



Respect, Learning, Independence

POLICY	BROADER PUBLIC SECTOR ACCOUNTABILITY ACT PROCUREMENT PROCEDURES
SECTION	MANAGEMENT AND ADMINISTRATION
ESTABLISHED LAST REVISED	April 2012 September 2015

POLICY

Employees of Brain Injury Services will conduct procurement-related Supply Chain Activities which include sourcing, contracting and purchasing activities in an open, fair and transparent manner.

The following procedures are in accordance with the Broader Public Sector Accountability Act.

PROCEDURE

Procurement of Goods and non-consulting services

The value of the procurement is based on the total amount paid over the term of the contract.

1. Procurement of budgeted regularly purchased supplies or services less than \$1,000 (excluding unplanned repairs to buildings or equipment)
 - 1.1. Approval authority required by the program manager.
 - 1.2. Authorization of funding is not required; however, monthly monitoring of service financial reports will be completed by the director, finance and senior management to ensure purchases are within service budgets.
 - 1.3. Procurement to be completed by manager or delegate by
 - a. Using an agency established approved vendor or
 - b. If no vendor can be identified, the procurer will document the request on a purchase order accompanied by three comparative prices (this may include quotes, copies of newspaper advertisements, flyers, internet search results) and submit it to the manager for approval. If three comparative prices cannot be obtained, a minimum of two must be submitted.

- 1.4. Payment will be released
 - a. Via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the supervisor indicating the good or services were received and complete. All cheques require two signatures of designated director.
 - b. If the cost is less than \$1,000, via debit card or petty cash. (Approval and invoice must be submitted with monthly bank reconciliation).

2. Procurement goods or services greater than \$1,000 but less than 5,000
 - 2.1. The procurement team or individual will document the request on a purchase order accompanied by three, or a minimum of two comparative prices (this may include quotes, copies of newspaper advertisements, flyers, internet search results) and submit it to the senior manager of the program.
 - 2.2. The director of the program and chief executive officer will sign the purchase order in approval of the procurement.
 - 2.3. The director, finance will sign the purchase authorizing funding availability.
 - 2.4. Copies of all approved purchase orders and comparative prices will be submitted to the accounting clerk to be filed with the final invoice.
 - 2.5. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the supervisor indicating the good or services were received and complete. All cheques require two signatures of designated director.

3. Procurement equal or greater than \$5,000 but less than \$10,000
 - 3.1. The chief executive officer initial approval must be obtained before proceeding with obtaining bids.
 - 3.2. Procurement team consisting of the a director of the program, manager and/or other designated staff, will choose a vendor using an informal competitive procurement process:
 - a. All members of the procurement team must sign a Conflict of Interest Disclosure agreement.
 - b. Define procurement specifications: develop a clear description of the required good or service including any specifications and performance requirements. Be sure to note any requirements that may be mandatory.
 - c. Document the speciation on an email, memo, or letter to send to at least three suppliers.
 - d. After all quotes have been received, the procurement team should evaluate the bids based primarily on price and on any other details as applicable (for example, service, delivery, specifications, etc.).

- e. The quotes and decision will be presented to the chief executive officer for final approval (the chief executive officer should sign the documented decision) and authorization of funding availability by the director, finance.
 - f. All bidders should be contacted and informed of the decision.
 - g. Enter into an agreement with the vendor. If a contract is used follow the Executing and Managing Contract requirements noted below.
 - h. All documents, information and communication related to the procurement processes should be submitted to the director, finance and will be maintained in recoverable form for minimum of seven years.
- 3.3. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the manager indicating the goods or services were received and complete. All cheques require two signatures of designated directors.
4. Procurement equal or greater than \$10,000 but less than \$100,000
- 4.1. The chief executive officer or initial approval must be obtained before proceeding with obtaining bids.
 - 4.2. The procurement team consisting of the a director of the program, manager and/or other designated staff, will choose a vendor and assure the balance of long-term cost and quality using an invitational competitive procurement process (the chief executive officer may be a member of this team).
 - a. The intent of this process is to ensure no one bidder has an unfair advantage over another by receiving additional information from the procurement team or any other agency employees
 - b. All members of the procurement team must sign a Conflict of Interest Disclosure agreement.
 - c. Define procurement specifications: develop a clear description of the required good or service including any specifications and performance requirements. Be sure to note any requirements that may be mandatory.
 - d. Fully complete Request for Tender/Quotation (this is known as the competitive document). This form should be sent to at least three vendors and include:
 - d.1 All the descriptions/specifications developed.
 - d.2 Closing date (submission deadline) set on a normal working day
 - d.3 mandatory, rated, and other criteria that will be used to evaluate submissions, including weight of each criterion (these criteria must be non-discriminatory)

