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POLICY

To ensure expenditures represent good value for money spent, while promoting fair dealings with vendors, the Society shall:

- specify the principles that shall govern the planning, acquisition and management of the goods and services needed by the Society;
- specify the requirements for adherence to those principles;
- specify the responsibilities of individuals/organizations involved in acquisition of goods and services and with the administration of this Policy;
- establish prudent requirements for the competitive acquisitions of goods and services; and
- adhere to those requirements, unless they can document adequate reasons for doing otherwise.

SCOPE

This Policy applies to the planning, acquisition and management of goods and services, including consulting services. Goods, services and consulting services that are exempt from this Policy are as follows:

- boarding expenditures made with approved suppliers;
- allowances paid to foster parents and Kinship Service Homes;
- allowances paid to youth on independent living and extended care and maintenance youth;
- licensed professional services;
- training and education;
- refundable employee expenses;
- utilities; and
- court-ordered assessments

The principles and requirements of this Policy apply to all Society acquisitions other than those specifically excluded within this Policy.

This Policy shall be reviewed at least once every five years.

Any exception to this Policy shall be justified and documented.



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PROCEDURES

Overview

- The overall objective is to acquire, at the right time and in the most economical manner, the goods and services needed to meet Society mandatory requirements, while following the principles and guidelines described.

Planning

- Goods and services shall be acquired only after consideration of the needs, alternatives, appropriateness of the goods or service for the purpose required, timing and the overall Society supply strategy.
- The rationale for any major planned expenditure (\$100,000 or greater) will be documented and presented to the appropriate Board committee and included in the Society's annual budget. The budget will be approved by the Society's Board of Directors.
- Rationales for expenditures \$100,000 or greater not included in the Society's annual budget, will be documented separately and approved by the Board of Directors.
- For expenditures greater than \$5,000 but less than \$100,000, the rationale for the purchase should be documented and submitted for approval by the appropriate level of management.

INTERIM MEASURES – Centralized Procurement (Broader Public Sector)

Purpose

The Interim Measures are a set of rules designed to support consistency in procurement-related decisions and collection of data during the transition to a centralized procurement model.

Scope

The Interim Measures apply to new procurements of goods and services (consulting and non-consulting) valued at \$100,000 or higher. Excluded from the Interim measures is procurement related to Construction Work or goods acquired solely for resale.



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Procurement

Vendor of Record (VOR) Arrangements

- VOR Arrangements must be used whenever possible and appropriate, regardless of the value of the procurement. A VOR arrangement could be an Enterprise VOR arrangement managed by MGCS, or any other arrangement available.

Contract Term

- Any new contract, including extensions, must not exceed two years. In cases where a new contract will exceed two years, a Procurement Rational Report must be submitted to the Ministry.

Operational Flexibility

- When it is not possible to use a VOR or limit contracts to two years, a Procurement Rationale Report must be submitted to the Ministry at least 45 calendar days before the procurement is released to the vendor community.

Competitive Process

- A competitive process should be used to ensure goods and services are provided at the lowest possible cost.
- The Society, at its option, may choose to pre-qualify vendors. The pre-qualification process requires an assessment by a Selection Committee (composed of three Society staff managers, including at least one Senior staff member) of the possible bidders based on pre-established criteria which may include:
 - brief outline of the size of the firm and range of experience with not-for-profit organizations;
 - experience in providing services to child welfare organizations; and/or
 - specific qualifications of staff who might be assigned to provide services to the Society.
- The firms seeking pre-qualification will be required to submit a letter of qualification which responds specifically to the pre-established criteria.
- Competitions will be fair, open, transparent and consistent and recognize the needs and responses of the community the Society services. Conflicts of interest (e.g., where a non-



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arms length relationship exists) shall be avoided in acquiring goods and services and in resulting contracts. Vendors shall not be permitted to gain a monopoly for a particular kind of work and relationships shall not be created that result in continuous reliance on a particular vendor.

