

<b><u>Board Policy Title:</u></b>	<b><u>Board Category:</u></b>	<b><u>Policy#:</u></b>
<b>Procurement</b>	<b>Finance &amp; Audit</b>	

## 1.0 INTRODUCTION

The mission of the Nova Scotia Community College is “Building Nova Scotia’s economy and quality of life through education and innovation.” This Procurement Policy has been established as a means to aid the College in attaining its mission. Obtaining the “best overall value” for the College, while being committed to Ethical and Legislated Procurement Policies and Practices, is of the utmost importance; therefore, it is imperative that Procurement Policy, and respective Procurement Procedures, be adhered to.

NSCC respects all supplier standards, rights and responsibilities established within the Public Procurement Act of Nova Scotia.

## 2.0 PROCUREMENT COMMITMENTS

Nova Scotia Community College policies are committed to:

- The Coordination, and Facilitation, of procurement activities for Goods, Services, and Facilities / Construction activities; as to obtain the “best overall value” for the College.
- Ensuring that all procurement activities are conducted in an Open, Fair, Transparent, Competitive, and Consistent manner as set out in the: Procurement Act of Nova Scotia, Atlantic Procurement Agreement, Agreement on Internal Trade, and any subsequent Legislation that the College must adhere to.
- Being Effective and Efficient, while giving strong consideration for Sustainability in all procurement activities; thereby, further obtaining “best overall value” for the College.
- Providing feedback to unsuccessful bidders upon request.

## 3.0 PROCUREMENT DIRECTIVES

### 3.1 Procurement of Goods, Services, and Facilities / Construction

Nova Scotia Community College currently operates within a hybrid procurement model, utilizing a combination of Centralized, and De-centralized practices under the following conditions:

Approved by: Board of Governors	Prepared by: K. Cameron	Date Approved: Oct. 17, 2013	Status: Supersedes Previous	Next Review: October 2016	Page 1 of 5
------------------------------------	----------------------------	---------------------------------	--------------------------------	------------------------------	----------------

<b><u>Board Policy Title:</u></b>	<b><u>Board Category:</u></b>	<b><u>Policy#:</u></b>
<b>Procurement</b>	<b>Finance &amp; Audit</b>	

### 3.1.1 Campus Procurement

Campus Principals, Department Heads, and other designated Budget Managers may purchase goods and services, which are to be charged to budget accounts under their direct control. These types of purchases are generally limited to low value or one-of-a kind items for specific use at a particular location (currently goods with an estimated value under \$2,000, services with an estimated value under \$10,000, construction services with an estimated value under \$10,000). These limits and procedures are set out in the Procurement Procedures Manual. Where practical, quotes will be obtained from a minimum of three suppliers, and all documentation and justification for the purchase is to be maintained by the campus.

### 3.1.2 Central Offices Procurement

Most procurement for the Nova Scotia Community College will be done at, or coordinated through, Central Offices Procurement (Goods and Services), and Facilities Management (Construction). In keeping with our Procurement Commitment; formal requisition, purchase order documents, and additional specifications will be utilized to prepare and issue a Request For Quotation, with intent to obtain quotations from a minimum of three suppliers, where practical. Limits for goods and services are outlined in the Procurement Procedures Manual, and coordinated through Central Offices Procurement (currently goods valued between \$2,000 and \$25,000, services valued between \$10,000 and \$50,000). Construction services will be coordinated through the Manager of Facilities and Planning (currently valued between \$10,000 and \$100,000).

### 3.1.3 Public Competition

As set-out in the Purchasing Act of Nova Scotia, and Atlantic Procurement Agreement, all: Goods, Services, and Construction services surpassing established thresholds (currently goods with a value greater than \$25,000, services valued at over \$50,000, and construction services over \$100,000) will conform to a public competition process. The College will advertise publicly by issuing a Request For Proposal (RFP) using the province's procurement website (Tendering Online Notification Service) and other advertising medium as prescribed, and at its discretion, invite submissions from any number of suppliers. In addition to price, all proposals will be evaluated on additional factors for example: quality, delivery, servicing, and capacity of the Proponent to meet criteria and terms and conditions as stated within the Request For Proposal document. Nova Scotia Community College's intent is to award a Proponent that meets all specified requirements of the competition while offering the "best overall value" to the College. NSCC will post the names of successful bidders on the province's procurement website.

