

## APPENDIX B

---



<b>POLICY NAME:</b>	<b>PURCHASING POLICY</b>
<b>POLICY SECTION:</b>	FINANCE
<b>DATE APPROVED:</b>	November 5, 2014
<b>DATE OF NEXT REVIEW:</b>	2030
<b>DATES OF AMENDMENTS:</b>	June 2019, October 2022, February 2025
<b>RESPONSIBLE DEPARTMENT:</b>	Finance

---

### **Policy:**

The Board is committed to ensuring all goods and services are to be acquired through an open, transparent, fair and competitive process whenever possible in order to obtain maximum value from the expenditure of public funds

The Board shall purchase goods and services through a process consistent with the Mission and Vision statements of the Board and with the following objectives:

- (i) to provide a high level of service to all areas of the Board;
- (ii) to provide fair, competitive and transparent business practices for vendors and ensure equal treatment without preference;
- (iii) to obtain all goods and services at the lowest total end-user cost considering price, quality, function and delivery in an efficient, effective manner while maintaining the controls necessary for the expenditure of public funds;
- (iv) to encourage the acquisition of environmentally friendly products and the reduction of the impact of the Board's activities upon the environment.

The policy is in alignment with the TCDSB's Multi-Year Strategic Plan (MYSP) and reflects Catholic values rooted in the love of Christ.

### **Scope and Responsibility:**

This policy and these regulations and procedures apply to any employee or Trustee who is involved in the acquisition of goods and/or services on behalf of the Board.

The Board of Trustees delegates to the Director of Education or designate the authority to approve the award of all contracts and expenditures up to \$150,000 for Goods and Services

and \$250,000 for Capital/Renewal expenditure. All other contracts and expenditures greater than \$150,000 for Goods and Services and \$250,000 for Capital/Renewal expenditure must be approved by the Board of Trustees before any money is spent.

**Regulations:**

1. All supervisory personnel shall be responsible for ensuring their immediate staff are properly informed of and comply with this policy, its regulations and procedures.
2. Use of Board funds for personal purchases on behalf of an employee, Trustee or family member is not permitted.
3. Purchases made without an authorized purchase order/purchase card are not permitted and will be considered an obligation of the person making the purchase and not an obligation of the Board.
4. Employees and Trustees shall not use their authority, influence or office for personal gain or to advance the interest of any particular party and shall seek to uphold and enhance the integrity of all Board business operations.
5. In accordance with the Education Act, no teacher, supervisory officer or other employee of the Board may promote or sell goods or services for compensation to any board, provincial school or teachers' college, or pupil enrolled therein except as permitted by the Act.
6. All goods and services are to be acquired through a publicly advertised competitive bidding process whenever possible in order to obtain maximum value from the expenditure of public funds.
7. Any arrangements which might prevent fair competition shall be avoided, in order to ensure open competition among qualified bidders.
8. Lobbying during a competitive procurement call is prohibited. Communication with anyone other than the official point of contact from the time of issuance, up to and including the time of award, is strictly prohibited.
9. A vendor/proponent who violates the lobbying prohibition will be subject to disqualification from the current, and may be disqualified from ~~or~~ future procurements for a period of up to 5 years, at the Board's discretion

10. Awards will be given to the lowest bidder except where the best interests of the Board are served by accepting other than the lowest price.
11. Where an emergency situation exists, the approval requirements of the Purchasing Policy shall not apply, and administration shall take immediate necessary remedial action.
12. Where feasible, the Board may participate in cooperative purchasing with other school boards and public agencies.
13. Contracts for all goods and services will be limited up to a maximum term of five years, unless otherwise identified by staff and approved by the Board of Trustees, and renewals will be subject to a public competitive bidding process whenever possible.
14. Contracts or purchases shall not be divided to avoid the requirements of this policy, its regulations or procedures and the annual or total project costs shall be considered.
15. Use of a sole or single source for an expenditure greater than \$10,000.00 will require completion of a Limited Tendering Justification (Sole Source Declaration Form).
16. The Director of Education shall be responsible for the approval of all procurement awards except as noted in this policy and will provide trustees with a list of procurement awards on a regular basis.
17. Procurement Services Department shall be responsible for operating a centralized purchasing system for tenders, contracts and purchases and have general oversight of the procurement process and procedures.
18. In accordance with the Broader Public Sector (BPS) Procurement Directives, employees and Trustees involved in the procurement process are subject to a Supply Chain Code of Ethics which requires:
  - Personal Integrity and Professionalism;
  - Accountability and Transparency and;
  - Compliance and Continuous Improvement.
19. Consulting services which are intended to provide expert or strategic advice for purposes of consideration and decision making, must be acquired through a competitive process regardless of dollar value.

