Community Living Burlington
Procurement Policies

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Community Living Burlington
Procurement Policies Abbreviations & Definitions

Abbreviation	Definition
BPS	Broader Public Sector
CLB	Community Living Burlington
FIPPA	Freedom of Information & Protection of Privacy
RFEI	Request for Expression of Interest
RFI	Request for Information
RFP	Request for Proposal
RFQ	Request for Quotation
RFSQ	Request for Supplier Qualifications
RFT	Request for Tender
VOR	Vendor of Record

Section: BPS Procurement	**Policy Number: BPS 1**
Policy: Segregation of Duties	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2025** **Date Reviewed: May 2026**
Approved by:	**Approved by: J. Pryde**

Purpose: To segregate the duties and delegation of authority within the purchasing-to-pay process and to ensure integrity of the process by reducing exposure to inappropriate, unauthorized or unlawful expenditures and maintain effective control in an organization.

Policy: To ensure at least three (3) of the five (5) purchasing-to-pay functional roles are segregated. Responsibilities for these functions should be with different departments or at a minimum with different individuals.

Procedure/Guideline: There are five (5) procurement rules that require segregated approval.

See chart below.

Roles	Explanation	Who
Requisition	Authorize the supply chain department to place an order	Individual supported, front-line staff,
Budget	Authorize that funding is available to cover the cost of the order	Departmental budget holder
Commitment/P.O.	Authorize release of the order to the supplier under agreed-upon contract terms	Program manager
Receipt	Authorize that the order was physically received, correct and complete	Individual supported, program manager, front line staff
Payment	Authorize release of payment to the supplier	Accounts payable role

**** The creator of the Purchase Order can never be the receiver and accounts payable person authorized to release payment***

Section: BPS Procurement	Policy Number: BPS 1A Overriding Policy Directions
Policy: 25 Mandatory Requirements	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: January 2023 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: The purpose of the Directive is to ensure that publicly funded goods and services, including construction, consulting services, and information technology are acquired by BPS organizations through a process that is open, fair, and transparent; to outline responsibilities of BPS organizations throughout each stage of the procurement process; and to ensure that procurement processes are managed consistently throughout the BPS

Principles:

Accountability: Organizations must be accountable for the results of their procurement decisions and the appropriateness of the processes.

Transparency: CLB must be transparent to all stakeholders. Wherever possible, stakeholders must have equal access to information on Procurement opportunities, processes and results.

Value for Money: CLB must maximize the value they receive from the use of public funds. A value-for-money approach aims to deliver goods and services at the optimum total lifecycle costs.

Quality Service Delivery: Front-line services provided by CLB, such as teaching and people care, must receive the right product, at the right time, in the right place.

Process Standardization: Standardized processes remove inefficiencies and create a level playing field.

Mandatory Requirements

1. Segregation of Duties: BPS Policy #BPS 1
2. Approval Authority: BPS policy #BPS 2
3. Competitive Procurement Thresholds BPS policy #BPS 3
4. Information Gathering: BPS Policy #4
5. Supplier Pre-Qualification BPS Policy #5
6. Posting Competitive Procurement Documents BPS Policy #6
7. Timelines for Posting Competitive Procurements: BPS Policy #7
8. Bid Receipt: BPS Policy #8

9. Evaluation Criteria: BPS Policy #9
10. Evaluation Process Disclosure: BPS Policy #10
11. Evaluation Team: BPS Policy #11
12. Evaluation Matrix: BPS Policy #12
13. Winning Bid: BPS Policy #13
14. Non-Discrimination: BPS Policy #14
15. Executing the Contract: BPS Policy #15
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17. Termination Clauses: BPS Policy #17
18. Term of Agreement Modifications: BPS Policy #18
19. Contract Award Notification: BPS Policy #19
20. Supplier Debriefing: BPS Policy #20
21. Non-Competitive Procurement: BPS Policy #21
22. Contract Management: BPS Policy #22
23. Procurement Records Retention: BPS Policy #23
24. Conflict of Interest: BPS Policy #24
25. Bid Dispute Resolution: BPS Policy #25

Section: BPS Procurement	Policy Number: BPS 2
Policy: Approval Authority for Procurement	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Purpose: To ensure proper authorization is in place to control Community Living Burlington in procurement threshold requirements.

Policy: To define authorization levels required to be in place that will identify the approvals required for various dollar levels when purchasing supplies, consulting services, capital, construction and other services.

Procedure/Guideline:

1. Changes to authority levels may be delegated and approved by the Board of Directors or their designate.
2. See chart below identify the dollar threshold for the person(s) authorized to commit the organization to a contract (not including consulting services).

