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Background

Brock University is committed to obtain the best value for the total acquisition cost of all goods and services purchased without sacrificing quality, flexibility, delivery time or the University's public reputation. To facilitate and encourage the timely purchase of goods and services, and to ensure its commitment to accountability, transparency, efficiency and equity, the University has adopted the following purchasing policy.

Purpose

The purpose of this policy is:

- To ensure ethical, efficient and accountable sourcing, contracting, purchasing, procurement or other supply-chain related activities within the organization;
- To ensure that all Brock employees are aware of and following the *Brock University Supply Chain Code of Ethics*;
- To outline the University's accountability for its use of funds for goods and services;
- To establish guidelines for purchasing goods and services for all University units;
- To promote the role of the Procurement Department at the University in assisting all units in acquiring the goods and services required at the best possible value;
- To clarify the role of all other units at Brock University in the procurement process;
- To ensure that the University operates in accordance with Canada Revenue Agency (CRA) in respect of all applicable sales taxes, duties, and employee taxable benefits with respect to all purchases;
- To define the necessary segregation of duties within the supply chain;
- To ensure large dollar value assets are properly communicated to Finance for proper recording, accounting and insurance coverage;
- To ensure free and open competition for all interested suppliers;
- To ensure that documentation exists that demonstrates this competitive bid accountability to the public;
- To ensure that current legislative requirements with respect to public entity purchases are met including mandatory requirements of the *Ontario Broader Public Sector Procurement Directive*.

Scope

This policy applies to all Brock University departments and faculties and includes the purchase of all goods and services. However, the following are not subject to this

Purchasing Policy but shall be subject to the Signing Authority Policy and, as applicable, other governing legislation or other University policies (e.g. Travel & Related Expense Policy):

- Goods and Services purchased through collaborative and consortium agreements;
- All land, parking lots, buildings and building improvements purchased or leased by the University require the explicit approval by the Board of Trustees;
- Library materials (i.e. books, periodicals, etc.) administered by the University Librarian;
- Items purchased for resale at the University Bookstore and Rodman Hall;
- Exhibits and art purchases for Rodman Hall;
- Entertainment for the Centre for the Arts;
- Travel and Hospitality (see Travel & Related Expenses);
- Department purchases by internal chargeback (e.g. Bookstore, Printing Services, Facilities Management, ITS Services);
- Payments to Regulatory Agencies;
- Personnel services (e.g. wage, salary and benefit administration) including Staff Professional Development and Training;
- Utilities (gas, hydro, water, etc.);
- Government fees (e.g. building permits).

Services provided by licensed professionals (e.g. Medical doctors, lawyers, architects, engineers, accountants and actuaries) may be exempt from this Purchasing Policy, however a competitive process should be followed if practical. If the nature of the service required is ongoing, a contract management review will be performed annually and the decision to continue with the current source will be reviewed at least every five years and the results of the review will be reported to the appropriate committee of the Board of Trustees. In cases where the service is deemed as “consulting” then it shall be subject to this policy.

Research-related purchases may be subject to additional guidelines established by the Office of Research Services in relation to Research funding agencies. If this is the case, the funding agency’s rules and regulations take precedence over the University policies.

Policy

Policy Responsibilities, Conflict of Interest & Confidentiality

1. No person shall commit the University to agreements, licenses, contracts, leases, or other legally enforceable obligations unless authorized to do so by the Board of Trustees, as detailed in the Signing Authority policy.
2. Procurement Services has been delegated authority by the Board of Trustees to commit the University to binding supply agreements such as purchase orders, single year equipment leases, and contracts from operating budgets. Procurement Services is the only department authorized to issue, amend or cancel a purchase order. Procurement Services may delegate its responsibilities to other units/individuals while retaining its functional authority.
3. Where the authority is not delegated and orders are placed in the name of Brock University without an authorized Purchase Order it will be the obligation of the person placing the order and not the obligation of the University.
4. Procurement Services will negotiate preferred vendor agreements in conjunction with user departments and co-operative buying programs with other organizations

that are publicly funded. Details of preferred vendors are available at www.brocku.ca/finance/faculty-and-staff/procurement-services. Selected units will be allowed to create their own releases from blanket Purchase Orders negotiated with the preferred vendors. Each of the preferred vendors will be reviewed periodically to determine if the quality, value and level of service still provides the best value.

