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**POLICY P.069.FIN**

**TITLE: TENDERING, PURCHASING AND ACQUISITION OF SUPPLIES AND SERVICES**

**Date Issued: 18 November 1998**

**Last Revised: 27 April 2010**

**Authorization: Board: 26 October 1998**

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**1.0 OBJECTIVE**

- 1.1 To provide authority and guidelines for the acquisition of all materials, equipment, supplies and services for the Ottawa-Carleton District School Board (the "District") through a competitive bidding process that demonstrates transparency, openness and fairness to all potential suppliers.
- 1.2 The District maintains a centralized purchasing function in the Purchasing Division of the Financial Services Department, responsible for the acquisition of goods and services. Centralized purchasing shall achieve maximum value for each dollar expended while abiding by all laws, regulations, rules and acts relative to public procurement including, but not limited to, The Agreement on Internal Trade, Ontario-Quebec Procurement Agreement, Canadian Law of Competitive Processes and Contract Law, Municipal Freedom of Information and Protection of Privacy Act and the Broader Public Sector Supply Chain Guidelines.

**2.0 POLICY**

- 2.1 The Purchasing Division of the District shall be responsible for the procurement, rental or lease of all materials, equipment, supplies and services.
- 2.2 The Purchasing Division shall consider all costs, including acquisition, operating and disposal costs (total acquisition cost) in evaluating bid submissions from responsive and responsible suppliers.
- 2.3 The Purchasing Division shall follow a public competitive bidding process which may consist of:
  - (a) a request for tenders;
  - (b) a request for proposals;
  - (c) a request for quotations;
  - (d) a request for interest or expressions of interest; or

- (e) a request for supplier qualifications.
- 2.4 The Purchasing Division shall be responsible for determining the terms and conditions of the competitive bid (including the form and amount of financial security and insurance required) and for administering competitive bid calls and contracts resulting from the competitive bid process.
- 2.5 Under the following circumstances, the requirements for inviting quotations, tenders or request for proposals may be waived by the Chief Financial Officer and replaced by authorization for the Purchasing Division to negotiate:
- (a) when goods are in short supply due to market conditions;
  - (b) where there is only one known source (sole source) of supply for the goods and services to be purchased;
  - (c) where two or more identical bids have been received;
  - (d) where the lowest bid substantially exceeds the estimated cost;
  - (e) when the extension of an existing contract would prove more cost effective or beneficial;
  - (f) where compatibility with an existing product or service is required from a single source;
  - (g) when all bids received fail to comply with the specifications and/or tender terms and conditions, and it is impractical to recall tenders; or
  - (h) when only one bid is received through the tendering system.

### **3.0 PROHIBITIONS REGARDING PURCHASING**

- 3.1 No contract or purchase shall be divided into series or issued at varied time intervals to avoid the requirements of this policy.
- 3.2 No employee or elected official shall purchase or offer to purchase, on behalf of the District or Board of Trustees, any goods or services, except in accordance with this policy and procedure PR.558.FIN. Tendering, Purchasing and Acquisition of Supplies and Services.
- 3.3 No personal purchases shall be made by the District or Board of Trustees for elected members, or any appointed member of the Board, or for any District employees.
- 3.4 In accordance with the *Education Act*, no teacher, Supervisory Officer or other employee of the District may promote or sell goods or services for compensation to any school district, provincial school or teachers' college or pupil enrolled therein except as permitted by the Act.

3.5 Lobbying during a competitive bid call is prohibited. An official point of contact shall be named and communication with any other than the official point of contact from the time of issuance, up to and including the time of award, is prohibited.

#### **4.0 UNAUTHORIZED PURCHASES**

Purchases made in the name of the Ottawa-Carleton District School Board without using a District authorized process are considered an obligation of the person making the purchase and not an obligation of the District. Such processes are unauthorized and are subject to suspension of purchasing privileges.

#### **5.0 EMERGENCY PURCHASING**

In the case of emergency, the Chief Financial Officer and/or the Director of Education will authorize a single source purchase to obtain goods and/or services in the most expedient manner. Emergencies are usually defined as circumstances or situations which may result in the shutdown of a school, have potential health or safety concerns, could result in undue financial loss or to prevent serious delays or further damage.

#### **6.0 SOLE SOURCE or SINGLE SOURCE PURCHASING**

Sole-source or single source purchases in unique situations must be pre-authorized by the responsible Superintendent, the Chief Financial Officer and/or Director of Education as defined in Procedure PR.558.FIN, Tendering, Purchasing and Acquisition of Supplies and Services and in compliance with Board Policy P.007.FIN: Signing Authority and Spending Controls, and Board Procedure PR. 502.FIN: Spending Authorization and Controls.

#### **7.0 CO-OPERATIVE PURCHASING**

7.1 Under the direction of the Director of Education and/or the Chief Financial Officer, the Purchasing Division shall lead or participate in cooperative purchasing with other school districts and public institutions or join existing government contracts whenever the best interest of the District will be served.

7.2 In such cases, the Purchasing Division may accept pricing obtained by other public institutions and will not be required to solicit independent pricing quotations, tenders or request for proposals.

#### **8.0 ENVIRONMENTAL PURCHASING**

Where practical and financially feasible, acquisition of goods and services that are environmentally appropriate and ecologically sound, while giving suppliers fair and equitable access, will be considered.

## **9.0 SPECIFIC DIRECTIVES**

- 9.1 The Purchase Card Program, under Board Policy P.116.FIN and Procedure PR.651.FIN, is an exception to this policy, to enable schools and departments to purchase miscellaneous operating supplies.
- 9.2 The acquisition of major services to be provided to the District shall follow the guidelines established under Board Policy P.057.FIN: Acquisition of Major Services.
- 9.3 The acquisition of consulting services to be provided to the District shall follow the guidelines established under Procedure PR.577.FIN: Acquisition of Consulting and Professional Services.

## **10.0 COMMUNICATION OF POLICY**

All Supervisory personnel are responsible for ensuring that their immediate staff are properly informed of and comply with this policy and the associated procedures.

## **11.0 REFERENCE DOCUMENTS**

*The Education Act*, 1998, ss. 170, 171

Board Policy P.007.FIN: Signing Authority and Spending Controls

Board Policy P.057.FIN: Acquisition of Major Services

Board Procedure PR.502.FIN: Spending Authorization and Controls

Board Procedure PR.557.FIN: Acquisition of Major Services

Board Procedure PR.558.FIN: Tendering, Purchasing and Acquisition of Supplies and Services