

 <p>COMMUNITY LIVING Belleville and Area <i>Inspiring Possibilities</i></p>		<p>POLICIES & PROCEDURES MANUAL</p>	
<p>SECTION 1 – FINANCE</p>		<p>SUBJECT – Quotations and Tenders (Funded Operations)</p>	
<p>POLICY # 9</p>			
<p>APPROVED: <u> <i>C Demark</i> </u> Executive Director</p>		<p>DATE APPROVED: January 18, 2002</p>	
<p>REVISION DATE: September 18, 2018; March 1, 2017, July 22, 2014, January 9, 2012, May 22, 2008, October 16, 2003</p>		<p>PAGE 1 OF 8</p>	

POLICY STATEMENT

Community Living Belleville and Area (CLBA) will make all purchases of goods and services, made with public funds, in accordance with Management Board of Cabinet’s “Broader Public Sector Procurement Directive” where applicable.

DEFINITIONS

A Quotation is a verbal submission by a vendor, stating the current price of services or commodities and is usually subject to escalation without notice.

A Tender is a submission by a vendor, in response to a formal letter from Community Living Belleville and Area, offering to execute work or supply goods at a fixed price, usually for a specified period of time. “Notes Regarding Tender Requests” (see Page 4 of this Policy) will be included with the tender letter.

Advertised Tender: All advertised tenders require public advertisement in the Belleville daily newspaper for a minimum of three days. In addition, tenders may be advertised in selected newspapers and journals as deemed necessary.

Request for Information: 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, taking into consideration the time and effort required to conduct them. 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 opportunity.

Supplier Pre-Qualification: The Request for Supplier Qualification (RFSQ) enables CLBA 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

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

PROCEDURE

1. a) Price quotations and tenders shall be obtained within the limitations to the total sum defined below:

\$0.01 to \$10,000.00 – from at least three catalogues, verbal or written quotations at the discretion of the person approving the purchase;

\$10,001.00 to \$25,000.00 - by formal tender, by invitation on the prescribed form, from at least three vendors; and

Over \$25,000.00 - by advertised tender on the prescribed tender form.

Verbal quotations and catalogue prices obtained will be documented on the yellow, pink and goldenrod copies (the internal copies) of the purchase order as evidence that quotes were obtained. Documentation will include the vendor’s name, the quoted price and either the date of the quote or the catalogue the quote was obtained from. Do not put this information on the first (the supplier’s) copy of the purchase order.

Prior to commencement, any procurement of consulting services without obtaining quotes or tenders must be approved by the Executive Director, or if for a value greater than \$1,000,000, then by the Board.

- b) Quotations are not required for the purchase of food, clothing, gasoline and other small items regularly purchased by individuals and families.
- c) Calls for open competitive procurements must be made through an electronic tendering system that is readily accessible by all Canadian suppliers.
- d) All tenders for goods and services shall be received in the office of the Manager of Buildings and Property.

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- e) The bidder is responsible for ensuring delivery of the tender prior to the competition closing deadline. The tender documents will clearly state the closing date and time, which will be on a day and at a time that the CLBA Administration Office is open. All quotations or tender requests will allow a minimum of fifteen working days from the date of mailing to the competition closing date. Where the procurement is of high complexity, risk, and/or dollar value (ie. over \$100,000) the tender request will allow a minimum of 30 calendar days from the date of mailing to the competition closing date. Submissions that are delivered after the closing time must be returned unopened.

- f) Where the amount involved is less than \$10,000.00 but more than \$5,000.00, the Director of Finance or Manager of Buildings & Property shall request formal quotations or tenders from no fewer than three vendors, except in the case of library or textbooks from a specific publisher, magazines, supplies or equipment of a specific nature, where obtaining more than one supplier is not possible. Where a particular item is specified on an order, the Director of Finance or Manager of Buildings & Property shall assure himself that the reasons for the specific request, as opposed to competitive bidding, are legitimate. The reason(s) shall be documented on the internal copies of the purchase order. The final selection of a vendor for amounts under \$1,000.00 shall be made by the manager of the cost centre ordering the product. The final selection of a vendor for amounts between \$1,000.00 and \$10,000.00 shall be made jointly by the manager of the cost centre and one of the following: Executive Director, Director of Finance, Director of Services, and Manager of Buildings & Property.

- g) Evaluation criteria must be developed, reviewed and approved by members of Senior Management and/or the Board, depending on dollar amount, (the evaluation team) prior to commencement of the competitive process and may be altered only by means of addendum to the tender documents. Tender documents must clearly outline mandatory, rated, and other criteria that will be used to evaluate submissions, including weight of each criterion. Mandatory criteria (eg. 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. Criteria and evaluations must not discriminate against, or exercise preferential treatment for, any supplier.