- Conduct of all Society members involved with Supply Chain Activities will be in accordance with the Ontario Broader Public Sector (BPS) Supply Chain Code of Ethics and the Society's Code of Ethics and Conflict of Interest Policies. (HR 1-30 and HR3-70)
- For each competition, a clear description of the product or service requirement must be prepared and a clear outline of the criteria to be considered must be developed. The decision about which vendor to choose must be based solely on the requirements and criteria that have been developed.
- To ensure a fair process, no action shall be undertaken by the Society staff to allow a given bidder an unfair advantage. However, it is in the best interests of the Society to factor in costs associated with conversion from existing supplier(s) to new supplier(s) when evaluating competitive bids.
- To avoid conflict of interest (e.g. where a non-arms length relationship exists), the Society shall:
 - acquire goods and services in a manner consistent with the Society's Conflict of Interest Policy;
 - require prospective vendors and staff participating in an acquisition process to declare any actual or potential conflict of interest;
 - reserve the Society's right to disqualify prospective vendors from an acquisition process due to conflict of interest;
 - reserve the right of the Society to solely determine whether any situation or circumstance constitutes a conflict of interest;
 - require vendors to avoid any conflict of interest during the performance of their contractual obligations for the Society;
 - require vendors to disclose any actual or potential conflict of interest arising during the performance of a contract;
 - reserve the right of the Society to prescribe the manner in which a vendor should resolve a conflict of interest;
 - allow the Society to terminate a contract where a vendor fails to disclose any actual or potential conflict of interest or fails to resolve its conflict of interest as directed by the Society; and



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- allow the Society to terminate a contract where a conflict of interest cannot be resolved.
- Contract terms shall typically be three to five years with options to open the contract if benchmarks are not met.
- The Board of Directors has ultimate responsibility for all expenditures entered into by the Society. The Board delegates this responsibility to the Executive Director. The Executive Director (or authorized designate) shall ensure relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods or services.
- The Director of Corporate Services (or authorized designate) shall ensure quote submissions are reviewed and that all specifications of the quote are met.
- The Society reserves the right to accept or reject any submission.

Procurement Documentation

- All acquisitions greater than \$10,000 shall be documented. More expensive acquisitions require more detailed levels of documentation. This may include contracts, analysis and rationale for the decision made.
- Proposed procurement documentation shall be reviewed to ensure clarity, reasonableness and quality.
- In general, procurement documentation should avoid naming specific products or brands, unless there is a valid purpose such as to avoid unacceptable risk. In these situations, the rationale for the choice of the specific product will be documented.
- The Executive Director (or authorized designate), in reviewing the documentation shall ensure:
 - value analysis is provided to compare options or choices;
 - specifications have been thought out to provide the best value; and
 - the analysis is documented and filed.
- Documentation for the acquisition of professional services must include:
 - the basis on which the professional firm or individual was selected and why the fees are commensurate with the qualification of those firms or individuals; and
 - a formal written agreement detailing:
 - the conditions under which services are to be provided and paid for;



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- periodic evaluation of results achieved; and
- that the supplier of the service provides detailed invoices containing sufficient details to assess the appropriateness and reasonableness of amounts billed.

General Procurement Thresholds and Procedures

- To ensure fair value for money and competitive process, the following purchasing thresholds shall be used for Goods, Non-Consulting Services and Construction:
 - under \$1,000 – no quotes required;
 - \$1,000 to \$9,999 – a minimum of two documented verbal quotes are required; or Vendor of Record is selected
 - \$10,000 to \$100,000 – a minimum of three documented written quotes are required; or a Vendor of Record is selected; and
 - Over \$100,000 – Open and Transparent Request for Proposals; Request for Quotations; or Request for Tenders is required: or a Vendor of Record is selected.
- The following thresholds must be used for Consultants and Consultant Services:
 - \$0 to \$100,000 – a minimum of three documented written quotes are required; or a Vendor of Record is selected; and
 - Over \$100,000 – Open and Transparent Request for Proposals; Request for Quotations; or Request for Tenders is required.
- Orders cannot be split to circumvent this Policy.
- When purchases are made, supporting documentation (e.g. contracts, purchase justification, quotations, etc.) shall be attached to the detailed invoices and included in the appropriate files.
- No contract for services shall be rewarded where the services would result in the establishment of an employee-employer relationship. Refer to Hiring Policy (HR 2-10)
- No personal purchases shall be made for any Society employee, members of the Board of Directors or their families.

