

Policy: Procurement	
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Policy

Community Living Central York hereby adopts the following policies and procedures, in compliance with the Broader Public Sector Accountability Act, (2010) (BPSAA), and the Ontario Broader Public Sector Procurement Directive (2011).

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1. Process for Procurement of Good and Services

General

Community Living Central York will conduct an open competitive procurement process where the estimated value of procurement of goods or services is \$100,000 or more, and competitively procure consulting services irrespective of value. Any exemptions will be in accordance with the applicable trade agreements.

Approval Authority Schedule (AAS) - Goods, Non Consulting Services and Construction

Community Living Central York will use the following approval authority schedule (AAS) for Goods and Non-Consulting Services. This schedule identifies the authorities that are allowed to approve procurements for different dollar thresholds.

Goods, Non Consulting Services and Construction		
Total Procurement Value	Means of Procurement	Approval Authority
\$0 to \$500	Petty Cash Debit / Credit Card	Supervisor/Manager
\$500 to \$5,000	Purchase Order	Director of Finance/Department Director
\$5000 to \$10,000	Purchase Order Invitational Competitive if Capital or renovations	Director of Finance/Executive Director
\$10,000 to \$100,000	Invitational Competitive	As per the procurement process Executive Director for final approval
\$100,000 or more	Open Competitive	Board of Directors

Approval Authority Schedule (AAS) - Consulting Services

Community Living Central York will use the following approval authority schedule (AAS) for Consulting Services.

Consulting Services		
Total Procurement Value	Means of Procurement	Approval Authority
\$0 up to but not including \$100,000	Invitational Competitive	As per the procurement process Executive Director for final approval
Any value	Open Competitive	Board of Directors
\$0 up to but not including \$1,000,000	Non-competitive* <i>*Exemption-based only</i>	Executive Director
\$1,000,000 or more		Board of Directors

Segregation of Duties

Community Living Central York will segregate at minimum three of the five functional procurement roles. Responsibilities for these roles must lie with different departments or personnel. Where it is not possible to segregate these roles adequate compensating controls approved by an external auditor must be in place. The overall value of procurement will not be reduced by dividing a single procurement into multiple steps in order to circumvent the approval requirements.

Goods, Non Consulting Service and Construction						
Type	Value	Requisition	Budgeting	Commitment	Receipt	Payment
Supplies	\$0 - \$500	All Staff	Director of Finance	Administrator	Administrator	Accounts Payable
Supplies	\$501 - \$10,000	Supervisor Manager	Director of Finance	Program Director	Administrator	Accounts Payable Authorization from Director of Finance
Supplies	\$10,001 - \$25,000	Supervisor Manager	Director of Finance	Program Director	Administrator	Accounts Payable Authorization from Director of Finance

Supplies	\$25,001 - \$99,999	Supervisor Manager	Director of Finance	Executive Director	Administrator	Accounts Payable Authorization from Board of Directors
Training	Any Value	Supervisor Manager	Director of Finance	Program Director	Staff designated for training	Accounts Payable
IT Goods	\$0 - \$500	All Staff	Director of Finance	IT Administrator	IT Department	Accounts Payable
IT Goods	\$501 - \$10,000	Supervisor Manager	Director of Finance	IT Administrator	IT Department	Accounts Payable
IT Goods	\$10,001 - \$99,999	Program Director	Director of Finance	Executive Director	IT Department	Accounts Payable Authorization from Director of Finance
	\$100,000 or over	Executive Director	Director of Finance	Board of Directors	Director of Finance	Accounts Payable Authorization from Board of Directors

Segregation of Duties *Continued*

Construction and Renovation					
Value	Requisition	Budgeting	Commitment	Receipt	Payment
\$0 - \$99,999	Manager	Director of Finance	Executive Director	Department Director	Accounts Payable Authorization from Director of Finance
\$100,000 or more	Director	Director of Finance	Board of Directors	Department Director	Accounts Payable Authorization from Board of Directors
Consulting Services					
Value	Requisition	Budgeting	Commitment	Receipt	Payment

\$0 - \$99,999	Supervisor Manager	Director of Finance	Executive Director	Program Supervisor Manager	Accounts Payable Authorization from Director of Finance
\$100,000 or more	Executive Director	Director of Finance	Board of Directors	Program Director	Accounts Payable Authorization from Board of Directors

Information Gathering

Where results of informal supplier or product research are insufficient, Community Living Central York will use formal processes such as a Request for Information (*RFI*) or Request for Expression of Interest (*RFEI*) if warranted, taking into consideration the time and effort required to conduct them.

A response to RFI or RFEI will not be used to pre-qualify a potential supplier and will not influence the chances of the participating suppliers from becoming the successful proponent in any subsequent opportunity.

Vendor of Record

When Community Living Central York obtains the name of a supplier from the Ministry Vendors on Record it will be assumed that the processes of obtaining supplier information has been done by the Ministry and absolves Community Living Central York from researching the supplier.

Supplier Pre-Qualification

When possible, Community Living Central York will use a Request for Supplier Qualification (*RFSQ*) 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.

Terms and conditions of the RFSQ document will contain language that disclaims any obligation of the Organization to call on any supplier to provide goods or services as a result of pre-qualification.

