

PROCUREMENT POLICY

Effective Date: April 26, 2013

Originating Office: Office of the
Chief Financial Officer

Supersedes /Amends: CFO-20 – December 14, 1998;
CFO-21 – December 14, 1998;
CFO-9 – December 14, 2004

Policy Number: CFO-20

PREAMBLE

This Policy addresses the acquisition of goods or services made by or on behalf of Concordia University (the “University”). It is supplemented by specific [guidelines and procedures](#).

PURPOSE

Acquiring goods and services is fundamental to the University’s operations. These acquisitions must be made in compliance with the legislative and regulatory framework and in accordance with best administrative practices.

SCOPE

This Policy and its associated [guidelines and procedures](#) apply to all procurement activities conducted by members of the University on behalf of the University. Unless otherwise specified, these activities include the acquisition of all goods and services, regardless of the source of funding.

POLICY

Legislative framework

1. All University acquisitions shall be made in compliance with [An Act respecting contracting by public bodies](#) (the “Act”) and its associated regulations as well as the applicable governmental policies including the [Politique de gestion contractuelle concernant la conclusion des contrats d’approvisionnement, de services et de travaux de construction des organismes publics du réseau de l’éducation](#).

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2. The [Act](#) and its associated regulations provide for the conditions by which certain contracts can be entered into by public bodies. For the purposes of the Act, universities are deemed to be public bodies. The Act and its associated regulations provide for public tendering for most contracts and set out the procedures to follow, the eligibility requirements of bidders, the process for the adjudication of contracts, reporting requirements and the like.
3. The Act and its associated regulations confer operational powers and decision-making authority directly to the Board of Governors (the “Board”) but allow the Board to delegate all or part of these powers to individuals specified in the Act and its associated regulations.
4. Pursuant to the Board Regulation [BG-2008-10-D17](#), the Board has delegated the entirety of the powers that are conferred upon it by the Act and its associated regulations that it is empowered to delegate, to the President, or the relevant Vice-President and/or Secretary-General, the whole as outlined in the University’s *Policy on Contract Review Signing and Required Approvals* ([BD-1](#)).
5. The objectives of the Act, its associated regulations and applicable governmental policies are:
 - public confidence in the public procurement process
 - transparency in contracting processes
 - honest and fair treatment of vendors
 - opportunity for qualified vendors to complete calls for tenders
 - concern for sustainable development and the environment
 - implementation of quality assurance systems, and
 - accountability reporting.

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6. Purchasing Services, a unit of Financial Services, has overall responsibility for administering this Policy under the general direction of the Chief Financial Officer.
7. Purchasing Services is responsible for the sourcing of all goods and services on behalf of the University. Where it is more efficient or functional for certain units to perform their own sourcing activities, Purchasing Services may transfer such activities to such units (i.e., University Libraries, Facilities Management). In such circumstances, Purchasing Services is not relieved from its responsibility and must ensure that these units perform all sourcing activities pursuant to this Policy.
8. Purchasing Services is responsible for ensuring the University's compliance with the reporting requirements of the Act and its associated regulations with respect to the *Système Électronique d'Appel d'Offres* ("S.E.A.O") of the Québec government. Financial Services and Facilities Management, in cooperation with the relevant departments where applicable, are responsible for ensuring the University's compliance with all reporting requirements other than those of Purchasing Services.
9. When the sourcing of goods or services is subject to regulations of an external funding agency, and such regulations are more restrictive than the present Policy, Purchasing Services must ensure that the sourcing of such goods or services complies with the regulations of such funding agency.
10. It is prohibited for any member of the University to use University resources for personal purchases.

Conflict of Interest

11. Where the University or its members have knowledge of a direct or indirect conflict of interest with a vendor of the University or a potential vendor of the University, they shall report such interest in accordance with University's *Code of Ethic and Safe Disclosure Policy* ([BD-4](#)) or the *Policy on Conflicts of Interest in Research* ([VPRGS-5](#)). Guidance may be sought from the General Counsel, who shall serve as a resource to help identify a conflict of interest or perceived conflict of interest.

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Honest and Fair Treatment of Vendors

12. All supply, service and construction contracts of the University shall be awarded per the applicable legislative framework, independent of any other related activity a vendor may have at the University, such as being a donor or volunteer. Vendors who are donors or volunteers to the University shall be neither advantaged nor disadvantaged in the sourcing activities of the University.