5. Unit heads/Deans are responsible for the implementation of this policy to the extent they have been delegated purchasing authority by the Board of Trustees or Procurement Services. It is further the responsibility of the Unit head/Dean to share this document and all related procedures and forms with all unit personnel who are involved in the purchasing process.
6. Where the University's registered marks will be reproduced, the University's Institutional Brand Identity Policy and Brand Standards Manual must be applied.
7. The University will not purchase any goods or services for the personal use of University employees or students. Procurement Services exists to support staff and faculty in the procurement of goods and services that relate to the University.
8. Prices obtained from suppliers are intended for university use only. Pricing information should not be divulged to non-university personnel or to competitive suppliers.
9. Employees or Board of Trustee members of the University shall not accept, either directly or indirectly, from any potential or existing supplier of goods and services any gifts or favours unless they are reasonable and of small and non-influencing intrinsic value.
10. The University will only purchase goods or services from its employees or Board of Trustee members where there is no conflict of interest. If a conflict of interest may exist, the individual disclosure is guided by Conflict of Interest policy.

Role of Procurement Services

11. The role of the Procurement Services is to identify sources for required goods and services, to select and acquire the goods and services as economically as possible within accepted standards of quality, to manage supplier relationships on behalf of the University and to ensure that purchases are made in accordance with this policy. Procurement transactions will be conducted in a transparent and fair manner providing suppliers with equal access to University business. Procurement awards will be geographically neutral and non-discriminatory per the requirements of the Agreement on Internal Trade (AIT) and the Ontario Quebec Procurement Agreement.
12. In fulfilling its responsibilities Procurement Services will, to the best of its ability:
 - consult with users to establish requirements and possible sources of supply;
 - manage the process of obtaining competitive quotes in accordance with this policy, except where delegated to others within this policy;
 - encourage competition among suppliers through negotiation, competitive bidding and contract buying;
 - ensure the bidding process is conducted according to Canadian Laws of Competitive Processes and Contract Law, the Agreement on Internal Trade (AIT), the 1997 Ontario - Quebec Procurement Agreement; and the Ontario Broader Public Sector Procurement Directive;
 - work cooperatively with end users to make the final determination of source of supply, delivery schedule and price negotiation;

- review supplier performance where appropriate;
- explore and make use of possible advantages of inter-institutional consortia and other cooperative purchasing programs;
- in conjunction with all University departments increase the use of recycled and environmentally friendly products and services where economically feasible;
- expedite the procurement of goods and services and provide for customs clearance ensuring compliance with CRA regulations;
- interpret and apply applicable government regulations including customs and sales tax;
- assist and advise as requested on purchases in areas of delegated responsibility;
- support the development of written contracts between the University and its suppliers represent the University's interests adequately and meet all legal requirements;
- ensure that purchases comply with the requirements of The Accessibility for Ontarians with Disabilities Act (AODA).

Purchasing Methods & Approval Authority Limits

13. All goods and services must be purchased within approved unit budgets and are subject to approval in accordance with the Signing Authority policy. Additional details (including lead times) about the competitive bidding process are outlined in Section 22 below.
14. The following charts briefly summarize the limits, purchasing methods and approvals required for:

Goods, Non-Consulting Services and Construction

Amount (excluding taxes)	Purchase Method	Purchase Approval Required
<\$75	Petty Cash Purchasing Card Travel Expense Report Purchase Order	Unit head/designate
< \$2,500	Purchasing Card Purchase Order Facilities Management Contract Cheque Requisition Travel Expense Report	Unit head/designate
\$2,501 to \$10,000	Purchase Order Procurement Services Purchasing Card Facilities Management Contract Cheque Requisition	Unit head/designate

