

<i>Rainy River District School Board</i>	SECTION 8 <i>Finance</i>
PROCUREMENT	8.09

POLICY

The Rainy River District School Board will ensure procurement is consistent, efficient, effective, equitable, and transparent, and adheres to the highest standards of ethical conduct.

RATIONALE

Procurement is a critical function of public institutions. Therefore, the Board is committed to achieving the optimum value in the expenditure of public funds and protecting the Board from liability, while maintaining accessibility standards and public trust.

IMPLEMENTATION

As per Procurement Procedure 8.09 and the following principles:

- Compliance with all applicable laws, regulations, by-laws, policies and trade treaties as further set out in Schedule 1 to this Policy;
- Consistency with Board policies and procedures;
- Open, fair and transparent procurement that affords equal access to all qualified suppliers;
- Reciprocal non-discrimination and geographic neutrality with respect to Ontario's trading partners and avoidance of preferences for constituent suppliers;
- Effective balance between accountability and efficiency;
- Consideration and implementation of the full range of procurement formats and the adoption of commercially reasonable business practices; and
- Adherence to the highest standards of ethical conduct.

GUIDELINES

1.0 General Guidelines

- 1.1 The Rainy River District School Board shall approve a budget each year for all supplies, equipment and purchases. Budget Managers must ensure that there are sufficient funds for each procurement.
- 1.2 Each procurement must be processed in accordance with this Policy and with the Board's Procurement Procedure 8.09.
- 1.3 Any changes to the Procurement Procedure 8.09 will be forwarded to the Finance Committee for information.

- 1.4 All purchases of \$50,000 or more will be brought as information items to the Finance Committee of the Board.
- 1.5 The role of the Trustee representative from the Finance Committee does not include veto power over any decision to award a Procurement Project, as defined in the Board's Procurement Procedure 8.09.
- 1.6 There will be evidence of sign-off at every stage of procurement as per Procurement Procedure 8.09, Segregation of Duties.

2.0 Procurement Ethics

- 2.1 All employees directly or indirectly involved in the procurement process shall:
 - Maintain an unimpeachable standard of integrity in all their business relationships both inside and outside the organizations in which they are employed.
 - Foster the highest standards of professional competence amongst those for whom they are responsible.
 - Optimize the use of resources for which they are responsible to provide the maximum benefit to the Board.
- 2.2 Therefore, in order to attain these standards, all employees shall follow the terms set out below:
 - *Declaration of Conflict of Interest* – Any personal interest which may impinge or might reasonably be seen to impinge on an employee's impartiality in any matter relevant to their duties shall be declared to the Purchasing Clerk.
 - *Confidentiality and Accuracy of Information* – The confidentiality of information received in the course of procurement shall be respected and shall not be used for personal gain, and information provided in the course of procurement shall be true and fair and not designed to mislead.
 - *Competition* – There are advantages to the Board of maintaining positive relationships with suppliers; however, any arrangement which might, in the long term, prevent the operation of fair competition, shall be avoided.
 - *Gifts* – An employee of the Board shall not accept entertainment, gifts or favours that could in any way appear to influence current and future business decisions with regard to the sourcing of goods and services or create potential conflicts of interest or potential obligations for the employee. In addition, personal favours or other preferential treatment which appears or may appear to place the recipient under obligation shall not be accepted by an employee of the Board.

3.0 **Supply Chain Code of Ethics** (as taken from the *Broader Public Sector Procurement Directive*)

- ***Personal Integrity and Professionalism***

All individuals with procurement or other Supply Chain-related activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain activities within and between Broader Public Sector organizations, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. All participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

- ***Accountability and Transparency***

Supply Chain activities must be open and accountable. In particular, contracting and procurement activities must be fair, transparent and conducted with a view to obtain the best value for public money. All participants must ensure that public sector resources are used in a responsible, efficient and effective manner.

- ***Compliance and Continuous Improvement***

All individuals involved in procurement or other Supply Chain-related activities must comply with this code of ethics and the laws of Canada and Ontario. All individuals should continuously work to improve the Supply Chain policies and procedures to improve their Supply Chain knowledge and skill levels, and to share leading practices.

4.0 **Procurement Authority**

Procurement of goods and non-consulting services must be approved by an appropriate authority as set out below.

