

1. Introduction

The Director of Education designates support for a central purchasing department to ensure the Limestone District School Board (LDSB) is getting the best value for money in a manner compliant with legislation. In addition, purchasing must be done using open, fair, and transparent processes consistent with the educational, social, ethical, and sustainable goals of LDSB.

To implement this administrative procedure, the Director designates the Manager of Financial Services, under the authority of the Superintendent of Corporate Services, to take responsibility for the adoption and practice of recognized purchasing procedures.

All purchasing procedures are intended to ensure they are in keeping with LDSB's:

- Mission, Vision & Values
- Commitment to student learning, teaching success, and staff support
- Approved budgets and internal controls
- Commitment to quality and service
- Responsibility to the environment, community, and people

Procedures are also in place to ensure LDSB is compliant with LDSB's Purchasing Policy and government legislation.

1.1. Roles and Responsibilities

It is the responsibility of each Superintendent, Principal, Manager, Supervisor, and other staff with departmental responsibilities to ensure purchasing procedures are being followed and that purchases are appropriate and support the program objectives of LDSB, departments, and schools.

All staff are responsible for advising the Purchasing Department if the purchasing procedure is not being followed.



LDSB prohibits retaliation against individuals for reporting as per Administrative Procedure 553 – Fraud Reporting.

2. Steps of Procurement Process

Below summarizes the overall steps in the procurement process.

2.1. Needs Assessment

Identify requirements and specifications for the goods or services. This can include, but not limited to:

- Timelines
- Quantities
- System impact
- Minimum requirements/specifications
- Alternatives

2.2. Procurement Value

To calculate the procurement value, estimate the total purchase cost – including delivery, installation, decommissioning, maintenance, sustainment, and other associated fees.

The Total Contract Value (TCV) must be estimated for multi-year purchases, including costs aggregated over the term and any possible extensions. The TCV does not include taxes.

Purchases must never be split into smaller orders to circumvent any requirement outlined in this procedure.

2.3. Budget Approval

Ensure there are sufficient funds available and approved to pay for the purchase prior to buying or beginning the procurement process. If there are multi-year purchases/agreements, ensure there are adequate funds to cover the purchase in future years.

2.4. Identification of Procurement Method

Verify whether there are any existing contracts for the required goods or services by checking with the Purchasing Department.

LDSB will use existing Vendors-of-Record (VOR) arrangements whenever possible and appropriate, regardless of the Value of Procurement.

Determine the appropriate approval(s) and procurement method required based on the total estimated Value. [See 3.2. Signing and Approval Authority and 5.0.0 – Procurement Thresholds and Method](#), for additional details about how to determine the proper method for buying.

2.5. Solicitation Development

Ensure the proper number of quotes/proposals are requested based on [5. Procurement Thresholds and Method](#).

Ensure suppliers are provided with all the necessary requirements and specifications to prepare and submit a quote or proposal.

Buy from Ontario and Canadian businesses where appropriate in accordance with [13.4. Building Ontario Businesses Initiative \(BOBI\)](#).

2.6. Evaluation of Responses

Quotes must be compared and evaluated to determine LDSB is receiving:

- Best value



- Social and community benefits
- Environmental benefits
- Legislation compliance
- Evaluations will be free of discrimination or preferred treatment.

For high dollar purchases where a Request for Proposal (RFP) or Request for Supplier Qualification (RFSQ) is issued, a presentation or demonstration stage may be required as part of the evaluation. In most cases the price will be sealed and opened and evaluated after all initial scoring is completed (for open-competitive purchases).

2.7. Contract Formation and Award

Purchases above \$5,000 are entered as a Purchase Requisition, into LDSB's current finance system. Copies of the associated quotes/proposals must be provided to Purchasing. Proper insurance and WSIB must be collected by the requisitioner per LDSB's standard terms and conditions or the resulting contract.