\$10,001 to \$50,000	Purchase Order Facilities Management Contract Cheque Requisition	Unit head/designate +Financial Review (AVP, Finance)
\$50,001 to \$100,000	Purchase Order Facilities Management Contract Cheque Requisition	Unit head/designate +Financial Review (AVP, Finance +VP Finance & Administration)
\$100,001 to \$1,000,000	Purchase Order Facilities Management Contract	Unit head/designate +Financial Review (AVP Finance +VP, Finance & Administration) +President
> \$1,000,000	Purchase Order Facilities Management Contract	Unit head/designate +Financial Review (AVP Finance +VP, Finance & Administration) +President + approval via the Financial Planning, Investment & Human Resources and/or Capital Project & Facilities Committees of the Board of Trustees

Consulting Services

Prior to commencement, any procurement of consulting services must be approved in accordance with the Procurement Approval Authority Schedule for Consulting Services below. Consulting Services are defined as the provision of expertise or strategic advice that is presented for consideration and decision making. Not all contracted services are deemed as consulting services. Procurement Services will assist in the determination as to whether the service is consulting or non-consulting and is consistent with the practices of other Ontario Universities.

Procurement Approval Authority Schedule (AAS) for Consulting Services

Procurement Method	Procurement Value	Approval Authority
Invitational Competitive	\$0 up to but not including \$100,000	Per Chart above for Goods ,Non-Consulting Services & Construction
Open Competitive	Any value	Per Chart above for Goods, Non- Consulting Services & Construction
Non-competitive*	\$0 up to but not including \$1,000,000	Per Chart above + University President
	\$1,000,000 or more	Per Chart above + University President + approval via Financial Planning, Investment & Human Resources and/or Capital Projects & Facilities Committee of the Board of Trustees

*Exemption-based only

15. Where a Purchasing Card is not available and/or payment cannot be reimbursed via a Travel Expense Report a Cheque Requisition may be used. For example, legal, audit, and consulting services or where the amount owing cannot be predetermined and a Purchase Order provided.

Delegation of Procurement Responsibility

16. Responsibility for specific areas of procurement has been delegated to various departments and end users within the University. The delegate is responsible for ensuring that purchases are made in accordance with this University Purchasing Policy, specifically expenditure authorizations and requirements for quotations and tendering.

17. Delegated Purchasing Responsibilities:

- **Low Value Purchases & Low Value Purchasing Card Purchases**
Responsibility of the account holder or delegate;
- **Contracts for construction and related consulting work**
E.g. new buildings, additions, major alterations or renovations, building and grounds maintenance)
Responsibility of the Associate Vice President Facilities Management;
- **Contract for the lease of land or buildings**
Responsibility of the Associate Vice President Finance;
- **Salary and benefit administration and related services** including payroll, benefits, pension, and actuarial services
Responsibility of the Associate Vice President Human Resources;
- **Investment services and short-term investments**
Responsibility of Associate Vice President Finance;
- **Endowment Investments and Pension Fund and related investments -**
Responsibility of the Vice President Finance and Administration through Investment and Pension Sub-Committees of the Board of Trustees;
- **Insurance** (e.g. property, liability, automobile, group accident, fidelity coverage)
Responsibility of Associate Vice President Human Resources;
- **Utilities** (e.g. electricity, natural gas, water, waste management and sewage)
Responsibility of the Associate Vice President Facilities Management;
- **Library collection acquisitions**
Responsibility of the University Librarian;
- **Financial Professional services** (consulting, banking services)
Responsibility of the Vice President Finance and Administration;
- **Professional services** (legal)
Responsibility of the Associate Vice President Human Resources and Vice President Finance and Administration;
- **Audit Services**
Responsibility of the Vice President Finance and Administration through the Audit Committee of the Board of Trustees.