4.1 a) **Procurement Authority for Standard Procurement Methods**

Goods and Non-Consulting Services

Total Procurement Value	Approval Level Prior to Proceeding	Approval Level Prior to Award
\$0 > \$5,000	Budget Manager	Budget Manager
\$5,000 > \$25,000	Budget Manager	Manager of Finance
\$25,000 > \$100,000	Manager of Finance	Superintendent of Business
\$100,000 > \$250,000	Superintendent of Business	Approval Committee
\$250,000 +	Approval Committee	Trustees

Consulting Services

Total Procurement Value	Approval Level Prior to Proceeding	Approval Level Prior to Award
\$0 > \$5,000	Budget Manager	Budget Manager
\$5,000 > \$25,000	Manager of Finance	Superintendent of Business
\$25,000 > \$100,000	Superintendent of Business	Superintendent of Business & Director of Education
\$100,000 > \$250,000	Superintendent of Business	Approval Committee
\$250,000 +	Approval Committee	Trustees

b) Procurement Authority for Non-Standard Procurement Methods

Goods and Non-Consulting Services

Total Procurement Value	Approval Level Prior to Proceeding	Approval Level Prior to Award
\$0 > \$5,000	Budget Manager	Budget Manager
\$5,000 > \$25,000	Manager of Finance	Superintendent of Business
\$25,000 > \$100,000	Superintendent of Business	Superintendent of Business & Director of Education
\$100,000 > \$250,000	Superintendent of Business	Approval Committee
\$250,000 +	Approval Committee	Trustees

Consulting Services

Total Procurement Value	Approval Level Prior to Proceeding	Approval Level Prior to Award
\$0 > \$5,000	Budget Manager	Budget Manager
\$5,000 > 100,000	Superintendent of Business	Superintendent of Business & Director of Education
\$100,000 > \$250,000	Superintendent of Business	Approval Committee
\$250,000 +	Approval Committee	Trustees

5.0 Contracted Services

- 5.1 The procurement contract’s term will be defined by the government’s centralized procurement *BPS Interim Measures*.
- 5.2 Consultants and contractors must provide for reimbursement of expenses within the contract with the Board.

- 5.3 Reimbursements will be paid if set out in the contract, as per the Board’s Policy on Expense Claims.
- 5.4 Contracts will not include, and consultants and other contractors will not be reimbursed for any hospitality, incidental or food expenses, including:
 - Gratuities
 - Laundry or dry cleaning
 - Valet services
 - Dependent care
 - Home management
 - Personal telephone calls

Definitions:

Procurement is the acquisition of goods, services or construction by purchase, rental or lease.

Approval Committee means the Superintendent of Business, Budget Manager, Director of Education and one Trustee from the Finance Committee of the Board.

Consulting Services means the provision of expertise or strategic advice that is presented for consideration and decision-making.

Non-Standard Procurement Method is single or sole source procurement outside of the competitive process. A direct award will only be employed in specific circumstances, as further defined in Procurement Procedure 8.09.

<u>CROSS REFERENCE</u>	<u>Date Approved</u> September 3, 2019	<u>LEGAL/MINISTRY OF EDUCATION REFERENCE</u>
Policy 3.86 Employee Code of Conduct	<u>Board Motion</u> 52	Broader Public Sector Procurement Directive
Policy 2.30 Accessibility Standards	<u>Review Prior to</u> 2024	
Procedure 8.09 Procurement		

Schedule 1

Applicable Laws, Trade Agreements and Regulations

1. Procurement activities at the Board must be conducted in accordance with all laws, regulations and standards, including, but not limited to:
 - i. *Income Tax Act* and Regulations
 - ii. *Excise Tax Act* and Regulations
 - iii. *Occupational Health and Safety Act* and Regulations
 - iv. *Worker's Compensation Act* and Regulations
 - v. *Access for Ontarians with Disabilities Act, 2005* and Regulations
 - vi. *Municipal Freedom of Information and Protection of Privacy Act* and Regulations
 - vii. *Education Act* and Regulations
 - viii. *Competition Act* and Regulations
 - ix. *Broader Public Sector Accountability Act*
 - x. *Broader Public Sector Procurement Directive*
 - xi. *Broader Public Sector Expenses Directive*
 - xii. All Board policies and procedures

2. Procurement activities at the Board must comply with the following binding Trade Agreements, as well as any additional trade agreements that may apply to the Board in future:
 - i. Canada Free Trade Agreement (CFTA) – all Provinces and Territories
 - ii. Trade and Cooperation Agreement between Ontario and Quebec – Ontario and Quebec
 - iii. Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA) – Canada and the EU