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process	Reporting Process
Less than $500	Y	Manager	Quote or Single Source	N/A
$500 - $2,999	Y	Director	2 Quotes invitation Competitive at least 2 sources	N/A
$3000 - $24,999	Y	Executive Director and Designate	Invitation Competitive at least 3 sources	N/A
$3000 - $24,999	N	Executive Director and Designate	Invitation Competitive at least 3 sources	Summary Quarterly Report: Finance Committee
$25000 - $99,999	Y	Finance, Audit & Risk Committee	Invitation Competitive at least 3 sources	Summary Report Next Board Meeting
➢ $25,000	N	Board Approval	Open Competitive Process	Report to Board for Approval
➢ $100,000	Y	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval
Property Acquisition of Mortgage	Y/N	Board Approval	Reverse Auction through MLS Listing	Report to Board for Approval

3. Any procurement of consulting services must be approved in accordance with the Approval authority Schedule for consulting Services Below:

Purchase Amount	Budget Y/N	Approval Authority	Purchasing Process
Less than $500	Y	Manager	Open Competitive Process - 2 sources
$500 - $2,999	Y	Director	Open Competitive Process - 2 sources
$3000 - $24,999	Y	Executive Director and Designate	Open Competitive Process - 3 sources
$3000 - $24,999	N	Executive Director and Designate	Open Competitive Process - 3 sources
$25000 - $99,999	Y	Finance, Audit & Risk Committee	Open Competitive Process – 3 sources
➢ $25,000	N	Board Approval	Open Competitive Process - 3 sources
➢ $100,000	Y	Board Approval	Open Competitive Process - 3 sources

4. These Delegated Purchasing authority levels must be competed for every item that is purchased by the Agency.

5. The Delegation of Purchasing Authority defines approval levels corresponding to job roles and ensures that everyone's approval authority is commensurate with the responsibility levels for his/her position.

***All consulting services are open competitive unless exempt through the Agreement of Internal Trade.**

Section: BPS Procurement	Policy Number: BPS 3
Policy: Competitive Procurement Thresholds	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Purpose: This policy defines the minimum competitive requirements for purchases and is meant to assist CLB with determining the most suitable procurement process under the information provided by the requestor. The respective procurement processes are defined in Competitive Procurement and Non-Competitive Procurement.

Policy: Community Living Burlington (CLB) ensures open competitive procurement practices are being met where the estimated value of procurement goods, services or construction is $100,000 or greater. For goods, services and construction under $100,000, CLB will follow the approach as outlined below.

Procedure/Guideline:
CLB may use their discretion to determine the best procurement process based on information provided to them by the requistioner.

Procurement Procedure Threshold's by Procurement Value for Goods and Construction.

Total Procurement Value	Approval Authority	Procedure	Pricing Approach	Mandatory
< $200	Manager	Petty Cash	No quotes required	
< $4,000	Director/Executive Director	Credit Card	Three (3) written sources	
$ 50,000-$99,999 Goods, services, construction	Executive Director/Finance, Audit & Risk Committee	Purchasing Recommendation Report	Invitational Competitive Procurement, minimum of three (3) suppliers invited to bid in writing where available	
> $100,000 – goods, services and construction	Board of Directors	Purchasing Recommendation Report	Open competitive Process – Electronically Posted	X

The process cannot be circumvented by dividing requirements into multiple procurements to reduce the estimated value of a single procurement and avoid the threshold of the identified value threshold.

This policy covers any contract with a value exceeding $100,000 even if spread over multiple years.

Consulting Services

For all consulting services less than $100,000, an invitation process or open competitive process is required. For consulting services over $100,000 an open electronic process is required.

Section: BPS Procurement	Policy Number: BPS 4
Policy: Competitive Procurement Information Gathering	Date Approved: March 2012
	Date Reviewed: January 2023 Date Reviewed: April 2024 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: CLB will ensure that competitive procurement will ensure fair and cost-effective process for Information Gathering.

Information Gathering Mechanisms:

Information Gathering Mechanisms are useful in situations where incomplete information about either the procurement that it requires or the capabilities of the market to deliver the material, service or the solution required. The information gathered by one of the processes outlined will assist with ensuring a fair and cost-effective procurement process, define the requirements for the procurement documents or identify whether there are qualified and/or interested suppliers. When informal research and information gathering is insufficient, the following formal processes may be used where warranted, weighing out the time and effort required conducting them:

1. Request for Information (RFI)
2. Request for Expression of Interest (RFEI)

A response to an RFI or RFEI does not pre-qualify a potential supplier. A correctly executed information solicitation process should not result in a legal, binding contract.

Section: BPS Procurement	Policy Number: BPS 5
Policy: Supplier Pre-Qualification	Date Approved: March 2012
	Date Reviewed: January 2023 Date Reviewed: April 2024 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: Where there is a need to create a pre-qualified supplier list to be used for one or more future procurements, a **Request for Supplier Qualifications** (RFSQ) can be used for the detailed definition of RFSQ.

