

62.21	Procurement	POLICY
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1.0 PURPOSE

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

2.0 STATEMENT OF POLICY/SCOPE

2.1 This Policy, and its associated procedures, applies 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 Document](#) for detailed procurement requirements.

3.0 POLICY

3.1 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.

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

3.3 **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 value or one of a kind items for a specific use at a particular location. The limits associated with this procurement channel are goods up to \$5,000 or services up to \$25,000.

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

- a. goods between \$5,000 to \$25,000
- b. services between \$25,000 and \$50,000
- c. construction up to \$100,000 will be coordinated through Facilities Procurement

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3.5 Public Competition

To conform with provincial rules and regulations, all goods, services and construction surpassing established thresholds; goods with a value exceeding \$25,000, services valued over \$50,000 and construction valued over \$100,000 will be procured through a public competition process.

- a. The College will advertise publicly by issuing a Request for Proposal (RFP) or Request of Quotes (RFQ) 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 Request for Proposal or Quotation 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 successful bidders on the Province’s procurement website.

3.6 Complementary Procurement Processes

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

a. Alternate Procurement

Sole source requirements, emergency requirements, Nova Scotia preference, permanent exemption, Provincial standing offers and Provincial strategic supply agreements are considered alternate procurement processes. These processes must be authorized by the Director of Financial Services, the Director of Facilities and Engineering or the Vice-President of Administrative Services.

b. NSCC Strategic Supply Agreements

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

c. Consortium Agreements

The College may participate in agreements created by a consortium of which the College is a member and provided the consortium has followed a fair and equitable procurement process. For example, as a member of the Inter-University Services Consortium the College can participate in any listed and current offers procured by Inter-University Services.

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3.7 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:

- a. **Environmental Considerations:** Greenhouse gas impact, waste impact, recycled content, re-usability/end-of-life disposal requirements.
- b. **Economic Considerations:** Durability of the product, energy efficiency/lifecycle cost, 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 shall purchase products that meet industry recognized certifications for environmental performance. Examples of certifications are provided below for the following categories:
 - i. **Computers:** Shall be at minimum certified Electronic Product Environmental Assessment Tool (EPEAT) silver or demonstrated equivalence.
 - ii. **Equipment/Electronics:** Shall be certified Energy Star™ or demonstrated equivalence CSA or UL or ULC listed for educational use or demonstrated equivalence.
 - iii. **Cleaning Products:** Shall be certified Green Seal™, EcoLogo™ or demonstrated equivalence.
 - iv. **Furniture:** Shall be Green Guard certified or demonstrated equivalence.
 - v. **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.

3.8 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, Administrative Services, for review before any purchase shall 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.

3.9 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

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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.

3.10 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 shall apply.

4.0 POLICY SUPPORTS

Related Acts and Agreements:

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

Atlantic Procurement Agreement a memorandum of agreement on the reduction of interprovincial trade barriers related to public procurement. (January 2008)

Agreement on Internal Trade (1994) together with Protocols of Amendments (November 2010)

Related Policies and Procedures:

NSCC Procurement Procedures Document (2016)

NSCC Conflict of Interest and Commitment Policy

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