- d.4 the evaluation methodology and process to be used in assessing submissions, including the method of resolving a tie score
 - d.5 Bid dispute resolution procedures to ensure that any dispute is handled in an ethical, fair, reasonable, and timely fashion.
 - e. As bids are received, they should be date stamped and remained unopened until the closing date. Do not open bids received after closing date. These should be return un-opened.
 - f. During the bidding process the Request for Tender/Quotation can be amended by preparing addenda to add or omit information due to errors or to clarify any information as a result of questions from the bidders. The addenda must be issued to all vendors.
 - g. During the evaluation period (closing to end date – date the agreement is signed with the supplier) the procurement team members must not communicate with bidders on matters related to the request unless it is to seek clarification of a bid or notify the successful vendor.
 - h. After the closing date, the procurement team should evaluate the bids based on the criteria outlined in the request and document the decision.
 - i. Rated requirements should be scored using the vendor evaluation form and the highest ranking submission chosen.
 - j. In the event of a tie, the tie-breaking method noted in the request should applied.
 - k. Records of evaluation scores must be auditable.
 - l. Everything said or documented must be fair, factual, fully defensible, and may be subject to public scrutiny.
 - m. Evaluations must not discriminate or exercise preferential treatment.
 - n. The decision will be presented to the chief executive officer for final approval (the chief executive officer should sign the documented decision) and authorization of funding availability by the director, finance.
 - o. All bidders should be contacted and informed of the decision.
 - p. Enter into an agreement with the vendor. If a contract us used follow the Executing and Managing Contract requirements noted below.
- 4.3. The decision will be presented to the chief executive officer for approval (the chief executive officer should sign the documented decision).

- 4.4. The chief executive officer will present any request for procurements over \$15,000 to the Board of Directors for approval.
 - 4.5. Authorization of funding availability by the director, finance (the director, finance should sign the documented decision).
 - 4.6. All documents, information and communication related to the procurement processes should be submitted to the director, finance and will be maintained in recoverable form for minimum of seven years.
 - 4.7. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the manager indicating the good or services were received and complete. All cheques require two signatures of designated senior managers.
5. Procurement equal or greater than \$100,000
 - 5.1. Approval authority required by the Board of Directors.
 - 5.2. Authorization of funding availability by the director, finance
 - 5.3. Procurement to be completed by the chief executive officer or delegated director by means of open competitive procurement process. This process is similar to the invitational process except for the following:
 - a. The competitive document must be posted on a public electronic tendering system
 - b. There must be a process for vendor debriefings and notify of entitlement to a vendor debriefing once competitive process completed
 - c. Vendors must be provided with a minimum response time of 15 calendar days
 - d. Contract award notification must be posted, in the same manner as the competitive document was posted
 - e. Unsuccessful suppliers must be informed about their entitlement to a debriefing for which they are allowed 60 calendar days to request.
 - 5.4. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the manager indicating the good or services was received and complete. All cheques require two signatures of designated directors.
6. Computer equipment or software procurements are completed by the manager, administrative services as approved by the chief executive officer and director, finance.
 7. Office supply & furniture procurements are completed by the manager, administrative services. Any items greater than \$1,000 require approval by the chief executive officer and director, finance. Employees will submit a request for office supplies to their supervisor. The supervisor will approve the request and forward the

order to the manager, administrative services monthly for submission to the agency's supplier.