Procedure:

RFSQ's are used to reduce subsequent effort devoted to the competitive process i.e.:

- To find potential proponents as the first stage of a two-stage process, only pre-qualified suppliers (stage 1) will be invited to respond to the actual competition (stage 2)

- Pre-qualify suppliers who are interested in supplying materials or services in the future, as and when required i.e.: Vendor of Record (VOR)

- RFSQ's document specifically defines the type of materials or services included as part of the process. The document should also clearly indicate the time duration the list is to be valid, the methods by which a supplier is placed on the list and a tentative schedule of specific opportunities. The document should also state that suppliers who do not participate in the pre-qualification or do not appear on the list may be excluded from opportunities.

RFI, RFEI and RFSQ's will be publicly advertised on an electronic bulletin Board (Biddingo).

RFI's and RFEI's should <u>not</u> ask for proprietary information from suppliers.

The RFI, RFEI and RFSQ process does not result in a legal binding contract, it is specifically meant to gather information to assist in developing the formal procurement request.

The suggested uses of all three information gathering mechanisms are summarized below:

Information Required	RFI	RFEI	RFSQ
General supplier or product information	X		

Information Required	RFI	RFEI	RFSQ
Information on supplier interest in specific opportunities		x	
Information on supplier capability/qualifications		X	X
Pre-qualified suppliers list desired			X

A Procurement Lead must be assigned for each gathering mechanism, and they will be accountable for the requirements of the document with the assistance from the requistioner/customer.

Vendor of Record (VOR)

Vendors of record are used to reduce costs by establishing strategic relationships with a small group of suppliers.

(VOR) arrangements can be established for the supply of a certain category of goods, services or construction. A VOR arrangement may be established only through an open and competitive procurement process and requires appropriate approval authority.

Multi organization VOR arrangements may be established where there is an identified need for a common category of goods, services or construction among two or more organizations.

A VOR arrangement requires a second stage selection process to assist CLB in obtaining best value for money. Given that an open competition has already occurred to establish all VOR arrangements, the second stage selection process shall be concerned only with the particular goods, services or construction project to be procured, including the specific needs and issues for a particular assignment or project, such as contract price, the resources to be assigned, availability and timelines to complete the assignment or project.

VOR's or preferred suppliers' lists can be used for competitive procurements provided that for any source list:

- The opportunity to register on the source list has been advertised competitively on an electronic tendering system like Biddingo.
- A supplier that meets the conditions for registration on the source list can register at any time.
- All registered suppliers in given category are invited to respond to all calls from competitive procurement in that category.

CLB must ensure that they are receiving preferred pricing from their suppliers as this is one of the primary reasons for having the arrangement. In return for the opportunity of being on the organization's preferred list, the supplier offers preferred pricing.

Section: BPS Procurement	Policy Number: BPS 6
Policy: Posting Competitive Procurement Documents	Date Approved: March 2012
	Date Reviewed: April 2023 Date Reviewed: April 2024 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: For an open competitive process, the procurement document needs to be competitive and explain the organizations requirements. A description of the needed goods, services or construction in generic and/or functional terms specific to the business needs that the goods or service will serve in all procurement documents, must be provided. When the use of non-generic and/or non-functional terms is appropriate, the specification must deal with performance requirements and exclude all features that could unfairly confer an advantage to certain suppliers.

Procedure:

The documents must include:

a. Full disclosure of the evaluation criteria, process and methodology to be used in assessing submissions. The competitive documents should clearly identify the requirements of the procurement; the criteria that will be used in the evaluation of bids; and the methods of weighting and evaluating the criteria. The competitive documents must also identify those criteria that are considered mandatory and any technical standards that need to be met;

b. The name, telephone number and location of the person to contact for additional information on the procurement documents and a statement that suppliers who go outside of this contact person may be disqualified;

c. Conditions that must be met before obtaining procurement documents such as conflict-of-interest declarations, confidentiality agreements and non-disclosure agreements if/when appropriate;

d. The address, date and time limit for submitting bids to procurement documents. Bids received after the closing date and time must be returned unopened;

e. The process, date and time limit for the submission of questions and bids on the procurement documents;

f. The time and place of the opening of the bids in the event of a public opening;

g. The submission rules and competitive clauses to be followed, which may include bid format, language, inclusion of an executive summary, number of copies required, attendance at a bidders' conference and any additional rules to be followed to be considered a compliant bid;

h. A draft copy of the contract to be signed in the event of an award of the procurement and a request for a list of any subcontractors to be used to complete the procurement;

i. The period of irrevocability of bids where bids cannot be withdrawn (typically 120 days from the closure of the competitive process);

j. For goods, services and construction valued at $100,000 or more, a statement that the procurement is subject to Ontario's trade agreements; and

k. Notice that any confidential information supplied to the organization may be disclosed by the organization where it is obliged to do so under **Freedom of Information and Protection of Privacy Act (FIPPA)**, by an order of a court or tribunal or otherwise required by law.

l. The term of the agreement and any other options to extend the agreement must be set out in the procurement document. Changes to the term of the agreement may change the procurement value. Prior written approval by the appropriate approval authority is necessary before changing contract start and end dates. Extensions to the term of agreement beyond what is set out in the procurement document are considered non-competitive procurements and Broader Public Sector (BPS) organization must seek appropriate approval authority prior to proceeding.

