
		DeafBlind Ontario Services Policy and Procedure Manual	
Section: Operations		Relates to Policy #	5.6: Finance
Procedure 5.6.6: Broader Public Sector Procurement Directive			
CEO Approved: 	Date of Approval: Mar 10, 2021	Revised Date: Sept 13, 2023	
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DeafBlind Ontario Services will abide to the Broader Public Sector (BPS) Procurement Directive issued by the Management Board of Cabinet under the authority of the Broader Public Sector Accountability Act, 2010, (Section 12)

DeafBlind Ontario Services will conduct purchasing and procurement activities according to the law in Ontario, including contract law, the law of competitive processes, privacy legislation, accessibility legislation and any other legislation as may be applicable.

The purpose of the Broader Public Sector Directive and this procedure is:

- To ensure that DeafBlind Ontario Services' publicly funded goods and services, including construction, consulting services, and information technology are acquired through a process that is open, fair and transparent;
- To ensure DeafBlind Ontario Services' responsibilities will be outlined throughout each stage of the procurement process;
- To ensure DeafBlind Ontario Services' procurement processes are managed consistently;
- To provide guidelines for entering into contracts and to establish internal controls over the authorization of procurement processes, and;
- To ensure that DeafBlind Ontario Services shall endeavour to receive value for money when procuring goods, services and consulting services.

Principles:

This Directive is based on the five key principles that will allow DeafBlind Ontario Services to achieve value for money while following a procurement process that is fair and transparent to all vendors:

- **Accountability** – DeafBlind Ontario Services will be accountable for the results of its procurement decisions and the appropriateness of the processes.



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- **Transparency** – DeafBlind Ontario Services will be transparent to all vendors. Wherever possible, vendors will have equal access to information on procurement opportunities, processes and results.
- **Value for Money** – DeafBlind Ontario Services will maximize the value it receives from the use of public funds. A value-for-money approach aims to deliver goods and services at the optimum total lifecycle cost.
- **Quality Service Delivery** – DeafBlind Ontario Services will ensure that direct services provided by DeafBlind Ontario Services employees, will receive the right product, at the right time, in the right place.
- **Process Standardization** – DeafBlind Ontario Services will ensure that standardized processes will remove inefficiencies and create a level playing field.

Key Definitions:

Goods and services – means any goods, construction, and services, including but not limited to IT and consulting services.

Members of an Organization – means all Directors of the Board, Chief Executive Officer, and all employees of the organization, or their equivalent.


Supply Chain Activities – means all activities directly or indirectly related to the organization's planning, sourcing, procurement, moving and payment processes.

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. A consultant provides Consulting Services.

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.

Purchasing and Procurement Code of Ethics (Code):

DeafBlind Ontario Services has formally adopted and will abide by the Code in accordance with its governance process. This procedure's intent is to establish the conduct of all DeafBlind Ontario Services employees that are involved with Purchasing and Procurement Activities in accordance with the Code.

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This Code is available and visible to all DeafBlind Ontario Services employees, as well as vendors involved with Purchasing and Procurement Activities. This code is posted on DeafBlind Ontario Services' website.

**DeafBlind Ontario Services
Purchasing and Procurement Code of Ethics**

Goal: To ensure an ethical, professional and accountable purchasing and procurement.

I. Personal Integrity and Professionalism
 Individuals involved with purchasing and procurement activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all purchasing and procurement activities within and between Broader Public Sector (BPS) organizations, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

II. Accountability and Transparency
 Purchasing and procurement activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value and quality for public money.

III. Compliance and Continuous Improvement
 Individuals involved with purchasing or other purchasing and procurement activities must comply with this Code of Ethics and the laws of Canada and Ontario. These individuals should continuously work to improve purchasing and procurement policies and procedures, to improve our purchasing and procurement knowledge and skill levels, and to share best practices within the organization.

Approved by the Finance Committee: December 3, 2013
 Approved by the Board of Directors: December 10, 2013

Employees found in violation of this policy/procedure will be subject to disciplinary action up to and including termination of employment. Please refer to Human Resource progressive discipline procedure 3.5.1.