Competitive Bid Requirements

18. For purchases < \$15,000 and wherever possible, at least 2 suppliers should be contacted to ensure the best value is obtained.

19. Purchases > \$15,000 must have 3 supplier quotations or an authorized Exception Certificate must be completed and submitted to the Procurement Services Department for review and retention with Purchase Order documents.
20. Costs for goods and/or services that require Purchase Orders (> \$15,000) may not be artificially partitioned into components costing less than \$15,000 to circumvent the competitive bidding requirement. Requisitions for the same goods/services from the same unit and/or same supplier within a short time period may be considered an artificial division of the purchase.
21. Contracts/agreements will include a clause to be followed in the event of disagreement.
22. The determination of the type of competitive bid required for Goods, Non-Consulting Services and Construction purchases will be done in conjunction with Procurement Services or delegate and in accordance with requirements in chart below:

Type	Description	Solicited By	Awarded By	\$ Value
Quotation RFQ or RFP	Prices provided by phone, fax, or email. Must be documented and forwarded to Purchasing upon request.	Requisitioner Or Procurement Services	< \$10,000 Requisitioner or Procurement Services or Delegate >\$10,000 <\$15,000 Procurement Services or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits)	< \$15,000
Request for Quotation (RFQ), Request for Proposal (RFP) Public Tender	A list of suppliers is invited to submit written quotations for specific goods and/or services or can be advertised on electronic tendering system or by advertisement in a national newspaper, trade magazine.	Requisitioner Or Procurement Services	Procurement Services Or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits.)	>\$15,000 <\$100,000
Request for Quotation (RFQ), Request for Proposal (RFP) Public Tender	RFQ/RFP/Tender is posted on electronic tendering system or by advertisement in a national newspaper, trade magazine that is accessible to Canadian Suppliers.	Procurement Services Or Delegate	Procurement Services Or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits.)	>\$100,000
Request for Quotation (RFQ), Request for Proposal (RFP) Public Tender	RFQ/RFP/Tender is posted on electronic tendering system or by advertisement in a national newspaper, trade magazine that is accessible to Canadian Suppliers.	Procurement Services Or Delegate	Procurement Services Or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits.)	>\$1,000,000

23. The determination of the type of competitive bid required for Consulting Services will be done in conjunction with Procurement Services or delegate and in accordance with the requirements in chart below:

Type	Description	Solicited By	Awarded By	\$ Value
Request for Quotation (RFQ), Request for Proposal (RFP)	A list of suppliers is invited to submit written quotations for specific goods and/or services or can be advertised on electronic tendering system or by advertisement in a national newspaper, trade magazine.	Requisitioner Or Procurement Services	Procurement Services Or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits.)	\$0- \$100,000
Request for Quotation (RFQ), Request for Proposal (RFP)	RFQ/RFP/Tender is posted on electronic tendering system or by advertisement in a national newspaper, trade magazine that is accessible to Canadian Suppliers.	Procurement Services Or Delegate	Procurement Services Or Delegate Note: Proper financial approval must be obtained prior to contract award. (See section 14 for limits.)	>\$100,000

24. Quotations, tenders and awards relating to research projects and/or equipment may be subject to additional requirements/restrictions by the sponsor or by Research Services. Where this is the case, the policies of the funding agency take precedence.
25. Information gathering - A response to an RFI (Request for Information) or RFEI (Request for Expressions of Interest) must not pre-qualify a potential supplier and must not influence their chances of being the successful proponent.

Competitive Bid Process

26. To ensure equitable treatment of all suppliers with respect to the timely submission of bids, all bids are stamped with the date and time upon receipt by Procurement Services or delegate for formally solicited RFQ/RFP's. Responses received after the deadline are documented as late, not accepted and returned to the bidder, unopened.
27. To provide sufficient time for suppliers to respond, all RFQ, RFP, and public tenders should be submitted at least 4 weeks prior to date on which the final supplier is scheduled to be selected. Timelines for supplier selection could increase significantly based on the complexity of the requirements and subsequent evaluation process.
28. Timelines for posting competitive procurement documents must provide suppliers a minimum response time of 15 calendar days for procurement values greater than \$100,000. Note: for procurements of high complexity, high risk and/or high dollar value the increasing of minimum response time to 30 days should be considered.