The Purchasing Department executes all contracts for purchases over the open competitive threshold in compliance with legislation. Consultation with subject matter experts and external legal are sometimes required. Proper internal authorization per [3.2. Signing and Approval Authority must be in place before a Purchase Order \(PO\)](#) is generated.

2.8. Contract Administration

The employee ordering the goods or services shall confirm receipt of the order.

Complex and multi-year projects require end users to manage the project's budget and progress. Purchasing should be contacted for changes, amendments, issues, or concerns. It is imperative that payments are held for goods or services not received and any performance concerns are properly documented (see [13. – Suppliers](#)).

2.9. Completion

Once an order is fulfilled/completed, or a milestone is met based on contract terms, invoices should be issued by the supplier.

Ensure proper coding and authorization and, if applicable, ensure PO numbers are referenced on all invoices. Invoices are to be reviewed and approved before they are sent to accounting for processing.

3. Segregation of duties and approval authority levels

3.1. Segregation of Duties

Five functional roles exist within a complete purchasing cycle. Separate accountable parties must complete the roles below as there could be risk involved if the same person is assigned to various tasks. These roles should be clearly documented for all schools/departments as evidence of reasonable internal control.

Table 1 – Segregation of Duties

Procurement Roles	Responsibility	Accountable Party
Purchase Requisition	Authorize the Purchase Requisitions for the Purchasing department to place an order.	LDSB Employee requesting the goods or services
Budget	Authorize that funding is available to cover the cost and authorize the commitment of that budget with a proper G/L distribution assigned to the Purchase Requisition.	School or Departmental budget holder
Commitment	Authorize the release of the Order to the Supplier under the agreed-upon PO and contract terms.	Purchasing Department
Receipt	Confirm that the Order was received, correct and complete.	LDSB Employee receiving the goods or services.
Payment	Authorize the release of payment to the Supplier	Accounting Department



3.2. Signing and Approval Authority

Each department/school is responsible for staying within its approved budget and signing limits.

Signing Authority level for Purchasing Authority at LDSB level applies to:

- Waivers
- Emergency Procurement
- Letters of Intent to Award
- Award Letters
- Purchase Orders
- Contracts
- Change Orders (cumulative amount of change order)
- Contract amendment letters
- Contract Extensions
- Other documentation that binds LDSB

Table 2 – Signing and Approval Authority

Procurement Value	Delegated Departmental/School Signing Authority Level **	Delegated Purchasing Authority LDSB Level ***
Up to \$10,000	Supervisor of Payroll * Project System Lead, Vice Principal, Others as delegated	Procurement Specialists
Up to \$15,000	Assistant Manager of Financial Services Assistant Manager of Human Resources Assistant Manager of Information & Technology Services Area, Maintenance, Operation Supervisor of Facility Services Project Coordinator Principal	
Up to \$50,000	Assistant Manager of Facility Services	
Up to \$121,000	Manager of Facility Services Manager of Financial Services Manager of Information & Technology Services Associate Superintendent Superintendent	Assistant Manager of Financial Services
\$121,000 and above	Superintendent of Corporate Services Director of Education	Superintendent of Corporate Services Director of Education

*The supervisor of Payroll has execution authority for all Payroll Remittances.

**Delegated Department/School signing Authority level represents the approval of the budget commitment.

***Delegated Purchasing Authority LDSB Level represents the approval of the procurement process.

Where equivalent employee roles are added to LDSB, those roles will fall into the appropriate signing authority based on the hierarchy incorporated currently.

Prior to approval:

- LDSB employees must obtain necessary approval for all procurement initiatives prior to the commencement of any procurement process.



- Approvals must be obtained by at least one level higher than the standard authority for own purchases.
- Approval for non-competitive purchases must be one level higher than the standard authority.
- All facility-related purchases, agreements with trades or for construction, renovations or building and site maintenance must be reviewed and approved by Facility Services.
- Technology, software applications, and software renewal-related purchases require review and pre-approval from Information Technology Services to ensure compliance with LDSB technology standards.