### 3.1.4 Complementary Procurement Processes

#### **Alternative Procurement Practices (ALTP)**

In order for the Procurement Policy to balance the need to be open and competitive with the demands of urgent, specialized, or exceptional circumstances, Alternative Procurement Practices have been created. These processes must be used only for the purposes intended and not to avoid competition or to discriminate against specific suppliers. Any such request must be authorized by the Central Offices Procurement (Goods and Services), or Facilities Management (Construction).

<b>Approved by:</b> Board of Governors	<b>Prepared by:</b> K. Cameron	<b>Date Approved:</b> Oct. 17, 2013	<b>Status:</b> Supersedes Previous	<b>Next Review:</b> October 2016	Page <b>2 of 5</b>
---	-----------------------------------	--	---------------------------------------	-------------------------------------	-----------------------

<b><u>Board Policy Title:</u></b>	<b><u>Board Category:</u></b>	<b><u>Policy#:</u></b>
<b>Procurement</b>	<b>Finance &amp; Audit</b>	

### **Nova Scotia Preference**

In order to support the local economy, Nova Scotia Community College may apply a preference for goods up to and including \$10,000 (excluding taxes), which are manufactured, or produced in Nova Scotia, when it is determined to be in the best interest for the Province of Nova Scotia. This guideline has been established to support the principles of public procurement and buy local initiatives in Nova Scotia which support Nova Scotia small businesses and communities.

### **Standing Offers**

This Policy permits the establishment, and utilization, of standing offers resulting from a public competition process. To ensure “best overall value” is obtained, and maintained, for the College; all departments must use existing standing offers for commonly purchased goods and services. All pertinent Standing Offers will be posted, and maintained, on Our NSCC: [Our NSCC Procurement Site](#).

In extenuating circumstances, and in consultation with the Central Offices Procurement, departments may be given the right to acquire goods and services outside of existing Standing Offers.

### **Sole Source**

Items which are sole sourced will require detailed documentation from the requisitioning budget manager, to ensure that the procurement could not have been effected through one of the traditional procurement procedures. This will be presented to the Central Offices Procurement, at which point confirmation of this claim may be substantiated before the procurement is made.

### **Emergency Purchase**

An emergency purchase is defined as any situation which, if not attended to immediately, would result in hazard to persons, property, or the reputation of the College. As with sole sourcing, all emergency purchases must be fully documented by the budget manager making the request, and presented to the Central Offices Procurement before the procurement is made.

### **3.1.5 Nova Scotia Vendors**

Since not all provincial jurisdictions are prepared to provide reciprocal access to goods, services, or construction requirements, valued at less than *Agreement on Internal Trade* thresholds; the principles of fairness demand that Nova Scotia Community College reserve the right to apply comparable limitations on access.

Nova Scotia Community College reserves the right to accept or reject, consider, and evaluate submissions from other jurisdictions on the same basis that the purchasing authorities in those jurisdictions would treat a Nova Scotia supplier for a similar requirement. Out of province suppliers who choose to respond to an opportunity would do so with the understanding that their submission may be rejected due to the practices of their home province. The College may consider, at their sole discretion, and accept a submission from a non-reciprocating provincial jurisdiction if it offers the “best overall value” to the College.