29. To ensure equitable treatment of all suppliers, RFQ, RFP and Public Tender documents must include a detailed list of the following information:
- Description/specification of goods and/or services to be purchased
 - Quantity of goods/services
 - Bid evaluation criteria and criteria weighting
 - Criteria that are considered mandatory
 - Technical standards that must be met
 - Deadline time and date must be on a normal working day (Monday to Friday) excluding provincial and national holidays
 - Address and phone number of the Procurement Department or delegated recipient
 - Terms and conditions of the bid
 - Terms and conditions of subsequent purchase and payment
30. A committee of at least two should be used to establish the weighting of the criteria (e.g. price, quality, specification compliance, experience, warranty, etc.) for RFQ, RFP and Tender documents.
31. Evaluation criteria or weighting cannot be changed or altered except by issuing an amendment prior to the procurement document due date and the appropriate extension of the due date.
32. Bid/Proposal evaluation team members must be aware of the restrictions related to confidential information shared through the competitive process and refrain from engaging in activities that may create or appear to create a conflict of interest. Evaluation team members must declare themselves if a conflict of interest exists and agree to non-disclosure prior to bid evaluation/s. Any person involved in the evaluation of suppliers that may have a personal interest is guided by the Conflict of Interest Policy in declaring this interest or withdrawing from the evaluation process. Procurement Services or delegate coordinating competitive bid process will ensure that evaluation team members sign a Confidentiality and Conflict of Interest form and retain signed forms with file.
33. Each member of the evaluation team must complete an evaluation matrix rating each of the proponents. Evaluation scores must be documented and must be fair, factual and fully defensible. The committee may conduct additional interviews with all/or the short-listed suppliers to assess other qualitative information if allowed for by the competitive procurement document. The details of the discussions held must be documented and retained as part of the bid package. The evaluation team must select only the highest ranked submission that have met all mandatory requirements as identified in the related procurement document as the successful proponent. Scoring summaries must be kept on file with the bid package. In the event of a tie in the evaluation scoring (including weighting) the successful proponent will be decided by the toss of a coin.
34. In compliance with AIT, the evaluation team must refrain from discrimination or preferred treatment in awarding a contract, unless specifically allowed by AIT rules (e.g. geographical service issues).
35. Where significant costs are incurred to produce or advertise pricing requests, a document request fee may be charged to bidders.
36. During the tender period, Procurement Services or delegate will receive and record all queries from bidders. Answers to questions that are relevant to all bidders will be communicated to all bidders. If a meeting is held to answer questions for all invited or interested bidders, Procurement Services or delegate will record the

individual firms in attendance, the date and location of the meeting and keep this information on file with tender documents.

Awards and Notification

37. The award contract to the successful bidder (if any) shall include the terms of the RFP/RFQ and the terms of Brock University's purchase order (a copy of which is available at www.brocku.ca/finance/vendors) together with those terms of the bidder's proposal which are not inconsistent with Brock University's documents and which have been specifically accepted by Brock.

The contract award will be limited to the term of agreement and any options for extension which were specified in the competitive procurement documents. Any extensions beyond those specified in the documents must be approved by Procurement Services and details on extension period and justification will be kept on file in Procurement Services.

Note: In the event a contract explicitly provides for reimbursement of expenses, the expense claim and reimbursement will be in accordance with Broader Public Sector Expenses Directive as set out in the Broader Public Sector Accountability Act 2010 (s.10).