4. Methods of procurement

4.1. Vendor of Record (VOR) Arrangements

A VOR arrangement is a procurement arrangement that authorizes one or more qualified suppliers to provide goods or services to LDSB for a defined period based on agreed upon terms and conditions, including pricing, as set out in the VOR agreement.

VOR arrangements will be awarded using an open competitive method of procurement based on a category of goods or services.

Before contacting other suppliers, LDSB employees are encouraged to request quotes from suppliers LDSB has VOR arrangements with.

VOR arrangements may result from Collaborative Agreements established by Group Buying Organizations.

4.2. Invitational Methods

Based on the dollar limits indicated in [5. Procurement Thresholds and Methods](#), employees may use catalogues and/or obtain the required number of quotes to make purchases. Quote requests can be made via email, but in most cases, and especially if



the purchase is complex or risky, formalized quote documents should be submitted by suppliers in response.

All information provided must be the same to each supplier, ideally given at the same time, with a stipulated time to respond.

4.3. Open Competitive Methods

The following RFx methods are posted on a public tendering system open to all suppliers. Suppliers from around the world can preview the opportunities to ensure they're qualified prior to registering and downloading the documents. All suppliers must register and download documentation in order to participate.

4.3.1. Request for Quotation (RFQ)

An RFQ is a solicitation document that is posted or issued to potential suppliers requesting the supply of standard goods or services, based on stated requirements, performance specifications, and terms and conditions. Evaluation of supplier responses is usually based on price but can include other non-price criteria, provided that those criteria are adequately disclosed to all bidders.

An RFQ may be used for Invitational or Open Competitive procurement opportunities.

There are Five Major Implied Duties:

1. Disclosure duty
2. Duty to reject non-compliant quotes
3. Duty to treat all bidders fairly
4. Duty to award to the winning bidder
5. Duty to award the contract as issued

4.3.2. Request for Proposal (RFP)

An RFP is a solicitation document that is posted publicly requesting proposals from potential suppliers detailing solutions for the delivery of complex goods or services. An RFP would be issued stating minimum/maximum requirements, or desired outcomes and would include criteria for scoring responses. An evaluation

team would evaluate based on price and non-price criteria.

4.4. Prequalification Process

4.4.1. Request for Supplier Qualification (RFSQ)

An RFSQ is a solicitation document posted for the purpose of gathering information about suppliers' capabilities and qualifications as the first stage in a multi-stage process. This process may be used to create VOR lists, or as a means of shortlisting suppliers that will then be invited to compete in an RFP process. This process may be used to identify qualified candidates before future competitions or to shortlist for an immediate need.

4.5. Collaborative Purchasing

Per Provincial legislation, the Director and designates support the concept of collaborative purchasing.

LDSB may enter collaborative purchasing agreements with Group Buying Organizations, (GPO), or other public bodies providing their purchasing policy adheres to accepted public purchasing practices and the group purchase is structured in a way that allows LDSB to participate. When using a collaborative agreement, LDSB may accept pricing, and terms obtained by the buying organization and will not be required to solicit independent price quotations or tenders. In some cases, a second stage quoting process and/or independent contracting stage will be required. This will be facilitated through Purchasing.

5. Procurement threshold methods

Purchases under the Open Competitive Threshold (public tendering threshold), currently \$121,000 as dictated by the Broader Public Sector Procurement Directive (BPS), should be made from Ontario businesses wherever possible. If the BPS threshold changes, LDSB will reserve the right to implement the change without formally changing the Procedure document. See [13.4. Building Ontario Business Initiative \(BOBI\)](#) for information about the requirement to buy from Ontario.