Verbal Quotes

- Verbal quote documentation shall include:



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- A brief description of the goods or services;
- The name(s) of the vendor(s) solicited;
- The date of the quote(s); and
- Rationale for choosing a specific vendor whenever multiple quotations are required **(See Appendix A).**

Written Quotes

- Written quote documentation shall include:
 - a description of the goods and services;
 - a copy of the documentation provided to vendors to solicit quotations;
 - a list of all vendors invited to quote, including a note on any vendor who declined to provide a quote;
 - copies of all quotes received; and
 - the rationale for choosing the successful vendor **(see Appendix B).**

Request for Quotation (RFQ), Request for Proposal (RFP), Request for Tender (RFT)

- There are three types of competitive bidding processes. These processes are to be open and transparent. The lowest bid meeting all specifications should be awarded the contract. If the lowest bid is not awarded, the reasons for this decision must be documented in writing.

Request for Quotation (RFQ)

- A request for Quotation (RFQ) will be used when:
 - the good or service is valued at more than \$100,000;
 - requirements can be readily and completely defined in a specification to the vendors; and
 - best value for the Society can be achieved by an award selection made on the basis of the lowest bid that meets specifications
- The RFQ may or may not include vendor pre-qualification.

Request for Proposal (RFP)

- A request for Proposal (RFP) will be used when:



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- the good or service is valued at greater than \$100,000
 - the requirement is best described in general performance specification; and
 - innovative solutions are sought from the vendors to achieve the general performance leading to the desired result.
- To achieve best value, the award selection may be based on a point system or other method involving a combination of mandatory and desirable requirements.
 - Proposals will be posted on an electronic tendering website accessible to Canadian suppliers. Multiple respondents are to be sought. Postings are to be for a minimum of 15 calendar days and a minimum of 30 days if procurement needs are a higher value, complexity or risk.
 - Vendor pre-qualification may or may not be included. Where the requirement is not straightforward, or an excessive workload would be required to evaluate proposals, either due to their complexity, length, number or any combination thereof, a pre-qualification phase may be used to reduce this.
 - The Society shall maintain a list of suggested evaluation criteria to include factors such as qualifications and experience, strategy, approach, methodology, scheduling and past performance, facilities, equipment and pricing.
 - The Executive Directors (or authorized designate) shall identify appropriate evaluation criteria for use in a Request for Proposal. The evaluation methodology and process used will be disclosed in the proposal call. Cost will always be included as a factor, as best value includes both quality and cost.
 - A Selection Committee, composed of a minimum of two senior managers, shall review all proposals against the established criteria, reach consensus on the final rating results and ensure the final rating results, with supporting documents, are kept in the procurement file.
 - To ensure consistency through the proposal process, all communication with bidders shall be through a single designated staff member.
 - Closing dates and times will be clearly stated in the documentation. Any submission received after closing time will be returned to the vendor unopened.
 - The designated staff member shall forward to the Executive Director (or authorized designate), an evaluation summary of the procurement, as well as the Selection Committee's recommendation for award of contract to the supplier meeting all mandatory requirements and providing best value as stipulated in the RFP. Where the lowest bid is not accepted, the Executive Director (or authorized designate) is



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responsible for documenting the determination of best value prior to award of contract.

- With respect to all reports initiated for RFP's a report on the sources of financing and other financial commentary, as considered appropriate, shall be prepared.
- Unsuccessful proponents may, upon their request, attend a debriefing session with the Society contact person to review their bid submission. Discussions relating to any bid submissions other than that of the proponent present will be strictly prohibited.
- The Society reserves the right to accept or reject any submission.