20. The Senior Manager - Purchasing and/or Head of Procurement Services, or as otherwise delegated by the Director of Education, will review tenders, proposals and quotations before issue.
21. Consistent with its Catholic Values and fundamental commitment to social justice and human rights, the Board shall take all reasonable measures to ensure that goods are acquired from suppliers who produce under just, safe and fair working conditions in accordance with the Labour Standards of the International Labour Organization (ILO).
  - a) Where a supplier is deemed to be non-compliant with the requirements and expectations of the ILO Labour Standards, the Board reserves the right to terminate the contractual relationship, without notice or penalty, at its sole and absolute discretion.
22. Where feasible and in compliance with Building Ontario Businesses Initiative Act (BOBiA Broader Public Sector (BPS) entities must source goods and services from Ontario businesses that fall below domestic trade agreement thresholds. When exceeding these domestic thresholds but remaining below international levels, Canadian businesses should be the primary suppliers.
23. TCDSB must include accessibility criteria where possible, in their processes for buying and acquiring goods, services and facilities. This means considering accessibility, along with other criteria like the quality and cost of the items as well as incorporating accessible design and features where possible.

## **Cross References:**

### Legislation

- Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- Bill S-211, Fighting Against Forced Labour and Child Labour in Supply Chains Act
- Broader Public Sector Accountability Act, 2010, S.O. 2010, c. 25 - Bill 122
- Building Ontario Businesses Initiative Act (BOBiA – Schedule 2 of Bill 84)

### TCDSB Policy/Procedure

- Acceptance of Hospitality or Gifts
- Conflict of Interest: Trustees
- Conflict of Interest: Employees
- Credit and Purchase Cards

- Sweatshop-Free Purchasing Policy

#### Other

- Broader Public Sector Procurement Directive (2024)
- Canadian Free Trade Agreement (CFTA)
- Canadian-European Union Comprehensive Economic and Trade Agreement (CETA)
- International Labour Organization (ILO) – Labour Standards
- The Ontario-Quebec Trade and Cooperation Agreement (OQTCA)
- World Trade Organization Government Procurement Agreement (WTO-GPA)

#### **Definitions:**

**Continuous Improvement** means an ongoing process for individuals involved in supply chain policies and practices to improve their supply chain knowledge and skill levels, and to share leading practices.

**Cooperative Purchasing** means the participation of two or more public agencies, in a request for quotation, tender or proposal.

**Emergency Situation** may include but is not limited to situations where a risk to health and / or safety of students, staff, parents, volunteers or in a situation where a risk exists of imminent damage to any of the TCDSB properties or facilities.

**Procurement** means the combined functions of purchasing, contract administration and disposal of surplus equipment and supplies.

**Single Source** means the selection of a vendor to provide goods or services without utilizing a competitive process where there is more than one vendor capable of supplying the goods or services.

**Sole Source** means a vendor who due to patent, copyright or proprietary rights limits availability of a good or service.

**Supervisory Personnel** means one who is in charge of a particular department, school or unit and responsible for directing staff behavior.

**Supply Chain Code of Ethics** sets out the basic principles of conduct and defines acceptable behaviours for individuals involved with Supply Chain Activities.

## **Evaluation and Metrics:**

1. The policy will be reviewed every five years
2. On a quarterly basis procurement activities/contract awards between \$50,000 - \$150,000 for Goods & Services and \$50,000 - \$250,000 for Capital/Renewal expenditure will be reported to the Board for information. This reporting will occur in March, June, September and December.