Table 3 - Procurement Thresholds for Goods or Services

Dollar Limits	Procurement Method
Up to \$4,999	• Procurement card (P-card) • Supplier invoice • Preference given to Ontario businesses
\$5,000 to \$9,999	• Minimum one invitational quote in writing required • Purchase requisition must be generated with quotes attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Ontario businesses
\$10,000 to \$49,999	• Minimum three invitational quotes in writing required for goods or non-Facility Services Construction and Maintenance (see Table 4) • Purchase requisition must be generated with quotes attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Ontario businesses
\$50,000 to \$120,999	• Invitational-competitive process posted on the online bidding portal (when feasible) for goods or services. Three suppliers minimum are invited to bid. • Purchasing will facilitate online bidding process • Purchase requisition must be generated with quotes attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Ontario businesses
\$121,000 and above	• Open-competitive process posted on online bidding portal. • Purchasing will facilitate this process • Signed agreement required for these purchases • Purchase requisition must be submitted with agreement attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Canadian businesses (when applicable)

Table 4 - Procurement Thresholds for Facility Services Construction and Maintenance

Dollar Limits	Procurement Method
Up to \$2,999	• Procurement card (P-card) • Supplier invoice • Preference given to Ontario businesses
\$3,000 to \$9,999	• Supplier invoice • Preference to Ontario businesses
\$10,000 to \$39,999	• Minimum one invitational quote • Purchase requisition must be generated with quote(s) attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Ontario businesses
\$40,000 to \$120,999	• Invitational-competitive process posted on the online bidding portal (when feasible) for goods or services. Three suppliers minimum invited to bid • Purchasing will facilitate this process • Purchase requisition must be generated with quotes attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Ontario businesses
\$121,000 to \$499,999	• Invitational-competitive or Open competitive process posted on online bidding portal • Purchasing will facilitate this process • Signed agreement required for these purchases • Purchase requisition must be submitted with agreement attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Canadian businesses
\$500,000 and above	• Open-competitive process posted on online bidding portal • Purchasing will facilitate this process • Signed agreement required for these purchases • Purchase requisition must be submitted with an agreement attached • Purchase order must be generated prior to receipt of goods or services • Preference given to Canadian businesses (when applicable)



Table 5 - Procurement Process for utilizing Vendor of Records (VOR) arrangements for Goods or Services

Dollar Limits	Minimum Number of Suppliers to be invited
Up to \$39,999	One supplier
\$40,000 to \$120,999	Three suppliers
\$121,000 to \$249,999	Three VOR suppliers or Open competitive process
\$250,000 to \$499,999	All VOR suppliers or Open competitive process
\$500,000 and above	Open competitive process

The thresholds in table 5 will be used when establishing VOR arrangements. Purchasing reserves the right to adjust these thresholds based on the analysis of overall spend for the VOR that is being established, or per the GPO thresholds if one is being used, see [4.5. Collaborative Purchasing](#).

5.1. Procurement Thresholds for Consulting Services

A consultant provides expert or strategic professional advice and related services for consideration and decision-making under an agreement other than an employment agreement.

5.1.2. Procurement Process for utilizing the Vendor of Record (VOR) arrangements for Consulting Services (construction)

1. Consultants awarded on the VOR list will be offered jobs in keeping with their skills and experience.
2. If the VOR list has more than three Consultants on it, Facilities and the Purchasing Department reserve the right to choose any Consultants from the VOR list to provide quotes.
3. Performance will be monitored and documented and may affect the amount of work given to a Consultant see section [14. Supplier Management](#).



Table 6 – Procurement process for Consulting Services

Dollar Limits	Minimum Number of Vendors to be invited	Responsibility
Up to 49,999	One Consultant from the VOR list; if a consultant is not on the VOR list for the type of consulting required, invitation only	LDSB employee requesting goods or services
\$50,000 to \$120,999	Minimum two consultants from the VOR list;	LDSB employee requesting goods or services
\$121,000 to \$249,999	Three consultants from the VOR list (or Open competitive process)	Purchasing Department
\$250,000 and above	Open Competitive Process	Purchasing Department

6. Piggyback Contract

Piggyback contracts can be utilized under the discretion of the Purchasing Department for purchases under \$121,000.

7. Cancellation of procurement process

LDSB may cancel or amend and RFX process without liability at any time.

