
HORIZON SCHOOL DIVISION**POLICY HANDBOOK**

Policy Code: DJD
Policy Title: Procurement Obligations
Cross Reference: FEF
Legal Reference: *Guidelines to the procurement obligations of domestic and international trade agreements*
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POLICY

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION EXPECTS PROCUREMENTS TO ADHERE TO APPLICABLE TRADE AGREEMENTS; AND THE PRINCIPLES OF NON-DISCRIMINATION, OPENNESS AND TRANSPARENCY, AND REFLECT A COMMITMENT TO EFFECTIVELY MANAGING PUBLIC RESOURCES.

GUIDELINES

1. The division shall comply with all procurement obligations and as per applicable domestic and international trade agreements.
 - 1.1. The division shall accord no less favourable treatment to goods, services and suppliers of other jurisdictions that are parties to a trade agreement than the best treatment the procuring entity provides to goods, services and suppliers of their own or any other jurisdiction.
 - 1.2. The division shall provide open and non-discriminatory access to the suppliers of other jurisdictions as per trade agreements in cases in which the procurement is not otherwise excluded and is valued at or above the thresholds as outlined in trade agreements.
2. Procurement obligations under the trade agreements are triggered when a procuring entity contemplates a procurement valued at or above certain specified thresholds. A procurement that falls below the applicable thresholds is not subject to the procurement obligations of any trade agreements.
 - 2.1. Thresholds for trade agreements are adjusted regularly and should be reviewed when procuring to ensure compliance.
3. The division shall recognize the support and benefits provide by local businesses when purchasing below trade agreement thresholds.
 - 3.1. Local procurement shall be considered when price, quality, and availability are reasonably comparable.

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4. Contracting for ongoing long-term services, such as caretaking and transportation, shall be guided by the following:
 - 4.1. Initial contracts for services shall be awarded only after an appropriate tendering process.
 - 4.2. Contracts shall be reviewed by the Board at the time of renewal or at least every five years.
 - 4.3. Contracts will be re-tendered at the time of renewal but may be renewed from time to time, without a re-tendering process, at the discretion of the Board.
 - 4.4. All contracts or renewal of contracts, for ongoing services shall be in writing and require Board approval.
5. Agreements for provision of ongoing long-term services, such as insurance and banking shall be guided by the following:
 - 5.1. Initial agreements shall be made only after an appropriate competitive bidding process.
 - 5.2. Agreements shall be reviewed by the Board at least every five years.
 - 5.3. Agreements may continue in force without competitive bidding at the discretion of the Board.
 - 5.4. Initial agreements or renewal of agreements for the provision of ongoing long-term services require Board approval.
6. Contracts for short-term services shall be guided by the following:
 - 6.1. Short-term contracts need not be tendered but competitive bids shall be required for contracts that exceed 90 days.
 - 6.2. All short-term contracts or renewal of short-term contracts, covering a time period of 90 days or more shall meet the standards set by Revenue Canada to qualify as contracted service versus employment service.
 - 6.3. All short-term contracts or renewal of contracts shall require the approval of the Superintendent and/or Secretary /Treasurer.
7. School principals and department managers shall make a reasonable effort to maintain an up-to-date awareness of the goods and services available to the school or department through local businesses.
8. Where possible and reasonable, quotes should be obtained from other businesses within the attendance area of Horizon School Division.

REGULATIONS

1. All tendering will be in compliance with the MASH Annex of the following trade agreements.
 - 1.1. the New West Partnership Trade Agreement (NWPTA), www.newwestpartnershiptrade.ca;

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- 1.2. the Canadian Free Trade Agreement (CFTA), www.cfta-alec.ca;
 - 1.3. the Canada – European Union Comprehensive Economic and Trade Agreement (CETA), <http://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agracc/ceta-aecg/text-texte/toc-tdm.aspx?lang=eng>; and
 - 1.4. any other applicable trade agreement
2. Construction projects estimated to less than trade agreement thresholds will be awarded through a request for quote process.
 - 2.1. Attempts will be made to obtain a minimum of three bidders.
 - 2.2. All things being equal (that is, quality, delivery, suitability and compatibility of product, service, environmental issues and payment terms) the award will normally be made to the lowest qualified bidder.
 - 2.3. Where price is not the sole factor determining the tender award, the evaluation process with its associated factors and weightings will be disclosed.
 - 2.4. Facilities may recommend and select a contractor other than the lowest bidder with Board approval.
 3. A call for tenders for construction projects estimated to less than trade agreement thresholds will be made through one or more of the following methods:
 - 3.1. Advertising in newspapers as chosen by the Facilities Manager.
 - 3.2. The use of direct invitations to contractors carried on source lists maintained at Facilities.
 4. Potential contractors and suppliers of construction goods and services are invited to pre-qualify in order to be placed on facilities' source lists.
 - 4.1. The following assessment guidelines will be used to pre-qualify applicants:
 - 4.1.1. Technical. An evaluation is made of past performance related to estimations accuracy, project management personnel, site superintendent, cost reporting ability and systems, and scheduling.
 - 4.1.2. Resources. Does the firm have sufficient human and equipment resources to complete the contemplated work? Firms should identify approximate volumes of work over the past five years.
 - 4.1.3. Financial. The firm's financial resources, bonding capacity, work on hand, and credit rating.
 - 4.1.4. Management. Are the firm's principles, senior project managers, and other key staff local (reside in Alberta).

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4.1.5. Service. Does the firm have adequate technical support in staff and administration systems, a suitable post construction service capability, and a good track record with Facilities?

5. School negotiated contracts

5.1. Prior to negotiating any contract, the school Principal shall consult with the Superintendent, or designate.

5.2. The school Principal shall ensure that an appropriate competitive bidding process occurs.

5.3. Contracts shall be negotiated between the school Principal and the contractor of services.

5.4. Contracts shall be reviewed and approved by the Superintendent and/or Secretary-Treasurer prior to signing.

5.5. A signed copy of a contract shall be provided to the Secretary-Treasurer and the Principal shall also retain a copy at the school in a central file to be provided to a new Principal when a change in administration occurs.

6. Contracts for ongoing long-term services, such as caretaking, cafeteria services, that will result in individuals being in division schools on a regular basis shall require that such individuals provide the appropriate level of Police Information Check (Criminal Record and Vulnerable Sector Check) performed by law enforcement officials.

6.1. Any cost incurred for this security check shall be the responsibility of the contractor.