

Policy Statement	
	Commission scolaire Western Québec Western Québec School Board
Policy No. D-11	
SUBJECT:	Purchasing Policy
Approval Date: March 27, 2007	Resolution No: C-06/07-211
Revision Date: May, 27 2014 May 26, 2015 (Addendum 1)	Resolution No: C-13/14-281 C-14/15-201
Origin: Executive Committee	

1. OBJECTIVE

This policy is meant to provide rules for the granting of supply, service, and construction contracts by the Western Québec School Board.

2. REFERENCES

The reference documents for this policy are:

- The *Education Act*;
- The *Act Respecting Contracting by Public Bodies* and the regulations respecting supply, service and construction contracts by public bodies;
- Intergovernmental trade agreements signed by the Government of Québec;
- The School Board's Delegation of Powers By-Law (addendum 1);
- The *Politique de gestion contractuelle concernant la conclusion des contrats d'approvisionnement, de services et de travaux de construction des organismes publics du réseau de l'éducation* (addendum 2).

3. APPLICABILITY

This policy applies to the School Board's purchasing of goods, services and construction work from any supplier, service provider or contractor.

4. GENERAL PRINCIPLES

All purchases made by the School Board must be made in accordance with the *Act Respecting Contracting by Public Bodies* and its regulations. They must also be made according to the principles set out in this policy and its reference documents, while respecting the amount of funds available.

The School Board will favour joint purchasing of goods and services where possible and economically beneficial. When proceeding with joint purchasing, the School Board must take into account the impact of this way of purchasing on the regional economy.

The School Board will explore the possibility of purchasing goods and services with an environmental benefit where circumstances permit.

The School Board will favor regionalized purchasing when permitted by Law, as long as there exists sufficient competition in the region.

The School Board will use a rotation system among suppliers, service providers and contractors it deals with when the contracts involve an expenditure below the public tender threshold.

Any School Board commitment towards a supplier, service provider or contractor must be confirmed by a contract or the issuance of a purchase order.

Any contract or purchase order must be authorized and signed by one of the School Board's appropriate authorities.

Anyone responsible for a purchasing process or a negotiation must not stand to benefit personally or financially from the negotiation at hand or any subsequent purchases.

5. CONTRACTS BY MUTUAL AGREEMENT

The School Board may enter into contracts by mutual agreement in the cases permitted by the *Act Respecting Contracting by Public Bodies* and its regulations, even when the contract involves an expenditure equal to or above the tendering thresholds described herein. This is also the case for contracts not subject to the *Act Respecting Contracting by Public Bodies*, such as contracts entered into with a natural person who does not operate a sole proprietorship.

The School Board may also enter into a contract by mutual agreement as permitted by this Policy.

Before entering into a contract by mutual agreement, the School Board must ensure that fair prices and conditions are obtained.

6. TENDERING OF CONTRACTS

6.1 Public call for tenders

- a) The School Board must proceed by public call for tenders for all contracts of a value estimated to be equal or over 100 000\$.
- b) The public call for tenders is the process prescribed by the *Act Respecting Contracting by Public Bodies* and its regulations.

- c) When no intergovernmental trade agreement is applicable to the contract, the School Board will proceed with a regional call for tenders, unless this process does not allow for sufficient competition.
- d) The School Board may proceed by public call for tenders for contracts where the amount is below 100 000\$. In this case, the process prescribed by the *Act Respecting Contracting by Public Bodies* and its regulations, subject to allowed adjustments, applies.

6.2 Invited call for tenders

- a) The School Board must use an invited call for tenders process for contracts of an estimated value greater than 25 000\$ but below 100 000\$;
- b) The School Board may use an invited call for tenders process for contracts below 25 000\$. In this case, the process described in this policy will apply;
- c) A minimum of three suppliers must be invited as part of the process;
- d) The details of the process and other information will be established in the call for tender documents which must include the following:
 - i- The place tenders are to be received as well as the closing and opening dates and times;
 - ii- The obligation for bidders to forward tenders in writing in a sealed envelope;
 - iii- The contract award rules, either lowest price, lowest price meeting minimum quality standards, lowest price adjusted for quality or quality only;
 - iv- A statement that the School Board is not bound to accept any tender.

6.3 Request for written quotations

- a) The School Board must use a request for written quotations process for all contracts of an estimated value greater than 5000\$ but below 25 000\$;
- b) The School Board may use a request for written quotations process for contracts of an estimated value below 5000\$. In this case, the request for quotations process described in this policy will apply;
- c) The School Board must submit the request to at least three (3) suppliers, indicating the good(s), service(s) or construction work(s) required by the School Board, the contract awarding process and any other relevant information;
- d) Before awarding the contract, the School Board will receive written confirmation of prices and conditions by the invited suppliers who are interested.

6.4 Mutual agreement contract

- a) The School Board may use a mutual agreement process for contracts of an estimated value below 5000\$;
- b) The School Board communicates directly with at least one supplier, indicating the good(s), service(s) or construction work(s) required and any other relevant information;
- c) Before entering into a contract by mutual agreement, the School Board must ensure that fair prices and conditions are obtained.

7. EXCEPTION

Except for contracts where the estimated expenditure is equal to or above the thresholds established by the *Act Respecting Contracting by Public Bodies*, the Council of Commissioners may authorize the School Board, in exceptional circumstances and for legitimate reasons, to enter into a contract without following the tendering processes described herein.

8. EFFECTIVE DATE

This policy revokes and replaces any prior purchasing policy and is effective as of the date of its adoption by the Council of Commissioners.

9. ADDENDUMS

None of the addendums referred to herein form an integral part of this policy. They are attached to this policy for information purposes only and may be modified at any time.