8. Litigation

LDSB in its absolute discretion, may reject and/or refuse to consider any quotation, tender, proposal, or submission of qualifications from any supplier who is, or has been, involved in litigation or other forms of the dispute where, in the opinion of LDSB, may have an adverse effect on any future dealings between LDSB and the Supplier.

9. Conflict of Interest

All LDSB staff or elected officials of LDSB involved in a procurement activity must declare actual or potential conflicts of interest prior to the commencement of the procurement activity.

Where a conflict arises, it must be evaluated, and appropriate action must be taken. The Purchasing Department shall be notified and will oversee this process.



10. Bid Protect/Debriefing

Bid protest procedures will be disclosed in all procurement documents to ensure that disputes are handled reasonably and timely.

For purchases above \$121,000, LDSB will inform all bidders who participated in the procurement process of their entitlement to a debriefing.

Non-successful bidders may request a debriefing session. They must submit their request in writing within 60 calendar days of receiving award notification. The debriefing session aims to help bidders improve their proposals for future procurement opportunities.

11. Retention of Procurement Documents

All Procurement documents, electronic or physical, required for reporting and/or audit purposes must be retained for a period of seven years.

12. Non-Competitive Procurement

Non-competitive procurement, also known as limited tendering, non-application, exception, exemption to policy, or sole single sourcing, involves situations where purchases are not required to follow policy. This is called exemption or non-application. Additionally, purchases can be approved for an exception to policy because there is a valid justification. Legislation dictates purchases that do not have to follow the policy and potential reasons why an organization could apply for an exception to the policy.

Non-competitive procurement cannot be used to avoid competition, discriminate against or to favour specific Suppliers.

LDSB will still exercise due diligence to ensure the best value for money in a non-competitive procurement.

The Purchasing Department is obligated to publicly post notification of awards, including limited tender awards, valued over Trade Treaty thresholds.

12.1. Waiver

A waiver form must be completed for all exemption requests to be reviewed and approved by the Purchasing department. The signing authority shall be a level higher than what would typically be required based on the amount being spent.



A waiver must be approved prior to the commencement of any non-competitive procurement with the exception of emergencies where a waiver can be completed after.

A waiver must also be used when the lowest priced quote is not being chosen for a competitive purchase.

12.2. Emergency Procurement

For procurement purposes, an emergency is an unexpected and pressing situation that requires swift procurement action and does not allow for compliance with standard procedures. Emergencies usually relate to risks involving human life, property, and/or the operation of government services. An emergency should never include a situation created by poor planning.

During an emergency procurement situation, it is essential to limit purchase quantities or services to only what is necessary to meet the emergency circumstance. Verbal price quotations from various sources should be sought if conditions allow.

Once the situation has resolved, purchases should be entered properly in the system with notes indicating details about the emergency.

12.3. Unauthorized Purchases

Purchases made in the name of LDSB without using an LDSB authorized process and proper approval are considered the responsibility of the person making the purchase and not the responsibility of LDSB. Such processes are unauthorized and are subject to an administrative handling fee on top of the cost of the purchase and/or suspension of purchasing privileges. Further disciplinary measures may be taken as well.

13. Suppliers

13.1. Preferred Vendors

Preferred vendors, also referred to as Vendors of Record (VOR), are suppliers qualified to provide goods or services to LDSB for a defined period on terms and conditions,



including pricing, as set out in the VOR agreement.

Where there are VORs in place, those suppliers should have the first opportunity to quote on required goods or services. If the VOR cannot provide a quote, or a quote from a supplier outside of the agreement provides better value, Purchasing should be notified prior to purchase.

13.2. Social Procurement

LDSB employees should consider not only the economic impact of their purchase but also ethical and social impacts that their purchase might have.

13.3. Green Procurement

LDSB supports the use of environmentally sustainable products and services and will encourage the purchase of these goods or services wherever possible.

LDSB may engage with suppliers and encourage them to offer environmentally friendly products and services. This can involve requesting information about supplier's environmental practices and certifications.