Advertising and Posting Competitive Documents

During a competitive process an electronic tendering system such as Biddingo must be utilized to uphold the principles of fair, open and transparent dealings; to encourage maximum competitive response; and to ensure that suppliers have a positive experience in dealing with CLB.

Section: BPS Procurement	Policy Number: BPS 7
Policy: Timelines for Posting Competitive Procurement Documents	Date Approved: March 2012
	Date Reviewed: January 2023 Date Reviewed: April 2024 Date Reviewed: April 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure open competitive procurement documents are posted for a specified period.

Procedure:

- Open competitive procurement documents must be posted for at least fifteen (15) consecutive days prior to closing.
- The evaluation team may choose to post the open competitive procurement documents for a longer period.

Section: BPS Procurement	Policy Number: BPS 8
Policy: Bid Receipt	Date Approved: March 2012
	Date Reviewed: January 2023 Date Reviewed: April 2024 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure CLB is open and fair in its Open/Competitive Procurement Process.

Procedure:

Included in the Open/Competitive Procurement document will be:

- Bid submission date. Must be on a regular business day (Monday to Friday), excluding statutory holidays.
- The closing time for bids is clearly stated and identified.

Submissions will be date and time stamped upon receipt.

Any bid submissions received after the closing time will be returned unopened.

Section: BPS Procurement	Policy Number: BPS 9
Policy: Evaluation Criteria	Date Approved: March 2012
	Date Reviewed: January 2023 Date Reviewed: April 2024 Date Reviewed: May 2025 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To provide a policy that ensures evaluation criteria is used by the evaluation team to decide which bid should be selected in a competitive process.

Scope: This policy pertained to any document where CLB has gone out with a formal request for pricing i.e.: Request for Quote (RFQ), Request for Proposal (RFP) and Request for Tender (RFT).

Procedure:

All evaluation criteria and processes must be fully disclosed in the request for procurement document. Not only the price, but quality, quantity, transition costs, delivery, servicing, environmental considerations, the capacity of the supplier to meet requirements of procurement, experience, financial capacity of the supplier, and any other criteria directly related to the procurement can be used.

Information cannot be requested that will not be evaluated or affect the evaluation process.

Each bid submission is verified for compliance. Materially non-compliant submissions will be rejected, this might be defined as numerous misses or a single significant event such as an unacceptable predetermined delivery date to an extent it would affect CLB's ability to meet our support needs or a mandatory field that impedes the ability of the bid to be fully rated against possible submissions. Only the compliant submissions will proceed to the balance of the evaluations process.

Full disclosure of the evaluation methodology and process must include the following:

A clear explanation of the mandatory requirements is required. Any rating of pass/fail needs to be identified and how the vendor would receive a pass/pass/failure.

All weights, including sub-weights, for rated requirements. Where a supplier fails to meet a stated minimum score for rated requirements, no further evaluation will take place.

Description of any short-listing processes, including minimum rated score requirements. The role/weighting, if applicable, of reference checks, oral interview's demonstrations and trials. Descriptions of the price/cost evaluation methodology, including the use of scenarios, estimated quantities, in the evaluation process, to determine costs for specific volumes

and/or service levels. The evaluation of price/cost must be undertaken only after completion of the evaluation of the mandatory requirements and any other rated criteria for all bids.

If no acceptable bids are submitted i.e.: significantly over budget, does not meet CLB's requirements or does not represent a fair market value, a revised solicitation can be issued in the effort to obtain an acceptable bid. Proposals re-issued should have a material change in the request.

If no bids are acceptable and it is not reasonable to go through any other method, CLB may choose to negotiate directly with the highest rated bidder if this is stated in the original released proposal.

Any proponent whose submission is rejected during the evaluation process will be notified of the rejection in writing as soon as practicable after completion of the evaluation. Except for any pricing that was made publicly available at the time of a public opening, all submission evaluation details must be kept confidential.

Section: BPS Procurement	**Policy Number: BPS 10**
Policy: Evaluation Process Disclosure	**Date Approved: March 2012**
	Date Reviewed: February 2017 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure open competitive procurement documents outline the evaluation methodology and process.

Procedure:

- All open competitive procurement documents must disclose the process to be used in accessing submissions.
- All open competitive procurement documents must disclose the process in resolving a tie score.
- All open competitive procurement documents must state that submissions that do not meet the mandatory criteria are disqualified.

Section: BPS Procurement	Policy Number: BPS 11
Policy: Evaluation Team	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: Every competitive process requires an evaluation team that will be responsible for reviewing all the compliant bids and scoring each of those bids. The evaluation team may be different for each competitive process executed, depending on the expertise required to help make the decision.