Request for Tender (RFT)

- A request for Proposal (RFP) will be used when:
 - the item is valued at more than \$100,000;
 - requirement can be readily and completely defined in a specification to the vendors; and
 - best value for the Society can be achieved by an award selection made on the basis of the lowest bid that meets specifications.
 - The Society shall document the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of the good or service.
 - The Director of Corporate Services shall be responsible for arranging for the opening of tender bids at the time and date specified by the tender call. There shall be at least two senior managers in attendance at that time.
 - The Director of Corporate Services shall forward to the Executive Director (or authorized designate), a summary of bids and recommend the award of contracts to the lowest responsive bidder, subject to review by the Executive Director (or authorized designate) regarding specifications and contractor performance.
 - With respect to all reports initiated for tenders, there shall be a report on the sources of financing and other financial commentary as considered appropriate.
 - The Society reserves the right to accept or reject any submission.
- A Vendor of Record may be established, first stage VOR evaluation process, where:
 - the actual demand is not known in advance;



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- a need is anticipated for a range of goods and services for a specific purpose, but the actual demand is not known at the outset and delivery is to be made when a requirement arises; or
- the Society shall establish and maintain a reference list of approved Vendors of Record to source frequently used goods or services. The reference list will specify Vendors of Record, pricing, discounts from published catalogues, standard pricing, etc.
- More than one supplier may be selected where it is in the best interests of the Society. The bid solicitation should specify that more than one supplier may be chosen.
- In a Request for Vendor of Record, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage adjusted for any known factors that may change usage.
- Purchases of frequently used goods and services are to be made from the approved Vendors of Record.

Co-operative Purchasing/Buying Groups

- The Society may participate with the Provincial Government, other government agencies or public authorities in co-operative purchasing arrangements where it is in the best interests of the Society to do so. The decision to participate will be made by either the Executive Director (or authorized designate) or the Director of Corporate Services.
- The policies of the government agencies or public authorities calling the co-operative tender are to be the accepted Policy for that particular tender.

Purchasing using Vendor of Record (VOR)

- Vendor of record arrangements may be utilized as an open competitive method of procurement for individual procurements that do not exceed the ceiling price of the VOR arrangement.
- To obtain optimum value for money under VOR arrangements, a second-stage selection process may be required based on the value of the procurement.
- Second stage selection process will evaluate and document the needs and issues for a the project such as:
 - Contract price
 - Resources to be assigned



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danger of damaged to or destruction of property belonging to the Society.

- Where, in the option of two senior managers, an emergency has occurred, the Society may initiate a purchase order in excess of the preauthorized expenditure limit. The justification for the exception is to be fully documented and included in the appropriate files.

Direct Negotiation

- Goods and services may be purchased using Direct Negotiation only if one or more of the following conditions apply:
 - the required goods and services are reasonably available from only one source by reason of scarcity of supply in the market, or the existence of exclusive rights held by any supplier, or the need for compatibility with goods and services previously acquired and there are no reasonable alternatives or substitutes;
 - the required goods and services will be additional to similar goods and services being supplied under an existing contract (i.e. contract extension or renewal);
 - an attempt to purchase the required goods and services has been made in good faith using a method other than Direct Negotiation, but failed to identify a successful supplier and it is not reasonable or desirable that a further attempt to purchase the goods and services be made using a method other than Direct Negotiation;
 - the goods and services are required as a result of an emergency, which would not reasonably permit the use of a method other than Direct Negotiation; and/or
 - the required goods and services are to be supplied by a particular vendor or supplier having special knowledge, skills, expertise or experience.