13.4. Building Ontario Business Initiative (BOBI)

As part of its commitment to supporting Ontario businesses the Ontario government created the Building Ontario Businesses Initiative (BOBI). As one of the strategies under BOBI, the government passed the *Building Ontario Businesses Initiative Act, 2022* (BOBiA). The Act mandates that public sector entities give Ontario and Canadian businesses preference when conducting procurements for goods or services under a specified dollar amount.

For procurements under the Open Competitive threshold indicated in [5. Procurement Thresholds and Methods](#), employees are obligated to give preference to Ontario businesses wherever feasible. For procurements above the Open Competitive threshold but below CETA, employees are obligated to give preference to Canadian businesses where feasible.

BOBiA applies to all purchases with the exception of:

- Emergency procurement
- Procurements from VORs
- Goods for resale
- Services of a lawyer, paralegal or notary public
- Services of an expert witness
- Goods or services that are not available from an Ontario business
- Goods or services valued over Federal trade Treaty thresholds

If there are not enough Ontario businesses to solicit all quotes from, the Ontario businesses should be given a 10% advantage over non-Ontario businesses. Similarly, if there are not enough Canadian businesses to solicit all quotes, the Canadian businesses should be given a 25% advantage over non-Canadian businesses.

Employees are encouraged to work with local suppliers where possible under this same dollar threshold.

When buying goods or services over the Federal Trade Treaty thresholds, where feasible, entities should give preference to Ontario businesses, then Canadian businesses and Canada's trading partners and criteria should include measures for businesses to demonstrate how they meet Ontario's environmental and labour standards.

LDSB will be required to report to the government on this initiative.

Departments will be audited for compliance with this requirement.



14. Supplier Management

Supplier management ensures suppliers are held accountable for their contractual obligations. LDSB will monitor the performance of suppliers.

LDSB departments are responsible for managing the contracts they issue and must make sure they regularly track a supplier's performance.

The following types of deliverables should be measured:

- Timely service calls
- Goods are provided on time and at the quality specified
- Milestones are met for projects
- Quality workmanship
- Cost Management
- Other key performance indicators (KPI)

LDSB is responsible for maintaining detailed notes and records with respect to any performance issues at the time of occurrence. Performance issues should be communicated to the supplier in consultation with Purchasing. Issues must be directly related to the requirements agreed upon by the supplier.

A performance improvement plan (PIP) should be put in place where performance measures are insufficient. Adherence to the plan should be monitored.

Failure to reach an agreement about what should be included in the PIP, or failure by the supplier to fulfill its obligation, may be grounds for contract termination, exclusion from future bid opportunities, or both.

The supplier must be notified in writing if they are being terminated or excluded from bid opportunities. The notice must indicate a timeframe for exclusion (suspension).

14.1. Supplier Suspension

Suppliers may be suspended as a result of:



- Criminal offence
- False declaration
- Conflict of interest
- Poor performance
- Litigation with or indebtedness to LDSB
- Professional misconduct or lack of integrity
- Failure to meet contractual obligations

A supplier suspension will include either exclusion from future bidding opportunities, removal from a list that the supplier has previously prequalified, or both.

Supplier suspension will be for a minimum period of two years. A suspended supplier may apply for reinstatement by submitting to the Superintendent of Corporate Services a written case for reinstatement, including supporting documentation, if necessary, that provides reasons why the original reason for suspension would no longer prove to be a risk for LDSB. A Supplier in litigation or contract disputes will be prohibited from bidding during litigation or while the contract is in dispute and for a minimum of 2 years after the litigation or contract dispute settlement.

LDSB reserves the right to lift the suspension after 2 years based on supplier changes and implemented mitigation strategies.

15. Surplus and Disposal of Furniture and Equipment

The Superintendent, Principal, Manager, Assistant Manager and Supervisor have the authority to determine if furniture and/or equipment belonging to the LDSB is surplus, obsolete or scrap. When an item is deemed surplus, obsolete or scrap the cost of disposal compared to the value will also be considered.