Procedure:

a. Evaluation team members should be selected and their participation confirmed before the competitive documents have been posted. The evaluation team members will have been included in the development of the evaluation criteria and weighting. Team members may include clinicians, educations, supply chain experts, subject matter experts, financial experts and representatives of the procurement function of the organization. Evaluation teams should be composed of appropriate members to ensure that a proper evaluation is conducted.

b. An Evaluation Team Lead will be selected by the evaluation team members to be responsible for coordinating the evaluation process.

c. Each Evaluation Team member must sign a "Conflict of Interest" form and a "Non-Disclosure Agreement" form.

d. The Evaluation Team is entitled to ask proponents for clarification on their bid if required if it does not change their bid in any way.

Section: BPS Procurement	**Policy Number: BPS 12**
Policy: Evaluation Matrix	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure the evaluation of all open competitive procurement bids are evaluated in an equitable manner.

Procedure:

- Each evaluation team member must complete an evaluation matrix rating of each of the compliant bids.
- The evaluation matrix will be kept in the contract file which is retained in the Finance Department.
- Each evaluation team member must ensure that all verbal and written communication about the bid submissions is fair, factual and fully defensible.
- The method to resolve a tie score must be identified in the evaluation criteria, including weighting, if applicable.

Section: BPS Procurement	**Policy Number: BPS 13**
Policy: Winning Bid	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure the winning bid of an open competitive procurement process is selected in a fair and transparent manner.

Procedure:

Only the highest ranked submission(s) that have met all mandatory requirements set out in the related procurement document will be selected. In responding to procurement documents, suppliers may sometimes propose alternative strategies or solutions to the organization's business needs. Unless expressly requested in the procurement documents, CLB must not consider alternative strategies or solutions proposed by a supplier.

CLB must post, in the same manner as the procurement documents were posted, contract award notification. The notification must be posted after the agreement between the successful supplier and CLB was executed. Contract award notification must list the name of the successful supplier; agreement start and end dates and any extension options.

All contracts over $100,000 must be accompanied by a contract award letter or purchase order accepting CLB terms and conditions. CLB and the successful supplier must both sign off on the letter of award or written contract.

Section: BPS Procurement	Policy Number: BPS 14
Policy: Non-Discrimination	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: Under **no** circumstances will any preferred treatment or discrimination in awarding a contract to the preferred supplier from the competitive process be permitted.

Procedure:

a. CLB will not discriminate, goods or services of a particular province or region, or the suppliers of such goods or services of a particular province or region.

b. CLB will refrain from any biasing of technical specification in favour of, or against, particular goods or services, allow unreasonable timing of events in the competitive process so as to prevent suppliers from submitting bids, providing unreasonable quantities and delivery schedules in the specification as to prevent some suppliers from being able to meet the requirements of the procurement, or to use price discounts or preferential margins to favour particular suppliers.

c. CLB will not impose or consider, in the evaluation of bids or the award of contracts, local content or other economic benefits criteria that are designed to favour local goods, services and suppliers.

Section: BPS Procurement	**Policy Number: BPS 15**
Policy: Executing the Contract	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure a formal process for procurement contracts is in place in the event time is of the essence.

Procedure:

The agreement with the successful supplier will be formally defined in a signed written contract before the provision of supplying goods and services commences.

Should an immediate need exist for goods or services (i.e.: Health & Safety), and the contract cannot be finalized as described, an interim purchase order may be used. The justification of such a decision must be documented and approved by the Executive Director.

Section: BPS Procurement	Policy Number: BPS 16
Policy: Establishing the Contract	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure that all procurement contracts are written and signed prior to commencement of services.

Procedure:

CLB and the successful supplier will finalize and sign off a formal written contract, as was released with the procurement document prior to the commencement of services.

In circumstances where an alternative procurement strategy has been used (i.e.: form of agreement was not released with the procurement document), the contract with the successful supplier must be defined formally before the supplying of goods or services commences.

Section: BPS Procurement	**Policy Number: BPS 17**
Policy: Termination Clauses	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure that all procurement contracts include a termination clause.

Procedure:

All contracts will include appropriate cancellation or termination clauses and CLB reserves the right to seek appropriate legal counsel on the development of the clause.

Section: BPS Procurement	**Policy Number: BPS 18**
Policy: Terms of Agreement Modifications	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure that terms for the modification of a procurement contract are set out within the agreement.

Procedure:

The term of the agreement and any options to extend the agreement will be set out in the competitive procurement documents. CLB will obtain approval by the appropriate authorities to approve any modifications to the term of the agreement.

Extending the term of agreement beyond that set out in the competitive procurement document is considered non-competitive procurement and CLB must seek appropriate approval prior to proceeding, where the extension affects the value and/or stated deliverables of procurement.

Section: BPS Procurement	**Policy Number: BPS 19**
Policy: Contract Award Notification	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure that contract award notification is posted in a timely manner and contains all pertinent information.

