

PURCHASING AUTHORITY

Background

Purchasing of supplies and services shall be completed in a fair, responsible and respectful manner optimizing the use of resources so as to provide the maximum benefit to the Division. It is recognized that in purchasing goods and services practical considerations such as time constraints, available vendors and reputation of quality must be weighed against the financial advantage of completely competitive buying.

Procedures

1. The following categories of purchasing are established to provide guidance in reconciling these considerations.
 - 1.1 Category I: Purchases of goods, materials or services (including supply of goods and/or materials) with estimated cost less than ten thousand dollars (\$10,000.00);
 - 1.2 Category II: Purchase of goods, materials or services (including supply of goods and/or materials) with estimated cost from ten thousand dollars (\$10,000.00) to thirty thousand dollars (\$30,000.00);
 - 1.3 Category III: Purchase of goods, materials or services (including supply of goods and/or materials) with estimated cost greater than thirty thousand dollars (\$30,000.00).
2. Buyers must be aware of and avoid actions constituting fraud, as discussed under Administrative Procedure 404 – Fraud Prevention and Investigation.
3. Authorized buyers for the Division shall be those with budget responsibility as defined and developed through the budget allocation model and process (“budget managers”).
4. Purchases may be done through designates of the budget manager, however these purchases must be signed off by the budget manager.
 - 4.1 Designates must receive pre-approvals from the budget manager for purchases, including items and expected costs, prior to making the purchase.
 - 4.2 In all cases, the Secretary Treasurer may authorize purchases for budget centres and define the budget manager for purchases.
5. The Secretary Treasurer shall maintain signature and authorization sheets which must detail the budget centre, budget manager, designates (if applicable) and sample signatures for verification.
6. All payments greater than five thousand dollars (\$5,000.00) must be approved by the Secretary Treasurer or designate prior to payment.

7. Subject to budgetary control or special approval by the Board, purchases within each category shall be made in accordance with the following procedures:

7.1 Category I: Direct Purchase

7.1.1 Purchases may be made by the appropriate agent of the Division (Principal, foreman, operations manager, Secretary Treasurer) from the vendor considered by the purchaser to be the best choice considering all relevant circumstances; without competitive pricing.

7.1.2 A purchaser may proceed in accordance with clauses 7.2 or section 7.3 if in that person's judgment it is desirable to do so.

7.2 Category II: Invitational Quotations

7.2.1 The agent inviting quotations shall develop in written form minimum specifications for the goods or service to be purchased.

7.2.2 Purchases shall be made on the basis of written quotations submitted to the appropriate agent, obtained by invitation from a list of vendors who have indicated a desire to provide goods and services for the Division, and in such other media as deemed necessary by the Secretary Treasurer.

7.2.3 Advertisements shall be placed in newspapers serving the jurisdiction of the Division indicating the existence of the procedure of invitational purchasing and inviting vendors to submit their business for inclusion on the vendors' list. This notice shall be given at the beginning and again in the middle of each calendar year.

7.2.4 Vendors on the vendors' list who repeatedly fail to respond to invitations to quote within the time provided may be removed from the list.

7.2.5 The most favourable or any quotation may not necessarily be accepted.

7.2.6 Acceptance of the successful quotation shall be made by the Secretary Treasurer.

7.2.7 A purchase may proceed in accordance with clause 7.3, if in the purchaser's judgment it is desirable to do so.

7.3 Category III: Tenders

7.3.1 Written specifications for the request for proposal (RFP) or request for quotation (RFQ) shall be prepared for the goods or services to be purchased.

7.3.2 The Secretary Treasurer shall advertise for sealed tenders in response to the tender specifications in the newspapers serving the jurisdiction of the Division and in such other media as deemed necessary by the Secretary Treasurer.

7.3.3 Tenders of seventy-five thousand dollars (\$75,000.00) and higher for goods and/or services must follow the process outlined under the Trade, Investment and Labour Mobility Agreement.

7.3.4 Copies of the tender advertisement may contain the specifications or describe how they may be obtained, and shall indicate the closing time for receipt of tenders and the time and place at which the tenders will be

opened.

- 7.3.5 Tenders shall be received, retained and opened under the auspices of the Secretary Treasurer at the advertised time for their opening, which shall be done publicly and in the presence of at least two (2) witnesses.
 - 7.3.6 Deposits and/or performance bonds may be required if deemed desirable considering the particular circumstances.
 - 7.3.7 Acceptance of the successful tender shall be made by the Board.
 - 7.3.8 The most favourable or any tender may not necessarily be accepted.
 - 7.3.9 The summary of quotations shall be available to all bidders and the public on request.
- 7.4 In instances where it is not reasonable to proceed in accordance with the provisions of the above (e.g. vendor monopoly; limited national or international distribution; direct transactions with wholesale suppliers) the Secretary Treasurer may make alternative purchasing arrangements to expedite the affairs of the Division while protecting its financial interest in the transaction so far as is reasonable. The Secretary Treasurer shall report to the Board each time that alternative purchasing arrangements are made.
- 7.5 The requirements of this Administrative Procedure are suspended or modified as required by the application of legislation and regulations made thereunder in all transactions where such requirements are applicable.

Revised/Adopted: JUN 2016/NOV 2019

Reference: Section 33, 52, 53, 68, 85, 188, 196, 197, 204, 222, 225, 229 Education Act