Purchasing Services

13. Sourcing negotiations, contractual arrangements and the purchase of goods and services shall be the sole responsibility of Purchasing Services with the exception of:
 - 13.1 the acquisition of goods and services valued at less than \$5,000
 - 13.2 the acquisition of copyrighted materials for the University Libraries or the University Bookstore
 - 13.3 the acquisition of supplies for resale to the general public, including students, by the University's commercial units-
 - 13.4 the provisioning of client computers, which shall be done in accordance with the *Policy on Computer Provisioning* ([VPS-32](#)). The acquisition of these client computers shall be in accordance with the present Policy
 - 13.5 the provisioning of radioactive materials, which shall be done in accordance with the *Policy on Radiation Safety* ([VPS-46](#)) and the policies and procedures in the [Radiation Safety Manual](#). The acquisition of these radioactive materials shall be in accordance with the present Policy
 - 13.6 the negotiations and contractual agreements for the rental of space, which shall be the responsibility of Facilities Management or the relevant Designated Space Administrator, as such term is defined in the *Policy on the Temporary Use of University Space* ([VPS-24](#))

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- 13.7 the negotiations and contractual agreements of construction contracts and professional services contracts and supply contracts related to duly authorized construction projects which shall be the responsibility of Facilities Management
- 13.8 the negotiation and contractual agreements of immovable property contracts which shall be the responsibility of Facilities Management.
14. For all exceptions enumerated in Article 13 above, the relevant Vice-President, or the University Librarian for acquisitions of the University Libraries, is responsible for ensuring compliance with the terms of the *Policy on Contract Review, Signing and Required Approvals* ([BD-1](#)) as well as compliance with the relevant legislative framework. The procurement cycle remains under the general direction of the Chief Financial Officer.

Generalities

15. Unless otherwise provided for, goods purchased with University funds are the property of the University. Services acquired with University funds must be for the benefit of the University.
16. Goods acquired with University funds should be delivered to University premises.
17. The acquisition of goods and services on behalf of the University cannot be done via real-time auction channels such as e-Bay.
18. All dollar amounts referred to in this Policy exclude applicable taxes.
19. This Policy shall be interpreted in accordance with the other related University policies.

Sourcing and Awarding Contracts

20. Purchasing Services shall be responsible for establishing the guidelines pertaining to call for tenders (“CFTs”), the evaluation of bids, contract authorizations and the awarding of contracts.

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21. Notwithstanding the above, Facilities Management shall be responsible for establishing guidelines pertaining to CFTs, the evaluation of bids, contract authorizations and the awarding of construction contracts and professional services and supply contracts related to duly authorized construction projects and immovable properties. Such responsibilities are delegated to the Vice-President, Services, under the general direction of the Chief Financial Officer.
22. Sourcing for construction, supply and service contracts shall be conducted per the tender thresholds found in the [Tender Thresholds Summary](#).
23. It is prohibited to split or segment a procurement requirement as a means of avoiding or contravening the sourcing thresholds outlined in the [Tender Thresholds Summary](#).
24. Only bids from vendor who meet the legislative requirements and capable of meeting the quality and delivery requirements of the Requisitioner, as such term is defined below, will be evaluated.
25. Purchasing Services or Facilities Management shall be responsible for the preparation and issuance of CFTs as well as the receipt and opening of bids by vendors.
26. When quality is a critical condition of the CFT the quality evaluation of any bids received as a result of a public CFT must be done by a selection committee. The selection committee will be comprised of a secretary and three (3) additional members. Except when authorized by the Chief Financial Officer and Secretary-General, one (1) member of the selection committee must be external and independent from the University. Purchasing Services or Facilities Management is responsible for the coordination of the selection committees.
27. Details with respect to the pricing contained in a vendor's bid and the associated contract(s) shall be treated as confidential information, except as otherwise required by law.
28. No individual may sign a procurement contract that creates an obligation or undertaking on behalf of the University unless that individual has signing authority in

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accordance and in compliance with the University's *Policy on Contract Review, Signing and Required Approvals (BD-1)*. Only those contracts signed by a duly authorized representative of the University shall be recognized and administered by and through the University.