Procedure:

For procurements valued at $100,000 or more, CLB will post, in the same manner the procurement documents were posted, a contract award notification. The notification will be posted after the agreement with the successful supplier is executed. Contract award notifications must list the name of the successful supplier, agreement start and end dates, and any extension options.

After executing the contract, CLB will notify all suppliers who participated in the competitive process. The notification will include thanking them for participating in the competitive process, that a contact has been signed and the competitive process is completed.

Section: BPS Procurement	Policy Number: BPS 20
Policy: Vendor Debriefing	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: The purpose of the policy is to cover the rules associated with vendor debriefing following an award of a contract.

Scope:

For all contracts established through an open competitive procurement process CLB will provide a debriefing upon request. The details of the vendor debrief are to be included in the competitive documents including the process for booking debrief sessions at the conclusion of the procurement process. Vendors have sixty (60) days from the date of the contract award to request a debriefing.

Procedure:

Scheduling Vendor Debriefings:

Upon a written request from a Vendor who participated in a contract offering, CLB will in turn confirm, in writing, a date and time for the debriefing session.

All debriefings will be done on an individual basis allowing each Vendor their own opportunity to discuss their own bids short comings.

The responsible Director for the procurement, along with a member of the Evaluation Team (preferably lead person), will conduct all debriefings.

All correspondence and documentation relevant to the debriefing session will be maintained in the contract file.

Conducting Vendor Debriefings:

CLB will provide a general overview of the evaluation process set out in the procurement document.

Discussions around the strengths and weaknesses of the Vendor's submission in relation to the specific evaluation criteria and the Vendor's evaluated score should be the focus. If more than price is evaluated, you may provide the Vendor's evaluation scores and their evaluation ranking, such as you were third (3rd) out of five (5) bids.

Suggestions may be provided on how the Vendor may improve future submissions.

Allow the Vendor to provide feedback on the current procurement processes and practices, and address specific questions and issues raised by the Vendor in relation to their submission.

The name(s) and address(es) of all vendors who participated in the proposal, including qualified and disqualified proponents as well as those who submitted no bid may also be provided.

Disclosure of information concerning other bids, outside of what has been specified above, is not permitted as it may contain confidential third-party information subject to mandatory third-party exemption under the Freedom of Information and Privacy Protection Act. If a Vendor makes such a request, they must be advised that a formal Freedom of Information request must be submitted.

Questions unrelated to the procurement process must not be responded to during the debriefing and must be noted as out of scope based on the debriefing process agreed to in the procurement documents and/or governed by this policy.

Section: BPS Procurement	Policy Number: BPS 21
Policy: Non-Competitive Procurement	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure that a formal process is in place if the competitive procurement process cannot be followed.

Procedure:

CLB will use a competitive procurement process should be used to achieve optimum value for money. However, it is recognized that special circumstances may require use of a non-competitive procurement. Prior to commencement of non-competitive procurement, supporting documentation must be completed and approved by the Executive Director to ensure it is not being done to avoid competition between suppliers or to discriminate against suppliers.

A non-competitive procurement may be used in situations outlined in the exemption, exception, or non-application clauses of the Agreement on Internal Trade, or other trade agreements.

A non-competitive procurement may also be used where only one supplier is able to meet the requirements of a procurement – known as sole-source situations. Some examples of these situations would be for product compatibility, procurement of real estate property, for work to be performed on a leased building where work must be done by lessor.

There are also exceptions known as sole-source situations. One circumstance considered a sole-source situation would be where an unforeseeable situation of urgency exists (i.e.: Health & Safety) and goods or services cannot be obtained in time by means of open procurement – note, failure to plan and allow sufficient time for a competitive procurement process does not constitute an unforeseeable situation of urgency.

When sole sourced is accessed or acceptance of not the lowest bid, CLB's Board of Directors must approve prior to proceeding.

Section: BPS Procurement	**Policy Number: BPS 22**
Policy: Contract Management	**Date Approved: March 2012**
	Date Reviewed: February 2022 **Date Reviewed: May 2026**
	Approved by: J. Pryde

Policy: To ensure that procurement contracts are managed in a responsible and effective manner.

Procedure:

- Payments are made in accordance with the provisions of the contract.
- All invoices contain detailed information sufficient to warrant payment
- Overpayments must be recovered in a timely manner.
- Assignments must be properly documented.
- Supplier performance must be managed and documented; any performance issues must be addressed.
- Disputes must be managed with the suppliers throughout the life of the contract as outlined in bid resolutions.
- For services establish clear terms of reference for the assignment. The terms should include objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements and knowledge transfer requirements.
- Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

Section: BPS Procurement	Policy Number: BPS 23
Policy: Procurement Records Retention	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: The procurement documents as well as any other pertinent information for reporting and auditing purposes must be retained for a period of seven (7) years and be in recoverable form if requested. These documents may also be used as support in the event of a bid protest or competitive process dispute.