Bid and Contract Administration

Submission of RFPs, RFQs and Tenders

- The time, date and method of delivery shall be specified in the request document. Bids received later than the specified closing time shall be returned unopened to the bidder.
- A bidder who has already submitted a bid may submit a further bid at any time up to the official closing time and date specified by the request call. The last bid received shall supersede and invalidate all bids previously submitted by that bidder.
- A bidder may withdraw their bid at any time up to official closing time with a signed letter.
- Bidders may be requested to supply a list of all sub-contractors to be employed on a



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project. Any changes to the list of sub-contractors, or addition thereto, must be approved by the Purchaser.

Not Acceptable Bid or Equal Bids Received

- When all the bids exceed the Society's budget, or do not meet requirements, or do not represent fair market value, a revised solicitation will be issued.
- The Executive Director (or authorized designate) may waive the need for a revised bid solicitation and enter into negotiations with the lowest responsive bidder, under the following circumstances:
 - the total cost of the lowest responsive bid is in excess of the funds approved by the Society for the project;
 - the Executive Director (or authorized designate) is able to justify, in writing, that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the bid solicitation; and
 - the method of negotiation shall be those accepted as standard negotiating procedures that employ ethical public procurement practices. The Society has the right to cease negotiations and reject any offer.
- If two equal bids are received, the Society will offer an opportunity for bidders to re-bid. Should a tie persist, the following factors will be considered:
 - prompt payment discount;
 - when delivery is an important factor, the bidder offering the best delivery date be given preference;
 - a bidder in a position to offer better after sales service, with a good record in this regard, shall be given preference;
 - a bidder with an overall satisfactory performance record shall be given preference over a bidder known to have an unsatisfactory performance record or no previous experience with the Society; and
 - if the above does not break the tie, the Director of Corporate Services will flip a coin with one of the bidders making the selection of heads or tails.

Only One Bid Received

- If only one bid is received, but the Executive Director (or authorized designate) feels more bids could be secured, the bid may be returned unopened to the bidder and the



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RFP/RFQ/RFT sent out again at a later date. The bidder will be informed that this is the plan.

- If only one bid is received, the Executive Director (or authorized designate) may recommend opening and evaluating the bid and awarding the bidder the purchasing contract if it is acceptable. If the bid is not acceptable, the procedures set out under “No Acceptable Bid” are to be followed.

Contractual Agreements

- The award of contract may be made by way of a formal agreement, Contract Records or Purchase Order.
- A Purchase Order or Contract Record is to be used when the resulting contract is straightforward and will contain the Society's standard terms and conditions.
- A formal agreement is to be used when the resulting contract is complex and will contain terms and conditions other than the Society's standard terms and conditions.
- It shall be the responsibility of the Executive Director (or authorized designate) and Director of Corporate Services to determine if it is in the best interest of the Society to establish a formal agreement with the supplier. If a formal agreement is established, it shall be reviewed and approved.
- Where a formal agreement is issued, the Society may issued a Purchase Order or Contract Record incorporating the formal agreement.
- Where a formal agreement is not required, the Society shall issued a Purchase Order or Contract Record incorporating the terms and conditions relevant to the award of contract.

Exercise of Contract Renewal Options

- Where a contract contains an option for renewal, the Executive Director (or authorized designate) may exercise such option provided all of the following apply:
 - the supplier's performance in supplying the goods, services or construction is considered to have met the requirements of the contract;
 - the Executive Director (or authorized designate) and Director of Corporate Services agree the exercise of the option is in the best interest of the Society;
 - funds are available within the Society's approved budget including authorized revisions to meet the proposed expenditure; and
 - a valid business case has been completed. The business case shall be authorized by



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the Executive Director (or the authorized designate) and shall include a written explanation as to why the renewal is in the best interest of the Society and include comment on the market situation and trend.

Contract Amendments and Revisions

- No amendment or revision to a contract shall be made unless the amendment is in the best interest of the Society.
- No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.
- Amendments to contracts are subject to the identification and availability of sufficient funds in appropriate accounts within the Society's approved budget, including authorized revisions.
- The Executive Director (or authorized designate) and Director of Corporate Services may authorize amendments to contracts provided the total amended value of the contract is within the approval authority.
- Where expenditures for the proposed amendment combined with the price of the original contract exceeds the Society's approved budget for the project, a report prepared by the Director of Corporate Services shall be submitted to the Executive Director (or authorized designate) for approval.