38. All goods and services must be purchased within approved unit budgets and are subject to approval in accordance with the Signing Authority policy. Goods and services purchased that are not provided for in approved budgets must be approved by VP Finance & Administration or designate.
39. For purchases with value greater than \$100,000, an award notification must be posted in the same manner as the procurement documents were posted after the agreement between the successful proponent and the university has been signed. The notification will include the successful supplier, the agreement start and end dates, options for extension and the total agreement value, if applicable.
40. For purchases with a value greater than \$100,000, upon request unsuccessful bidders will be granted a debriefing up to 60 calendar days following the date of the contract award notification.

Bid Dispute Resolution Process

41. Where a vendor wishes to dispute the outcome of a bid, subsequent to a debriefing with the Purchasing department, the process outlined below is to be followed:
- i. The aggrieved party is to file their bid protest with the Manager of Procurement Services by certified mail, within 15 business days of the debriefing meeting. The aggrieved party's filing should include:
 - The name and address of the bidder
 - Identification of the contract or bid solicitation being protested
 - Detailed and factual statement of the grounds for protest
 - Supporting documentation
 - Desired relief, action or ruling
 - ii. The Manager of Procurement Services will respond to the aggrieved party, by certified mail, within 10 business days of receiving the bid protest notice.
 - iii. If a resolution cannot be met, the aggrieved party must contact the AVP Finance and Administration and copy the Manager of Procurement Services, by certified mail, within 10 business days of receiving the first response from the Manager of Procurement Services.

- iv. The Associate Vice-President Finance will respond to the aggrieved party, by certified mail, within 10 business days of receiving the bid protest notice.
- v. If a resolution cannot be met, the aggrieved party can direct their complaint to the Vice-President Finance and Administration (copying both the Associate Vice-President Finance and the Manager of Procurement Services) within 10 business days of receiving the response from the AVP Finance and Administration.
- vi. The final decision on the issue will come from the VP Finance and Administration and will be resolved within 10 business days of receiving the bid protest.

Procurement Documents and Records Retention

42. All procurement documents as well as any other pertinent information for reporting and auditing purposes must be maintained for a period of seven years and be in a recoverable form if requested.

Exceptions to Competitive Bid Process

43. Exceptions to competitive bidding requirements must not be for the purpose of avoiding competition or in order to discriminate against specific suppliers. The University requires competitive bidding of all procurement where practical and advantageous however will allow exceptions based on the criteria below:
- The University is involved in a cooperative or joint venture to purchase goods or services with other institutions, local or provincial organizations. Such purchases are to be made according to the procedures of that cooperative purchasing group, provided those procedures if not identical are consistent with the intent of this policy.
 - Particular goods or services are available from only one or two suppliers. An authorized agent will keep on file documentation in support of waivers made on this basis.
 - Compatibility with an existing product or service is the overriding consideration.
 - The extension or reinstatement of an existing contract would be the most effective or beneficial method and in the best interest of Brock University. Under no circumstances will a contract be extended beyond five years without a comprehensive review of performance/service quality and market alternatives.
 - In an emergency, an "Emergency Purchase" is classified as a procurement, which is needed to "protect life and property, prevent substantial economic loss, and/or prevent the interruption of essential services."
 - A need is established for the acquisition of goods and/or services for which only a specialized or proprietary requirement can be identified. In such cases, an authorized individual may choose the best overall value to the University from one (1) or more invited proposals.
44. If any of the Competitive Bid Exceptions above apply to a requirement the requisitioner is required to complete Brock University Procurement Services Exception Certification document, obtain appropriate authorizing signatures and submit it along with any supporting documentation with the Purchase Requisition.

Related policies

Conflict of Interest
Signing Authority
Purchasing Card
Ineligible Expenses
Donation Policy
Institutional Brand Identity Policy
Collection Development (Library)
Petty Cash
Travel & Related Expense
Surplus Asset Redeployment/Disposal
Provision of University Goods or Services to Persons with Disabilities

Amendments (revision history)

Date revised	Responsible
October 1994	Vice-President Finance & Administration
February 2000	Vice-President Finance & Administration
January 2004	Vice-President Finance & Administration
July 2010	Vice-President Finance & Administration
June 2012	Vice-President Finance & Administration