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- h) Tender documents must fully disclose the evaluation methodology and process to be used in assessing submissions, including the method of resolving a tie score. Tender documents must state that submissions that do not meet the mandatory criteria will be disqualified.
 - i) The evaluation team is responsible for reviewing and rating the compliant bids. Evaluation team members must be made aware of the restrictions related to 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. Evaluation team members must sign a conflict-of-interest declaration and non-disclosure of confidential information agreement.
 - j) 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. The submission that receives the highest evaluation score and meets all mandatory requirements set out in the tender documents must be declared the winning bid.
 - k) Where a price is comparable, quality is of the required standard and service is available, priority of consideration of vendors shall be first with a vendor whose place of business is within the local community.
 - l) When the tendering procedure has been satisfactorily completed, all unsuccessful bidders will be notified. If a request is made in writing, unsuccessful bidders shall be allowed to know the total amount quoted or tendered by the successful bidder.
 - m) When the lowest priced quotation or tender submission is not accepted, the reasoning for acceptance of an alternative quotation or tender shall be documented on the internal copies of the purchase order.
2. It is recognized that strict adherence to all the requirements set forth in Section 1 may not be practical in every case, but strict adherence should be observed, except in the case of an emergency or where adherence can be shown to involve substantial and unwarranted

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additional expense.

Furthermore, in the case of an emergency situation, the Executive Director and the Manager of Buildings & Property shall be empowered to purchase, without obtaining quotations as previously outlined, subject to the approval of an officer of the Board.

When Community Living Belleville and Area has approved acceptance of a specific tender or quotation for goods and/or services according to specifications, the successful vendor shall be notified in writing as soon as practical thereafter. Particular reference will be made to any qualifications or services in connection with the award.

The successful vendor, having been duly notified of the acceptance of his tender or quotations, within fifteen days of the dispatch of such notification, shall give satisfactory evidence of good faith, his capability and intention to comply with the terms of the contract.

3. In those instances, when assurance of satisfactory completion of a contract is not forthcoming, an alternate tender may be accepted from those previously received.
4. The agreement between CLBA and the successful supplier must 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 CLBA 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 Executive Director.

5. 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. the form of agreement was not released with the procurement document), the agreement between CLBA and the successful supplier must be defined formally in a signed written contract before the provision of supplying goods or services commences.

6. All contracts must include appropriate cancellation or termination clauses.

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7. The term of agreement and any options to extend the agreement must be set out in the competitive procurement documents. An approval by the Executive Director must be obtained before executing any modifications to the term of agreement.

Extending the term of agreement beyond that set out in the tender amounts to non-competitive procurement where the extension affects the value and/or stated deliverables of procurement.

8. For procurements valued at \$100,000 or more, a contract award notification will be posted in the same manner as the tender documents were posted. The notification must be posted after the agreement between the successful supplier and CLBA is executed. The contract award notification must list the name of the successful supplier, agreement start and end dates, and any extension options.
9. For procurements values at \$100,000 or more, CLBA will inform all unsuccessful suppliers about their entitlement to a debriefing. CLBA must allow unsuccessful suppliers 60 calendar days following the date of the contract award notification to request a debriefing.
10. Procurements and the resulting contracts must be managed responsibly and effectively. Payments must 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 must be properly documented. Supplier performance must be managed and documented, and any performance issues must be addressed. To manage disputes with suppliers throughout the life of the contract, CLBA will include a dispute resolutions process in contracts.

For services, CLBA will:

- Establish clear terms of reference for the assignment. The terms should include objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements, and knowledge transfer requirements.
- Establish expense claim and reimbursement rules compliant with the Broader Public Sector Expenses Directive and ensure all expenses are claimed and reimbursed in accordance with these rules.
- Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

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11. 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. Suppliers' confidential and commercially sensitive information will be stored and maintained in a secure manner by the Manager of Buildings and Property.
12. CLBA will monitor any conflict of interest that may arise as a result of Board members', employees', 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 must be evaluated and an appropriate mitigating action must be taken.
13. Competitive procurement documents must outline bid dispute resolutions procedures to ensure that any dispute is handled in an ethical, fair, reasonable, and timely fashion. Bid dispute resolution procedures must comply with bid protest or dispute resolution procedures set out in applicable trade agreements.

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NOTES REGARDING TENDER REQUESTS

1. Prices are to be tendered inclusive of Trade Discounts and in Canadian Funds. The Harmonized Sales Tax (HST) is not to be included, but is to be added separately on the invoice where applicable
2. All items are to be shipped on a prepaid basis, to point of destination, unless indicated otherwise.
3. In order to avoid any misinterpretation, all prices must be typewritten or clearly written in ink.
4. Indicate opposite any item not originating or manufactured in Canada the name and address of the manufacturer.
5. The lowest or any tender not necessarily accepted.
6. Community Living Belleville and Area may choose to accept partial segments of this tender unless you specifically indicate that prices are conditional to reception of the complete order.
7. All prices are to remain firm until the last day of validation as indicated on this form. No change in tender prices will be allowed due to fluctuations in foreign exchange during this period.
8. **THE ACCOMPANYING ENVELOPE MUST BE USED WHEN REPLYING. TENDERS MUST BE SEALED AND CLEARLY MARKED AS TO CONTENT.**