Purchase Requisitions

29. A purchase requisition is a request sent to Purchasing Services to procure goods or services ("Purchase Requisition"). It is originated and approved by the Department requiring the goods or services (the "Requisitioner"). Typically, it contains a description and quantity of the goods or services to be purchased, preferred make, a required delivery date, account number and the amount of money that Purchasing Services is authorized to spend for the goods or services in question.

A Purchase Requisition is owned by the Requisitioner and should not be changed by Purchasing Services without obtaining approval from the Requisitioner.

A Purchase Requisition is not a purchase order and therefore should never be used to purchase goods or services or be used as an authorization to pay an invoice from a vendor. Purchase Orders can only be issued by Purchasing Services in the name of the University.

Purchase Requisitions must be duly approved per the Authority level stipulated in the [Tender Thresholds Summary](#).

A "WebReq" is a Web Purchase Requisition module that is available once logged into the [MyConcordia Portal](#) under Financial Services – Millennium PRODUCTION. Access to the module is granted by Financial Services.

Acquisition of goods and services valued at less than \$5,000

30. Authorized employees may use the Procurement credit Card ("P-Card") or the WebReq module to acquire goods and services valued at less than \$5,000.

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31. Requisitioners must ensure that these acquisitions are conducted in conformity with [P-Card Guidelines](#) set by the University and/or by the relevant funding agencies and that sufficient funds are available for such acquisitions.
32. Where possible, priority should be given to University preferred vendors and University stores and services. The University has contractual agreements with preferred vendors offering pre-negotiated prices on certain low-dollar items. These vendors should be selected as a first choice for such low value acquisitions. The list of University preferred vendors is available once logged into the MyConcordia Portal under Preferred Vendor Agreements in the Faculty and Staff Services Pages.

Approved by the Board of Governors on April 26, 2013

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TENDER THRESHOLDS SUMMARY

Tender Thresholds in harmony with applicable legislation for all Procurement requirements **other than** those of a capital nature (construction or renovation)

Dollar (excluding taxes)	Process	Sourcing Method	Purchase Requisition Approver
< \$5,000	Procurement credit card (P-Card) or WebReq (for P-Card exceptions)	Competitive bidding performed by the Requisitioner. Supporting documentation maintained by the Requisitioner. (Solicitation for one (1) proposal from a qualified vendor*)	Authorized P-Card holder or WebRequisitioner
> \$5,000 < \$10,000	WebReq	Competitive bidding performed by Purchasing Services. (Solicitation for at least two (2) proposals from qualified vendors*)	Department Chair or Unit Head
> \$10,000 < \$100,000	WebReq	Competitive bidding performed	Dean or Unit Head reporting directly to

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		by Purchasing Services. (Solicitation for at least two (2) proposals from qualified vendors*)	the relevant Vice-President or the President
> \$100,000	WebReq	Public tender performed by Purchasing Services ★	<p>> \$100,000 < \$250,000 – Dean or Unit Head reporting directly to the relevant Vice-President or the President</p> <p>> \$250,000 < \$1,000,000 – Vice-President</p> <p>> \$1,000,000 – President</p>

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Tender Thresholds in harmony with applicable legislation for all Procurement requirements of a capital nature (construction or renovation)

Dollar (excluding taxes)	Process	Sourcing Method	Purchase Requisition Approver
< \$10,000	WebReq/RFA *	Competitive bidding performed by Facilities Management. (Solicitation for one (1) proposal from a qualified vendor)	Department Chair or Unit Head reporting directly to the relevant Vice-President or the President
> \$10,000 < \$100,000	WebReq/RFA	Competitive bidding performed by Facilities Management (Solicitation for at least three (3) proposals from qualified vendors*)	Associate Vice-President, Facilities Management
> \$100,000	WebReq/RFA	Public tender performed by Facilities Management ★	> \$100,000 < \$200,000 Associate Vice-President, Facilities Management > \$200,000 < \$1,000,000 – Vice-President > \$1,000,000 – President

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* RFA – Request for Authorization

* For exceptions to such solicitation requirements, please see [Authorization to Conclude a Contract by Mutual Agreement \(Less than \\$100,000\) Form](#)

★ Per applicable legislation, certain contracts can be awarded without proceeding with a competitive bidding process. Please see the [Authorization to Conclude a Contract by Mutual Agreement \(Greater than \\$100,000\) Form](#)