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Procedure 5.6.6: Broader Public Sector Procurement Directive

DeafBlind Ontario Services will ensure that all contracts entered will follow the requirements set forth in the Broader Public Sector (PBS) Procurement Directive

Contracts and Consultant Agreements Guidelines

All contracts for Goods and non consulting services must be approved based on the organization's approval authority schedule. See Procedure 5.6.12 Spending Limits and Credit Cards

All contracts over \$100,000 and all contracts for consulting services **of any dollar value** must be preceded by, and result from, a competitive procurement process. An Invitational competitive process for consulting services up to but not including \$100,000. And an open competitive for agreements valued at \$100,000 or above. All contracts and consultant agreements must be consistent with DeafBlind Ontario Services' Mission, Vision, Values, and conform to all other applicable DeafBlind Ontario Services policies and procedures.

Authority to Approve Purchases:

See Procedure 5.6.12 Spending Limits and Credit Cards

Authority to Sign Contracts and Consultant Agreements:


Responsibility:

Prior to commencement of any contract, DeafBlind Ontario Services will ensure:

- a) Contracts are entered into when there is an advantage to the organization by doing so.
- b) A full range of potential arrangements is investigated before entering into an exclusive contract.
- c) Legal assistance or advice is obtained if necessary for any non-standard clauses.
- d) All contracts entered into by DeafBlind Ontario Services are reviewed and approved by the Chief Executive Officer or designate. Chief Executive Officer or Board authorization is required if the amount of the contract is over a certain limit or an unbudgeted expense. Only signing officers can approve and sign a contract based on the organization's approval authority schedule.
- e) Only contractors registered with WSIB and those that provide proof of a minimum of \$5M (unless specified higher) for Commercial General Liability

insurance and \$2M Automobile (unless specified higher) and valid WSIB coverage where appropriate.

- f) Each contract is dated, witnessed and if requested, embossed with the organization's corporate seal.

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- g) DeafBlind Ontario Services also ensures that a completed copy of the final contract is made available to all other signatories.
- h) The original copy of a signed contract is kept in the Purchasing and Procurement Critical Documents Binder in the IT room at the Admin Office. The Director of Finance, or designate, is responsible to ensure the binder is kept up to date. A soft copy is also saved electronically.
- i) All Purchase of Service contracts must contain the organization's conflict of interest guidelines.
- j) At least 3 months prior to the completion of the contract, the Chief Executive Officer or designate reviews and plans for the renewal or tendering of the contract following the above procedures.

Location of Original Contracts:

An original signed copy of all contracts that bind DeafBlind Ontario Services must be provided to the Director of Finance or designate for filing located in the Purchasing and Procurement Critical Documents Binder at DeafBlind Ontario Services' Admin Office for filing and monitoring. The Director of Finance, or designate, is responsible to ensure the binder is kept up to date.