Scope: The purpose of this policy is to define how confidential or proprietary information is to be stored and the location of the storage.

Procedure:

A record of the procurement process documentation includes the following:

- A copy of the procurement justification or the business case;
- Information regarding all vendor consultations, including any requests for information, undertaken in the development of the procurement business case and/or procurement documents;
- Evidence that all required approvals were obtained;
- Copies of all procurement documents used to qualify and select the supplier;
- Where the procurement was conducted through a Vendor of Record (VOR) arrangement, information regarding the second-stage selection process used to select the VOR;
- Where the procurement was single or sole sourced, documented justification, applicable exemptions and associated approvals;
- Copies of all procurement documents;
- Copies of all disclosure agreements are signed by Working Group members who evaluate tenders.
- Copies of all successful and unsuccessful responses, submissions, proposals and bids received in response to procurement documents.
- Information regarding any issues that arose during the procurement process;

- Information regarding all evaluations of submissions, proposals and bids received in response to procurement documents

- Information regarding all vendor debriefings including written documentation of the offer of vendor debriefing.

- Copies of all award letters, notices and posted announcements;

- Copies of the agreement(s);

- Information regarding all changes to the terms and conditions of the Agreement, including any changes that resulted in an increase in the Agreement price;

- Information regarding the management of the supplier, including how the supplier's performance was monitored and managed and where applicable, mechanisms used to transfer knowledge from the supplier to organization and staff;

- Risk assessment information and recommendations, where applicable;

- Contractor security screening decisions, where applicable;

- Information regarding all protests, disputes or supplier complaints regarding the procurement including any Agreement disputes;

- Evidence of receipt of deliverables (electronic records/packing slips), and

- Any other documentation as identified by the organization.

Section: BPS Procurement	Policy Number: BPS 24
Policy: Conflict of Interest	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure persons engaged in any aspect of the purchasing function appropriately manage conflict of interest concerning the avoidance of conflict of interest situations.

Scope: This policy applies to all employees, volunteers, advisors, external consultants or suppliers who participate in any phase of the purchasing process/activities. Any individual involved in supply chain-related activities must declare all actual or potential conflicts of interest.

General: Any person engaged in purchasing who has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform the Executive Director or designate of the circumstances involved. This information is to be reviewed at an appropriate level for decision on whether a conflict of interest is present and if so, what course of action is to be taken.

Suppliers:

The following provisions must be implemented when dealing with suppliers in procurement activities:

- Define conflict of interest, to include situations or circumstances that could give a supplier an unfair advantage during a procurement process or compromise the ability of a supplier to perform its obligations under the agreement;
- CLB reserves the right to solely determine whether any situation or circumstance constitutes a conflict of interest;
- CLB reserves the right to disqualify prospective suppliers from a procurement process due to a conflict of interest;
- Require prospective suppliers participating in a procurement process to declare any actual or potential conflict of interest;
- Require suppliers to avoid any conflict of interest during the performance of their contractual obligations for the organization;
- Require suppliers to disclose any actual or potential conflict of interest arising during the performance of an agreement;

- Reserve the right of the organization to prescribe the manner in which the supplier should resolve a conflict of interest;

- Allow CLB to terminate an agreement where a supplier fails to disclose any actual or potential conflict of interest or fails to resolve its conflict of interest as directed by the organization; and

- Allow the organization to terminate an agreement where a conflict of interest cannot be resolved.

Consultants:

Where a consultant is involved in the development of procurement documents, they will not be allowed to bid on the associated procurement needs either in full or part.

Employees, Volunteers and Advisors:

Consideration must also be given when there may be conflicts of interest where our own employees, volunteers or advisors may be involved. The employee or advisor is ultimately responsible and accountable for using good judgement in the exercise of the organization's duties and must:

- Disclose conflicts of interest to his/her department supervisor or designate in writing and

- Avoid situations that may present conflicts of interest while dealing with person or organizations doing business or seeking to do business with the organization.

Situations that might result in a conflict of interest include the following:

- Engaging in outside employment

- Not disclosing an existing relationship that may be perceived as being a real or apparent influence on their objectivity in carrying out an official role;

- Aiding or advise to a particular supplier participating in a competitive process;

- Having an ownership, investment interest, or compensation arrangement with any entity participating in a competitive process;

- Having access to confidential information; and

- Accepting favours or gratuities from those doing business with the organization.

- CLB needs to consider situations where there may be an employee or advisor conflict of interest and those situations must be dealt with accordingly.

Evaluation Team Members

In addition to the situations that might result in a conflict of interest for all employees and advisors, organizations must be aware of and identify any additional conflicts of interest that may arise because of evaluation team members participating in the selection of products or services.

Evaluation team members must also sign a "Non-Disclosure Agreement" before each evaluation committee commences work.

