established to evaluate alternative strategies or solutions prior to the commencement of the competitive procurement process. Alternative strategies or solutions can only be considered if they have been explicitly requested in the competitive procurement documents.

8. Evaluation Process Disclosure - Competitive procurement documents must fully disclose the evaluation methodology and process to be used in assessing submissions, including the method of resolving a tie score. Competitive procurement documents must state that submissions that do not meet the mandatory criteria will be disqualified.

9. Evaluation Team—An evaluation team shall be established who will be responsible for reviewing and rating the bids. The size and qualifications of the team shall be appropriate to the complexity and value of the procurement. Each team member must be made aware of the restrictions related to the utilization and distribution of confidential and commercially sensitive information collected through the competitive procurement process and refrain from engaging in activities that may create or appear to create a conflict of interest. Team members shall sign a conflict-of-interest declaration and non-disclosure of confidential information agreement.

10. Evaluation Matrix—Each evaluation team member must complete an evaluation matrix, rating each of the submissions. Records of the evaluation scores must be retained for audit purposes. Evaluators must ensure that everything they say or write about the submissions is fair, factual, and fully defensible.

11. Winning Bid—The submission that receives the highest evaluation score and meets all mandatory requirements set out in the competitive procurement documents must be declared the winning bid.

12. Non-Discrimination—Brantwood must not discriminate or exercise preferential treatment in awarding a contract to a supplier as a result of a competitive procurement process.

13. Executing and Establishing the Contract—The agreement between Brantwood and the successful supplier must be formally defined in a signed, written contract before the provision of supplying goods or services commences using the form that was released with the procurement documents (or developed subsequently if an alternative procurement strategy was used). Where an immediate need exists for goods or

services, and the supplier are unable to finalize the contract, an interim purchase commitment may be used. The justification of such decision must be documented and approved by the appropriate authority.

14. Termination Clauses—All contracts must include appropriate cancellation or termination clauses. When conducting complex procurements, the use of contract clauses that permit cancellation or termination at critical project life-cycle stages should be considered.

15. Term of Agreement Modifications—The term of the agreement and any options to extend the agreement must be set out in the competitive procurement documents. An approval by the appropriate authority must be obtained before executing any modifications to the term of the agreement.

16. Contract Award Notification—For procurements valued at $100,000 or more, Brantwood will post, in the same manner as the procurement documents were posted, contract award notification. The notification must be posted after the agreement between the successful supplier and Brantwood has been executed. Contract award notification must list the name of the successful supplier, the agreement start and end dates, and any extension options.

17. Supplier Debriefing—For procurements valued at $100,000 or more, Brantwood shall inform all unsuccessful suppliers about their entitlement to a debriefing. This notification shall be in the competitive procurement documents. Unsuccessful suppliers shall have 60 calendar days following the date of the contract award notification to request a debriefing.

18. Contract Management

- Payments must be made in accordance with the provisions of the contract. All invoices must contain detailed information sufficient to warrant payment. Any overpayments must be recovered in a timely manner.
- Assignments must be properly documented. Supplier performance must be managed and documented, and any performance issues must be addressed.
- For services, Brantwood shall:
  1. Establish clear terms of reference for the assignment. The terms should include the objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements, and knowledge transfer requirements.

2. Establish expense claim and reimbursement rules compliant with Policy 4.8 (Expense Reimbursement) and ensure all expenses are claimed and reimbursed in accordance with that policy.

3. Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for the reimbursement of expenses.

19. Procurement Records Retention—For reporting and auditing purposes, all procurement documentation must be retained for a period of seven years.

20. Conflict of Interest—Brantwood will monitor any conflict of interest that may arise as a result of employees, board of directors and volunteers/students, advisors, external consultants or supplier's involvement with the procurement activities. All involved in the procurement activities must declare actual or potential conflicts of interest. Where a conflict of interest arises, it must be evaluated and an appropriate mitigating action must be taken.

21. Bid Dispute Resolution—Competitive procurement documents must outline bid dispute resolution procedures to ensure that any dispute is handled in an ethical, fair, reasonable, and timely fashion.

22. Non-Competitive Procurement—A competitive procurement process should be employed to ensure optimum value for money. However, special circumstances may arise that require the use of non-competitive procurement. Prior to the commencement of non-competitive procurement, supporting documentation must be completed and approved by the appropriate authority (one level higher that the requirement for competitive procurement).

RESOURCES:

The following resources may be used to assist in implementing the Competitive Procurement Procedures:

1. Broader Public Sector Procurement Directive

2. Broader Public Sector Procurement Implementation Guide

3. Accessibility for Ontarians with Disabilities Act

3. Building Ontario Businesses Initiative

Attachments:

- G200 Request for Pre-Qualification Form
- G200 List of Preferred Suppliers