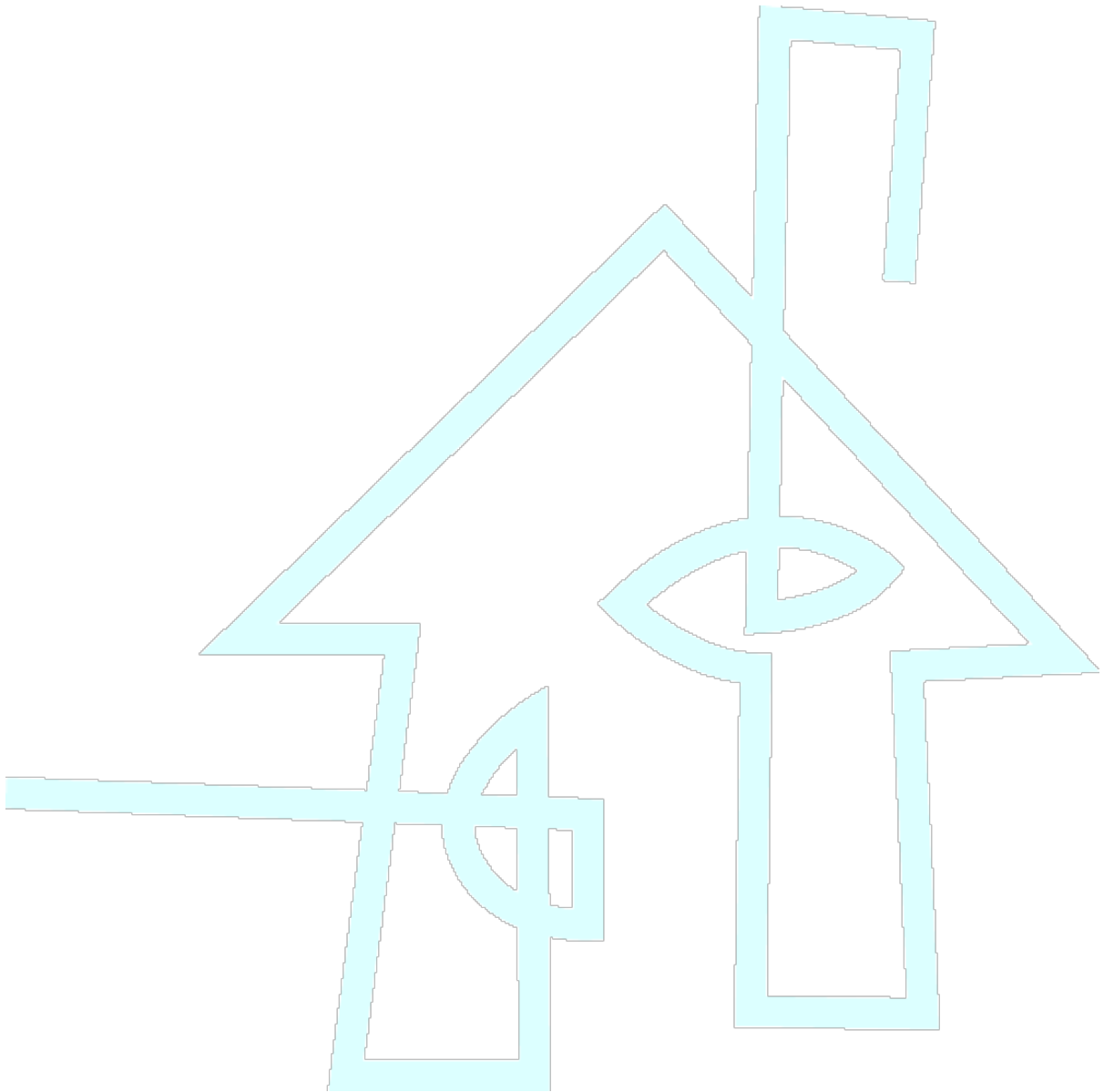
Consistency with all Other DeafBlind Ontario Services policies, procedures and guidelines:



A Purchase of Service contract must adhere to all other relevant legislative and regulatory policies, procedures, directives and guidelines (including DeafBlind Ontario Services') with respect to financial support, expense rules, levels of approval/ signing authority and location of original signed contract.

Procurement Record Retention

DeafBlind Ontario Services will handle, store and maintain vendor's confidential and commercially sensitive information in an appropriate and legal matter as per procedure 5.6.15 Accounting Records.

DeafBlind Ontario Services will also be subject to various trade agreements, including but not limited to the Agreement on Internal Trade (AIT) and the Ontario-Quebec Trade and Cooperation Agreement (Ontario-Quebec Agreement).



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Statement:

The DeafBlind Ontario Services procurement function will be performed in an open, fair and transparent manner where goods and services are procured in a competitive environment and where all transactions yield the optimal benefit to the organization and the people supported. DeafBlind Ontario Services aspires to high ethical, legal, environmental, managerial and professional standards in the management of the resources entrusted to it. Procurement practices are in accordance with the most recent Broader Public Sector Procurement Directive issued by Management Board of Cabinet, which forms part of the Operational Policy and Procedures manual of DeafBlind Ontario Services.

Goals and Objectives:

- To ensure goods and services are purchased in an efficient and cost-effective manner.
- To establish internal control over the authorization of expenses.

Guidelines:

DeafBlind Ontario Services will promote fair and objective business practices by implementing a documented approval process for purchases. Applicable purchases will require supporting documentation and invoices. Supporting documentation will include comparative pricing, quotations, tendered bids, or preferred supplier status. The following criteria will be applied in the approval process for all purchases, in no order of preference:

- Lowest pricing
- The quality of goods and services to be provided
- Use of local business
- Previous satisfactory work or supply of products to DeafBlind Ontario Services



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Procedure 5.6.7: Purchasing and Procurement

Where the organization has established contracts or agreements with preferred suppliers or with Vendors of Record for the Ontario Broader Public Sector, employee shall purchase goods and/or services against these contracts or from these preferred suppliers or Vendors of Record. This list is kept up to date by the Manager of Special Projects. A list of preferred supplier and Vendor of Record contracts/agreements is kept within the Shared Files (Procurement Services).

Contract Management

To ensure the operational, functional and business objectives of the organization continue to be met through a positive interaction between the organization and the vendor or contractor. The following criteria are to be applied in no particular order.

