



FINANCE & BUDGET

62.21	Procurement	POLICY
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1.0 PURPOSE

1.1 The purpose of this policy and its procedures is to ensure that all procurement processes are performed in a fair and transparent manner where goods, services and construction are procured in an open and competitive environment; where all transactions yield optimal value to Nova Scotia Community College (NSCC).

2.0 SCOPE

2.1 This Policy and its procedures apply to the procurement of all goods and services conducted by any employee of the College on behalf of NSCC. See the current NSCC Procurement Procedures for detailed procurement requirements.

3.0 DEFINITIONS

TERM	DEFINITION
Procurement	The tactical function or process of buying goods and services to satisfy the academic and operational needs of the College. It is focused on a single transaction and follows the processes for obtaining goods and services from the point of receiving a requisition to that where payment is made.

4.0 POLICY

4.1 Employees involved in the procurement of goods and services for NSCC must follow the procedures associated with this policy (NSCC Procurement Procedures Document) to ensure all vendors are treated fairly and in accordance with the law and guidelines governing the procurement of goods and services for public entities within the Province of Nova Scotia.

4.2 NSCC employs a hybrid model utilizing a combination of centralized and decentralized practices under the following conditions (note: all thresholds are considered pre-tax).

4.3 Campus/Department Procurement

Principals, Academic Chairs or Campus/Central Managers with budgetary responsibility may purchase goods and services, which are to be charged to the budget accounts under their direct control. These types of purchases are generally limited to low dollar value or one-of-a-kind items for a specific use at a particular location. The limits associated with this procurement channel are goods below \$5,000 or services below \$25,000.

4.4 Central Office/Facilities Procurement

When procurement of goods and services exceeds the limits outlined in *Campus/Department Procurement*, it becomes the responsibility of Central Procurement or Facilities Management. The limits outlined below demonstrate the amounts which can be procured without the process of Public Competition:

- a) Goods \$5,000 and up to \$105,700.
- b) Services \$25,000 and up to \$105,700.
- c) Construction up to \$264,200 will be coordinated through Facilities Management.

Executive Sponsor: Vice President, College Services & CFO	Responsible authority: Director, Financial Services Director, Facilities	Approval authority: Board of Governors	First approved: 06/16/2016	Last reviewed: Oct 22 2020	Effective date: Oct 22 2020	Next review: Oct 2025
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4.5 Public Competition

To conform with provincial legislation and the Federal Canadian Free Trade Agreement, all goods, services and construction surpassing established thresholds; goods and services with a value exceeding \$105,700, and construction valued over \$264,200 will be procured through a public competition process, when required.

- a) The College will advertise publicly by issuing a Request for Proposal (RFP)/Tender or other related process (RFx) 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.
- b) In addition to cost, all proposals will be evaluated on additional factors such as: quality, delivery, servicing, sustainability and capacity of the proponent to meet criteria and terms and conditions as stated within the competition documents. 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.
- c) NSCC will post the names of the successful proponent and award amounts on the Province’s procurement website and provide a vendor debrief if requested.

4.6 Complementary Procurement Processes

To balance the need to be open and competitive with the demands of urgent, specialized or exceptional circumstances, Complementary Procurement Processes may be utilized. These processes must be used only for the purposes intended and not to avoid competition or to discriminate against specific suppliers.

a) NSCC Supply Agreements

The College from time to time can create, through a thorough procurement process, a supply agreement which can streamline the procurement process for frequently purchased goods or services.

b) Consortium Supply Agreements

The College may participate in agreements created by a consortium of which the College is a member, provided the consortium has followed a fair and equitable procurement process. For example, as a member of Interuniversity Services Inc. (ISI), the College can participate in any agreements administered by ISI.

c) Provincial and Federal Agreements

The College may participate in agreements established by Nova Scotia, or Canadian government, procurement services should they be deemed to contribute value to the College. Central Procurement will determine the viability of accessing such agreements, and either post details internally, or explore ability to access such agreements by request.

d) Alternate Procurement

Sole source requirements, emergency requirements, Nova Scotia preference and permanent exemption, are examples of alternate procurement processes. See the Alternate Procurement form for a more complete list of provisions. These processes must be authorized by the Director of Financial Services, the Director of Facilities and

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Engineering or the Vice-President of College Services and CFO. Some Alternate Procurements may require posting on the Government of Nova Scotia Procurement website.

4.7 Sustainable Procurement

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

- a) **Environmental Considerations:** This could include greenhouse gas impact, waste impact, recycled content, re-usability/end-of-life disposal requirements.
- b) **Economic Considerations:** This could include durability of the product, energy efficiency, lifecycle cost (total cost of ownership, including capital, operations and maintenance, and disposal costs) support of local economy.
- c) **Social Considerations:** Employee health and safety, inclusiveness and fair wage and health promotion.
- d) **Product Certification:** In areas where the choice exists, NSCC will purchase products that meet industry recognized certifications for environmental performance. Examples of certifications are provided below for the following categories:
 - i. **Computers:** Will be at minimum certified Electronic Product Environmental Assessment Tool (EPEAT) silver or demonstrated equivalence.
 - ii. **Equipment/Electronics:** Will be certified Energy Star™ or demonstrated equivalence CSA or UL or ULC listed for educational use or demonstrated equivalence.
 - iii. **Cleaning Products:** Will be certified Green Seal™, EcoLogo™ or demonstrated equivalence.
 - iv. **Paper:** Will be Forest Stewardship Council® certified or demonstrated equivalence and will contain at least 30 percent post-consumer recycled content.
 - v. **Lamps:** Will be certified Energy Star™ or demonstrated equivalence and will not contain Mercury.
 - vi. **Furniture:** Will be Green Guard certified or demonstrated equivalence.
 - vii. **Construction:** Purchases relating to campus master planning, building renovation processes and new construction will incorporate sustainable procurement practices. Where practical, purchases for new construction will follow LEED standards or demonstrated equivalence.
 - viii. **Fleet Vehicles:** When purchasing new fleet vehicles, options for clean-fuel (e.g. hybrid, electric) vehicles will be given preference over fossil fuel powered vehicles. Vehicle Energuide labels should be evaluated for fuel efficiency and to determine which vehicles have the lowest associated life-cycle cost and greenhouse gas emissions.

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4.8 Conflict of Interest

It is NSCC'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, College Services and CFO, for review before any purchase will be approved. "Interest" is defined to be a NSCC employee and/or spouse or dependent owning 10 per cent or more of the assets of a specific vendor business.

4.9 With respect to a Public Competition, NSCC 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 RFX contacts, any potential or perceived conflict of interest issues prior to RFX closing date and time.

4.10 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 must 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, services or construction procured outside of Canada, where local laws and Canadian laws address the same issue, the provisions of the more stringent law will apply.

5.0 POLICY SUPPORTS

Related Acts and Agreements:

Public Procurement Act [Bill No. 23] (2011)

Atlantic Trade and Procurement Partnership (2020)

Canadian Free Trade Agreement (CFTA) (2017)

Comprehensive Economic and Trade Agreement (CETA) (2017)

Related Policies and Procedures:

62.22 Procurement Procedures Document

42.11 Conflict of Interest and Commitment Policy

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