8. Main office repairs procurements are completed by the director, clinical services A single repair in excess of \$1,000 requires approval by the chief executive officer and director, finance. Repairs are performed by the agency's approved office maintenance contractor.
9. External training request must be approved by the chief executive officer and the director, finance if over \$1000). Upon receipt of approval, the staff will complete the enrolment form and submit the form with the approval to the accounting clerk for payment.
10. Marketing procurements less than \$2,000 are approved by director, community relations with set budget. Any procurement greater than \$2,000 requires the approval by the chief executive officer and director, finance.
11. Procurement of any household supplies and equipment not currently approved for use by the agency must be reviewed by the Joint Occupational Health & Safety Committee and approved by management.

Procurement of consulting services

Consulting services is defined as "the provision of expertise or strategic advice that is presented for consideration and decision-making".

1. Procurement value over the term of the contract less than \$100,000
 - 1.1. The chief executive officer initial approval must be obtained before proceeding with obtaining bids.

The procurement team consisting of the chief executive officer, director of the program, program manager and/or other designated staff, will choose a vendor and assure the balance of long-term cost and quality using an invitational competitive procurement process (This is the same process as in Step 4 (Procurement of Goods and non-consulting services) above)
 - 1.2. The decision will be presented to the chief executive officer for final approval (the chief executive officer should sign the documented decision).
 - 1.3. The chief executive officer will present any requests for procurements over \$15,000 to the Board of Directors for approval.
 - 1.4. Authorization of funding availability by the director, finance (the director, finance should sign the documented decision).
 - 1.5. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the manager indicating the good or services

were received and complete. All cheques require two signatures of designated director.

2. Procurement value over the term of the contract equal or greater than \$100,000
 - 2.1. Approval authority required by the Board of Directors.
 - 2.2. Authorization of funding availability by the director, finance.
 - 2.3. Procurement to be completed by the chief executive officer or delegated director by means of open competitive procurement process. This process is similar to the invitational process except for the following:
 - a. The competitive document must be posted on a public electronic tendering system
 - b. There must be a process for vendor debriefings and notify of entitlement to a vendor debriefing once competitive process completed
 - c. Vendors must be provided with a minimum response time of 15 calendar days.
 - 2.4. Payment will be released via cheque prepared by the accounting clerk upon receipt of an authorized invoice by the manager indicating the good or services was received and complete. All cheques require two signatures of designated director.
3. It is the agency's and its Board of Directors position that the procurement of psychologist consulting services which exceed the \$100,000 threshold will not necessarily be procured by an open competitive procurement process because of the specificity of the skills required.

Supplier information Gathering and Pre-Qualifications

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 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.

The Request for Supplier Qualification (RFSQ) may be used by Brain Injury Services 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 must contain language that disclaims any obligation of the Brain Injury Services to call on any supplier to provide goods or services as a result of pre-qualification.

Non-Competitive Procurement

Brain Injury Service will employ a competitive procurement process as outlined above to achieve optimum value for money. It is recognized, however, that special circumstances may require the agency to use non-competitive procurement.

Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by the chief executive officer.

Executing and Managing the Contract

If a contract is being utilized with the supplier:

1. Contract must include appropriate cancellation and/or termination clauses
2. Contract must specify the term (start and end date) and any options for extensions
3. Contract should include a dispute resolution process
4. Consider contract clauses that permit cancellation or termination at critical project life-cycle stages
5. Signed contract must be in place before the provision of the goods or services commences
6. The following have authority to sign contracts on behalf of the agency:
 - 6.1. Contracts for budgeted procurements:
 - a. Senior manager
 - b. Program manager (for a contract valued less than \$1,000)
 - 6.2. Contracts for non-budgeted procurements
 - a. Chief executive officer
7. In situations where an immediate need exists and a contract signed by both parties is not yet available, an interim purchase order may be used
8. All contractors will provide verification of current credentials and will sign confidentiality forms which will be kept in maintenance binder

9. The following contractors will provided documentation regarding liability. All documents will be directed to the director, finance:

Contractor type:	Non-independent contractor	Construction contractor	Independent contractor
definition	Employ any part time or full time help. Includes: cleaners; handyman; snow removal and lawn maintenance services	performs work in any for the industries listed in Class G construction per the WSIB which include but are not limited to: electrical; plumbing heating and air-conditioning installation/amendment; Inside finishing (plaster, drywall, painting & decorating, carpeting flooring); roofing & other outside finishing	Has no employees Includes: cleaners; handyman; snow removal and lawn maintenance services
Workplace Safety and Insurance Board (WSIB) clearance certificates	mandatory	mandatory	preferred
Proof of liability insurance in the amount of \$5 million dollars	mandatory	mandatory	mandatory

Procurements and the resulting contracts will 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. Expenses will be claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses

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

Vendor Evaluation, Managing Risk

Vendors will be periodically evaluated (contractors and suppliers) to ensure the agency's satisfaction with the product and performance. The evaluation will include review of service or product ensuring value for needed items and minimizing the use and cost of all items purchased.

PROCEDURE

1. Both the supplier/contractor and the product/service will be evaluated at the same time to ensure:
 - 1.1. Product/service – is cost effective and needed

- 1.2. Supplier/contractor – is satisfactory (good service, timely delivery, expertise, complaint handling).
2. The following vendors/products will be evaluated:
 - 2.1. Problematic vendors/products (based on input by employees, managers, supervisors, house co-ordinators, and/or committees such as Joint Occupational Health and Safety Committee)
 - 2.2. Potential vendor offering a better product and/or a better price
 - 2.3. New vendors in the past year on which the agency spends over \$2,500 in the year
 - 2.4. Repeat vendors on which the agency spends over \$5,000 in a year every will be evaluated every two years
 - 2.5. Repeat vendors on which the agency spends \$2,000 to \$5000 in a year will be evaluated every three years ($\frac{1}{3}$ the first year; $\frac{1}{3}$ the second year and the final vendors the third year).
3. Vendors for product or services which cannot be purchased from another vendor will not be evaluated. This includes but is not limited to: landlords, utilities, employees (expense reports), and payroll taxes.
4. The evaluation will be completed using the following procedure:
 - 4.1. The director, finance will generate a list of vendors fitting the evaluation criteria
 - 4.2. The list will be presented to the management team to select which vendors to evaluate
 - 4.3. Teams from the programs who used the vendor will complete the evaluation based on the following criteria:

Criteria	Rating (1-5 – 5 being the best score)	Comments
Vendor timeliness of delivery of goods or services		
Vendor Interaction styles with staff and clients		
Vendor customer service after delivery		
Product Quality		
Product serving agency needs		
Total		

- 4.4. The accounting clerk will be asked for feedback about the vendors regarding customer service with respect to the billing process
- 4.5. The evaluations will be submitted to the director, finance who will present the results to the management team
- 4.6. The management team will determine if the agency will continue using vendor and product or service or take any actions with the vendor to improve the service
- 4.7. If the agency will continue to use this vendor, the management team will evaluate the price by looking at other vendor's prices.

Compliance

Annually the director, finance will randomly select two or more (if made) procurements from each value level and confirm procurement processes comply to Broader Public Sector Procurement Directive and all applicable mandatory requirements are met

- Segregation of Duties
- Approval Authority
- Competitive Procurement Thresholds
- Information Gathering
- Supplier Pre-Qualification
- Posting Competitive Procurement Documents
- Timeline for Posting Competitive Procurement Documents
- Bid Receipt
- Evaluation Criteria
- Evaluation Process Disclosure
- Evaluation Team
- Evaluation Matrix
- Winning Bid
- Non Discrimination
- Executing the Contract
- Establishing the Contract
- Termination Clauses
- Term of Agreement Modifications
- Contract Award Notification
- Vendor Debriefing
- Non-Competitive Procurement
- Contract Management
- Procurement Records Retention
- Conflict of Interest
- Bid Dispute Resolution

The director, finance will also confirm:

- Supply Chain Code of Ethics complied with
- Board Approval received for any purchases exceeding \$15,000
- Conflict of Interest declarations and Non-Disclosure Agreements signed.