2. Process for Competitive Procurements

Posting Competitive Procurement Documents

For open competitive procurements, Community Living Central York will use an electronic tendering system that is readily accessible by all Canadian suppliers.

Timelines for Posting Competitive Procurements

Community Living Central York will provide suppliers a minimum response time of 15 calendar days for procurement of goods and services valued at \$100,000 or more.

Community Living Central York will consider providing suppliers a minimum response time of 30 calendar days for procurements of high complexity, risk, and/or dollar value.

Evaluation Criteria

To ensure fairness within our Competitive procurement process Community Living Central York will develop, review and approve the evaluation Criteria at the Director level prior to commencement of the competitive procurement process. Each piece of the evaluation criteria will also be fairly weighted prior to and clearly documented in the complete procurement documents. The documents will also fully disclose the methodology and process to assessing submissions, including the process to resolve tie scores.

Mandatory criteria will be kept to a minimum to ensure that no bid is unnecessarily disqualified.

All criteria must comply with the section entitled Non Discrimination. Alternate strategies or solutions will not be considered unless they are requested in the competitive procurement process.

Evaluation Team

The evaluation team for competitive bids up to \$100,000 will consist of the company Directors. A Manager or Supervisor who is familiar with the required service may be invited to join the team during evaluations that are unfamiliar to the Directors. For bids over \$100,000 the team will consist of the Executive Director and the Board of Directors. Team members must be aware of the confidentiality of this process and will not engage in activities that will create or appear to create a conflict of interest. Team members must sign a non-disclosure of confidential information agreement as well as a conflict of interest declaration.

A team member cannot participate in the evaluation process if a supplier is a family member, a personal friend or if they profit or are seen to profit from the purchasing of the goods or service. They must declare a conflict of interest and withdraw from the evaluation team during the evaluation that puts them in conflict. A substitute team member must be found.

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

Bid Receipt

Bid submission date and closing time will be clearly stated in competitive procurement documents. Community Living Central York 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 delivered after the closing time must be returned unopened.

Winning Bid

Community Living Central York will ensure that the submission that receives the highest evaluation score and meets all mandatory requirements set out in the competitive procurement document must be declared the winning bid.

Supplier Debriefing

For procurements valued at \$100,000 or more, Community Living Central York will inform all unsuccessful suppliers about their entitlement to a debriefing. Community Living Central York will allow unsuccessful suppliers 60 calendar days following the date of the contract award notification to request a debriefing.

Contract Award Notification

For procurements valued at \$100,000 or more, Community Living Central York 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 Community Living Central York was executed. Contract award notification will list the name of the successful supplier, agreement start and end dates, and any extension options.

Non-Discrimination

Community Living Central York will not discriminate or exercise preferential treatment in awarding a contract to a supplier as a result of a competitive procurement process.

The Contract

Executing the Contract

The agreement between Community Living Central York and the successful supplier will be formally defined in a signed written contract before the provision of supplying goods or services commences.

Where an immediate need exists for goods or services, and Community Living Central York and the supplier are unable to finalize the contract as described above, an interim purchase order may be used. The justification of such decision must be documented and approved by the appropriate authority (*see Approval Authority Schedule*).

Establishing the Contract

The contract must be finalized using the form of agreement that was released with the procurement documents.

In circumstances where an alternative procurement strategy has been used (*i.e., a form of agreement was not released with the procurement document*), the agreement between Community Living Central York and the successful supplier must be defined formally in a signed written contract before the provision of supplying goods or services commences.

All contracts should have an appropriate termination or cancellation clause agreed upon by both parties.

Should the contract require modification at a later date the Executive Director must approve the modification for contracts under \$100,000. Contracts over \$100,000 can only be modified by the Board of Directors. Should the price/cost change them

the evaluation team is required to review and ensure it does not warrant a new competitive process.

Non-Competitive Procurements

It is a mandatory requirement of the Broader Public Sector (BPS) Procurement Directive and Community Living Central York's Purchasing Policy that it is to acquire goods or services through a competitive procurement process. However, it is recognized that in exceptional circumstances, only one supplier may be able or capable of providing the goods or services. In these circumstances the Single Source/Sole Source Certification form, appropriately signed, must accompany the requisition and be forwarded to the Purchasing Department prior to the commencement of procurement and receipt of goods or services. *(See Single Source/Sole Source Certification form attached).*

Contract Management

Payments will be made in accordance with provisions of the contract. All invoices must contain detailed information sufficient to warrant payment. Any overpayments must be recovered in a timely manner.

Assignments will be properly documented. Supplier performance will be managed and documented, and any performance issues will be addressed.

Each contract will include a dispute resolution process, establish clear terms of reference for the assignment, expense claim and reimbursement rules. Community Living Central York will ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

Procurement Records Retention

For reporting and auditing purposes, all procurement documentation, as well as any other pertinent information must be retained in a recoverable form for a period of seven years.

3. Conflict of Interest

Community Living Central York will monitor any conflict of interest that may arise as a result of the Members' of the Organization, advisors', external consultants', or suppliers' involvement with the Supply Chain Activities. Individuals involved with the Supply Chain Activities must declare actual or potential conflicts of interest. Where a conflict of interest arises, it will be evaluated, and an appropriate mitigating action will be taken.