Execution and Custody of Documents

- The Executive Director (or authorized designate) is authorized to execute formal agreements in the name of the Society.
- The Society shall execute Purchase Orders and/or Contract Records issued in accordance with these provisions.
- The Director of Corporate Services shall be responsible for the safeguarding of original purchasing and contract documentation for the contracting of goods or services for which the award is made by delegated authority.

Exclusion of Bidders Due to Poor Performance

- The Executive Director (or authorized designate) shall document rationale where the performance of a supplier has been unsatisfactory in terms of failure to meet contract specifications, terms and conditions or for health and safety violations.
- The Director of Corporate Services may prohibit an unsatisfactory supplier from bidding on future contracts for a period of up to five years.



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Receipt of Goods

- The Society shall:
 - arrange for the prompt inspection of goods on receipt to confirm conformance with the terms of the contract;
 - rectify discrepancies immediately; and
 - coordinate an appropriate course of action for any non-performance or discrepancies.

Reporting

- The Society shall maintain a register of all goods and services contracts, agreements, Vendors of Record and Purchase Orders valued in excess of \$100,000 for which this Policy applies.

DEFINITIONS

Value of Goods or Service
and/or Purchasing Threshold:

The total value of the procurement includes the cost of freight and installation but not taxes. For multi-year procurement: calculate the projected value for the entire period of the anticipated agreement including optional renewals.

Consulting Services:

The provision of expertise or strategic advice that is presented for consideration and decision making. Consulting services and consultants provide advice for operational consideration and decision making and not in relation to clinical or case management services.



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Appendix A
Verbal Quotation Documentation
To be used for purchases greater than \$1,000 and less than \$10,000

Name:	Date:
Society Requirements:	
Verbal Quotation #1 Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Verbal Quotation #2 Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Verbal Quotation #3 Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Quotation Selected: Quotation \$ Amount Rationale:	



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**Appendix B
Written Quotation Documentation
To be used for purchases greater than \$10,000**

Name:	Date:
Society Requirements:	
Written Quotation #1 - attached Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Written Quotation #2 - attached Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Written Quotation #3 - attached Company Name: Address: Telephone #: Contact Name: Quotation Price: Taxes Includes: <input type="checkbox"/> Yes <input type="checkbox"/> No Notes:	
Quotation Selected: Quotation \$ Amount Rationale:	



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Appendix C
Irregularities Contained in Bids

Irregularity	Response
Late Bids	Automatic rejection, not read publicly and returned unopened to the bidder.
Unsealed Envelopes	Automatic rejection.
Incomplete, illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind.	May be rejected as informal.
Documents in which all necessary Addenda have not been acknowledged.	Automatic rejection.
Failure to attend mandatory site visit.	Automatic rejection.
Failure to include signature of the person authorized to bind the Tenderer.	Automatic rejection.
Conditions placed by the Tenderer on the Total Contract Price.	Automatic rejection.
Bids Containing Minor Mathematical Errors	<p>If the amount tendered for a unit price item does not agree with the extension of the estimated quantity and the tendered unit price or, if the extension has not been made, the unit price shall govern and the total price shall be corrected accordingly.</p> <p>If both the unit price and the total price are left blank, then both shall be considered a zero.</p> <p>If the unit price is left blank but a total price is shown for the item, the unit price shall be established by dividing the total price by the estimated quantity.</p> <p>If the total price is left blank for a lump sum item, it shall be considered as zero.</p> <p>If the tender contains an error in addition and/or subtraction and/or transcription in the approved tender documentation format requested (i.e. not the additional supporting documentation supplies), the error shall be corrected and the corrected total contract price shall govern.</p> <p>Tenders containing prices which appear to be so unbalanced as to likely affect the interest of the Society adversely may be rejected.</p>