Schools and central administration offices shall store surplus furniture where applicable.



Financial Services, and where necessary, in consultation with the Superintendent of Corporate Services, shall have the authority to re-deploy, sell, exchange, dispose of, or trade goods declared surplus.

The revenue from the sale or disposal will be recorded to the proper department upon receipt of payment.

Employees and their relatives shall not be eligible to purchase surplus items of value directly except by successfully bidding at a public auction.

Any surplus or obsolete item(s) will be disposed of by whichever process is most sustainable and advantageous to LDSB. Disposal methods utilizing reuse and recycling will be given preference over landfill. Disposal methods can include:

- Donations to educational/charitable/community agencies, i.e. Habitat for Humanity
- Public auction on GovDeals online portal
- Public auction on the dealer's auction site for vehicles
- Trade-in value for upgrading
- Sale to scrap dealer
- Disposal to recycling program
- Disposal to a landfill site



APPENDIX A - DEFINITIONS

These definitions are from the Broader Public Sector Procurement Directive Issued by Management Board of Cabinet Effective January 1, 2024.

“Accountability” means the obligation of an employee, agent or other person to answer for or be accountable for, work, action or failure to act following delegated authority.

“Agreement” means the formal written document that will be entered into at the end of the procurement process.

“Approval Authority” means the authority delegated by the Organization to a person designated to occupy a position to approve on its behalf one or more procurement functions within the plan-to-pay cycle up to specified dollar limits subject to the applicable legislation, regulations, and procedures in effect at such time.

“Award” means the notification to a proponent of acceptance of a proposal, quotation or tender that brings a contract into existence.

“Bid” means a proposal, quotation or tender submitted in response to a solicitation from a contracting authority. A bid covers the response to any of the three principal methods of soliciting bids, i.e., Request for Proposal, Request for Tender and Request for Quotation.

“Bid Protest” means a dispute raised against the methods employed or decisions made by a contracting authority in the administration of a proposal, tender, or quotation process.

“Competitive Procurement” means a set of procedures for developing a procurement contract through a bidding or proposal process. The intent is to solicit fair, impartial, competitive bids.

“Conflict of Interest” means a situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the professional’s judgment is likely to be compromised.

“Construction” means construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement.

“Consultant” means a person or entity that under an agreement, other than an employment agreement, provides expert or strategic advice and related services for consideration and



decision-making. “Consulting Services” means the provision of expertise or strategic advice that is presented for consideration and decision-making.

“Contract” means an obligation, such as an accepted offer, between competent parties upon a legal consideration, to do or abstain from doing some act. It is essential to the creation of a contract that the parties intend that their agreement shall have legal consequences and be legally enforceable. The essential elements of a contract are an offer and an acceptance of that offer; the capacity of the parties to contract; consideration to support the contract; a mutual identity of consent or consensus ad idem; legality of purpose; and sufficient certainty of terms.

“Designated broader public sector organization” means an Organization to which section 12 of the Broader Public Sector Accountability Act, 2010 applies.

“Electronic Tendering System” means a computer-based system that provides suppliers with access to information related to open competitive procurements.

“Evaluation Criteria” means a benchmark, standard or yardstick against which accomplishment, conformance, performance and suitability of an individual, alternative, activity, product, or plan is measured to select the best supplier through a competitive process. Criteria may be qualitative or quantitative in nature.

“Evaluation Matrix” means a tool allowing the evaluation team to rate supplier proposals based on multiple pre-defined evaluation criteria.

“Evaluation Team” means a group of individuals designated/responsible to make award recommendation. The evaluation team would typically include representatives from the Organization and subject matter expert(s). Each member participates to provide business, legal, technical, and financial input.

“Goods” means moveable property (including the costs of installing, operating, maintaining, or manufacturing such moveable property) including raw materials, products, equipment and other physical objects of every kind and description whether in solid, liquid, gaseous or electronic form, unless they are procured as part of a general construction contract.