Section: BPS Procurement	Policy Number: BPS 25
Policy: Bid Dispute Resolutions	Date Approved: March 2012
	Date Reviewed: February 2022 Date Reviewed: May 2026
	Approved by: J. Pryde

Policy: To ensure Vendors can address concerns/protests involving any aspect of the procurement process.

Procedure: The Bid Protest procedures must be communicated in all competitive and procurement documents to ensure that any dispute is handled in a reasonable and timely fashion. A bit protest can occur any time during the procurement process, which is defined as the time from which the procurement request is posted to the time of award.

Notice to Bidders

The Evaluation Team notifies bidders in writing or electronically, as soon as possible (and prior to award of a contact) if their bid is rejected due to an irregularity. The evaluation team notifies all bidders, in writing or electronically of the results of evaluation of a contract. The notice explains the reason for CLB's recommendation and advises the bidder that objections to the recommendation must be made to CLB, in writing, within three (3) working days from the date of the notice otherwise; the award recommendation will proceed to approval.

Any person engaged in purchasing who has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform the Executive Director or designate of the circumstances involved. This information is to be reviewed at an appropriate level for decision on whether a conflict-of-interest ispresent and if so, what course of action is to be taken.

The Evaluation Team is responsible for filing a copy of each notice of pending award, in the procurement file.

Responding to Bidder's Objection Level 1:

The Evaluation Team is responsible for providing an initial response to bidder questions or objections to CLB's evaluation teams decision. The response may be made in writing, and where possible, will be issued within three (3) working days. If the bidder requires further information, the Evaluation Team will notify the bidder to forward specific issues and questions, in writing to their attention.

The Evaluation Team may arrange a meeting with the bidder and will provide a written response addressing the bidder's concerns. The response will be provided, where possible, within ten (10) working days of receipt of the written bidder questions or objections.

If the bidder is not satisfied, The Evaluation Team will advise the bidder that a bid protest may be made by registering with the Executive Director.

The Evaluation Team is responsible for keeping a copy of each response, in the procurement file located in the Finance Department.

Registering Bid Protest Level 2 – if required:

The protestor shall submit all documents which supports their protest. The protestor shall state if they wish an informal conference in which to discuss the protest further. If any information is omitted or incomplete, the Executive Director will notify the protestor in writing, and the protestor shall be required to provide such information within three (3) working days if the protest is to be further considered.

All protests must be submitted in writing and be addressed to the Executive Director. The protest shall include:

- Name of the protestor
- Name of the request #/contract (i.e. RFP – 00)
- State the grounds of the protest; and
- State the relief sought.

Failing a resolution to all concerns the protestor may make a formal complaint and demand af formal deputation before an appropriate review committee. In this event, the bidder must notify the Executive Director of his/her intent to register, within five (5) working days of receiving the Executive Directors response.

Any protestor who questions the process is encouraged to exhaust all methods described in the bid documents of resolving a procurement issue before filing a more formal protest with CLB.

Dispute Resolution – Level 3:

If a more formal conference has been requested, the Executive Director will give the protestor written notice of the place, location and time of the formal conference, which shall be within five (5) business days of such notice.

Any information to be considered in the protest decision must be submitted in writing within twenty-four (24) hours after receiving the formal meeting notice.

The Executive Director will form a review committee comprised of two (2) additional Directors to hear both the Evaluation Team and the Bidders relevant facts and issues.

The review committee will address the presenters concerns within five (5) business days of the meeting. The written response shall respond in detail to each substantive issue raised in the protest meeting. Such decision is final.

Award will not be made prior to resolution of a protest, or open bids or proposals prior to resolution of a protest filed before bid opening/proposal due date.

Potential bidders will be advised of a pending protest if made prior to the award.

Should the protestor be dissatisfied with the decision rendered by CLB, the protest would have to be taken to the appropriate provincial, local administrative or judicial authority.

In the event of a timing issue around funding for the project and/or health and safety concerns the Executive Director in collaboration with the Senior Team may aware the contract prior to Bid protest resolution.

POLICY: Prohibiting Use of Public Funds for Paid Lobbyists	POLICY NO.: BPS-26
FILE UNDER SECTION: Broader Public Sector Guidelines	**EFFECTIVE: January 2026**
	APPROVED: J. Pryde

POLICY STATEMENT

Community Living Burlington in compliance with the Broader Public Sector Accountability Act, 2010 (BPSAA), will not engage a lobbyist to provide lobbyist services from funds provided by the Government of Ontario.

Definitions:

1. **Lobbyist** – Any individual or organization that is employed or retained to influence legislative or regulatory actions, or to attempt to influence the decisions of elected officials or government employees, at the local, state, or federal levels.

2. **Public Funds** – Any funds that are collected through taxes, fees, or other government revenue sources and are appropriated for the use of government agencies, departments, or services.

Policy Review:
This policy will be reviewed annually or as needed to ensure its continued effectiveness and compliance with applicable laws.