- Service delivery - to ensure product or services are delivered in a timely manner
- Relationship management – profitable interaction between vendor and purchaser
- Managing the contract – day to day procurement activities to ensure the spirit of the contract
- Seeking improvement – to increase efficiencies within the procurement process
- Ongoing assessment – the entire procurement process activities are assessed on a continual basis to ensure that contracts are adhered to and the purchasing process followed.
- Managing change – all changes need to be communicated, documented and implemented effectively. All change orders need to be signed within approved authorization limit as indicated at Procedure 5.6.12 Spending Limits and Credit Cards.

Preferred Supplier/Preferred Contractor: *A supplier or contractor who has previously gone through a quotation or tender process successfully with DeafBlind Ontario Services, and has continued to supply the organization with superior workmanship, supply of products, or unique technical expertise, may be deemed a preferred supplier or preferred contractor. A preferred supplier must be approved by the Chief Executive Officer. Preferred suppliers are subject to tenders every five (5) years or less.*



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Procedure 5.6.7: Purchasing and Procurement

Quotation/Tender Limits (Including Major Repairs or Renovations):

See procedure 5.6.12 Spending Limits and Credit Cards for the organization's signing authority levels.

As per the principles of the BPS Directive, all employees or volunteers making purchases on behalf of the organization will do so keeping value for money, quality of service delivery, accountability, transparency and process standardization in mind. Quotation and tender limits include cost of warranty, maintenance and service agreements plus applicable taxes. Below are the organization's quotation and tender limits for goods, non consulting services and construction:

1. Under \$10,000 – one verbal quotation (minimum).
2. \$10,000 to \$50,000 – three written quotations.
3. \$50,000 to \$100,000 – three written tenders, by invitation or advertising. Decision to be made by a Bid Review Committee of two to three employees approved by the CEO.
4. Over \$100,000 – Public advertising for tenders, except for land and buildings.
5. Land and buildings – purchase price will be negotiated based on the fair market value of the property, which may include an independent appraisal. Purchases will be approved by the Board of Directors through the Finance and Risk Committee prior to purchasing.

Note: Approval by the Board of Directors through the Finance and Risk Committee is required for items exceeding the CEO's signing authority limit.

Quotation/Tender Limits for consulting services

See procedure 5.6.12 Spending Limits and Credit Cards for the organization's signing authority levels.

1. Under \$100,000 – three written tenders, by invitation or advertising. Decision to be made by a Bid Review Committee of two to three employees approved by the CEO.
2. \$100,000 or more – Public advertising for tenders

Note: Approval by the Board of Directors through the Finance and Risk Committee is required for amounts exceeding the CEO's signing authority limit.

No goods or services will be split into lower dollar values to avoid compliance with the policy.

Where advertising or invitations have been done widely enough to attract the required quotes/tenders and less than three responses have been received, the Bid Review Committee will make a decision based on the quotes received, assuming the applicants are deemed qualified to provide the goods/services.

Goods and services with an estimated cost under \$10,000 related to the repair and maintenance of buildings and vehicles may be assigned to the organization's approved contractors. Managers must remember that purchases must be within their signing authority levels.

Individuals and/or companies who contacts DeafBlind Ontario Services with a desire to do business will be requested to provide information on their organization, rates and references. If appropriate, they will be invited to bid on available projects.


At least every five (5) years, the organization will advertise on an electronic tendering system that is readily accessible by all vendors for contractors to submit a Request for Qualified Suppliers to perform repair and maintenance work on our buildings or vehicles.

The organization must consider providing suppliers a minimum response time for a 30 calendar days for procurement of high complexity, risk and/or \$ value.

Emergency and/or Special Circumstances:

In an emergency/special circumstance, the following authority shall apply:

- The Chief Executive Officer has authority to acquire goods or services up to the CEO's signing authority without regard to this policy. A consolidated list (including exceptions [requiring the Non-Competitive Procurement Approval Form]) will be provided to the Chief Executive Officer on an annual basis which will be retained for auditing purposes.

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Monitoring Report Requirements (Frequency, Content, etc.):

- Listing of contracts awarded over \$100,000 disclosing the supplier and the amount to be provided to the CEO annually.
- Listing of emergency/special circumstances purchases to be provided to the CEO annually.

Glossary of Key Policy Terms

Tender - A formal written request to provide clearly specified goods or services.

Emergency - Circumstances in which an immediate purchasing decision is necessary to prevent danger to life, danger to property or suspension of essential service.