“Goods and Services/Goods or Services” means all goods and/or services including construction, consulting services and information technology.

“Organizations” means all organizations listed in Application and Scope, Section 2.

“Information Technology” means the equipment, software, services, and processes used to create, store, process, communicate and manage information.



“Invitational Competitive Procurement” means any form of requesting a minimum of three (3) qualified suppliers to submit a written proposal in response to the defined requirements outlined by an individual/organization.

“Non-discrimination” means fairness in treating suppliers and awarding contracts without prejudice, discrimination, or preferred treatment.

“Offer” means a promise or a proposal made by one party to another, intending the same to create a legal relationship upon the acceptance of the offer by the other party.

“Procurement” means acquisition by any means, including by purchase, rental, lease, or conditional sale, of goods or services.

“Procurement Card (P-Card)” means an organizational credit card program primarily used for low-cost, non-inventory, non-capital items, such as office supplies. The card allows procurement or field employees to obtain goods and services without going through the requisition and authorization procedure. P-cards may be set up to restrict use to specific purchases with predefined suppliers or stores and offer central billings.

“Procurement Policies and Procedures (PPP)” means a framework and mandatory requirements to govern how Organizations conduct sourcing, contracting, and purchasing activities, including approval segregation and limits, competitive and noncompetitive procurement, conflict of interest and contract awarding.

“Procurement Value” means the estimated total financial commitment resulting from procurement, considering optional extensions.

“Purchase Order (PO)” means a written offer made by a purchaser to a supplier formally stating the terms and conditions of a proposed transaction.

“Request for Proposal (RFP)” means a document used to request suppliers to supply solutions for the delivery of complex products or services or to provide alternative options or solutions. It is a process that uses predefined evaluation criteria in which price is not the only factor.

“Request for Supplier Qualifications (RFSQ)” means a document used to gather information on supplier capabilities and qualifications, with the intention of creating a list of pre-qualified suppliers. This mechanism may be used either to identify qualified candidates in advance of expected future competitions or to narrow the field for an immediate need. Organizations must ensure that the terms and conditions built into the RFSQ contain specific language that disclaims any obligation on the part of the Organization to call on any supplier to provide goods or services because of the prequalification.



“Requisition” means a formal request to obtain goods or services made within an organization, generally from the end-user to the procurement department.

“Segregation of Duties” means a method of process control to manage conflict of interest, the appearance of conflict of interest, and errors or fraud. It restricts the amount of power held by any one individual. It puts a barrier in place to prevent errors or fraud that may be perpetrated by one individual.

“Services” means intangible products that do not have a physical presence. No transfer of possession or ownership takes place when services are sold, and they (1) cannot be stored or transported, (2) are instantly perishable, and (3) come into existence at the time they are bought and consumed.

“Supplier/Vendor” means any person or organization that, based on an assessment of that person’s or organization’s financial, technical, and commercial capacity, is capable of fulfilling the requirements of procurement.

“Supplier Debriefing” means a practice of informing a supplier why their bid was not selected upon completion of the contract award process.

“Supply Chain Activities” means all activities whether directly or indirectly related to organizational plan, source, procure, move, and pay processes.

“Trade Agreements” means any applicable trade agreement to which Ontario is a signatory.

“Written” means a document or information in either electronic or hardcopy format.



Legal References:

Education Act S. 286 Duties of Supervisory Officers

Canada-European Union Comprehensive Economic and Trade Agreement (CETA)

Canadian Free Trade Agreement (CFTA)

Ontario Broader Public Sector Accountability Act

Ontario Broader Public Sector Procurement Directive (Includes 25 Mandatory Requirements)

Accessibility for Ontarians with Disabilities Act

Directive Implementation Guidebook issued by Ministry of Finance April 2011

Bill S-211- An Act to enact the Fighting Against Forced Labour and Child Labour in Supply Chains Act and to amend the Customs Tariff