<b>Approved by:</b> Board of Governors	<b>Prepared by:</b> K. Cameron	<b>Date Approved:</b> Oct. 17, 2013	<b>Status:</b> Supersedes Previous	<b>Next Review:</b> October 2016	Page <b>3 of 5</b>
---	-----------------------------------	--	---------------------------------------	-------------------------------------	-----------------------

<b><u>Board Policy Title:</u></b>	<b><u>Board Category:</u></b>	<b><u>Policy#:</u></b>
<b>Procurement</b>	<b>Finance &amp; Audit</b>	

### 3.1.6 Atlantic Vendors

The Atlantic Canadian provinces are committed to providing fair and reciprocal access to business opportunities and to ensuring that the supplier community receives fair treatment in their dealings elsewhere in Canada. Based on the principles of the Atlantic Procurement Agreement, and in the same context as outlined above, the College may reject a submission from a non-reciprocating provincial jurisdiction valued at less than *Agreement on Internal Trade* thresholds in favor of another Atlantic Provinces bidder.

### 3.1.7 Sustainable Procurement

Sustainable Procurement involves taking a holistic approach to obtain best value for goods and services. NSCC, where economically viable and operationally feasible, shall ensure that sustainable procurement criteria are embedded in all purchasing decisions. Sustainable criteria may include, but are not limited to:

Environmental Considerations: Greenhouse gas impact, waste impact, recycled content, re-usability/ end-of-life disposal requirements.

Economic Considerations: Durability of the product, Energy Efficiency / Lifecycle cost, support of local economy.

Social Considerations: Employee Health and Safety, Inclusiveness and Fair Wage, and Health Promotion

Product Certification: In areas where the choice exists, NSCC shall purchase products that meet industry recognized certifications for environmental performance. Examples of certifications are provided below for the following categories:

Computers: Shall be at minimum certified Product Environmental Assessment Tool (EPEAT) Silver, or demonstrated equivalence.

Electronics: Shall be certified Energy Star™, or demonstrated equivalence.

Cleaning Products: Shall be certified Green Seal™, EcoLogo™, or demonstrated equivalence.

Furniture: Shall be Green Guard and Level certified, or demonstrated equivalence.

Construction: Purchases relating to campus master planning, building renovation processes, and new construction shall incorporate sustainable procurement practices. Where practical, purchases for new construction shall follow LEED standards, or demonstrated equivalence.

## 4.0 CODE OF CONDUCT

### 4.1 Conflict of Interest

It is the College's standard practice to not enter into purchasing contracts with students, faculty, staff, governors or members of their immediate families. If, for some reason, an acquisition must be made from a business in which a College employee has an interest, there must be full disclosure of the background facts to the Vice-President, Administrative Services, for review before any purchase shall be approved. ("Interest" is defined to be a College employee and/or spouse or dependent owning 10 per cent or more of the assets of a specific vendor business).

<b>Approved by:</b> Board of Governors	<b>Prepared by:</b> K. Cameron	<b>Date Approved:</b> Oct. 17, 2013	<b>Status:</b> Supersedes Previous	<b>Next Review:</b> October 2016	Page <b>4 of 5</b>
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<b><u>Board Policy Title:</u></b>	<b><u>Board Category:</u></b>	<b><u>Policy#:</u></b>
<b>Procurement</b>	<b>Finance &amp; Audit</b>	

With respect to a Public Competition, the College reserves the right to disqualify any Proponent that, in the College's sole opinion, has an actual or potential conflict of interest, or an unfair advantage, whether existing now or is likely to arise in the future, or may permit the Proponent to continue and impose such terms and conditions, as the College in its sole discretion may require. Proponents are required to disclose, to the RFP Contacts, any potential or perceived conflict of interest issues prior to RFP closing date and time.

#### **4.2 Vendor Code of Conduct**

The College reserves the right to disqualify any proponent that does not meet acceptable standards of environmental and social responsibility. NSCC suppliers and their sub-contractors shall comply with applicable laws relating to working conditions, human rights, health and safety, and the environment. For goods and services procured in Canada, Canadian laws will apply. For goods and services procured outside of Canada, where local laws and Canadian Laws address the same issue, the provisions of the most stringent law shall apply.

<b>Approved by:</b> Board of Governors	<b>Prepared by:</b> K. Cameron	<b>Date Approved:</b> Oct. 17, 2013	<b>Status:</b> Supersedes Previous	<b>Next Review:</b> October 2016	Page <b>5 of 5</b>
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