

EDUCATIONAL FACILITIES MANAGERS ASSOCIATION OF BRITISH COLUMBIA

Procurement

The purpose of this document is to establish standards and practices for the procurement of supplies, equipment, and services. It is the intent of this policy to ensure that they are obtained as economically as possible through an open and competitive process, and that contracts are managed with established administrative practices and sound business judgment.

Code of Conduct

A Code of Conduct shall govern the performance, behaviour, and actions of the Association, including Board Executive member(s), employee(s), director(s), vendor(s), or agents who are authorized by EFMA Administration in any aspect of procurement, including – but not limited to – purchasing goods and services; awarding contracts and grants; or the administration and supervision of contracts.

For the purpose of this Article, Board Executive member(s), employee(s), director(s), vendor(s), or agent(s) shall be referred to as EFMABC Representative(s) or EFMA Representative(s)

EFMABC Representative(s):

1. Shall **NOT** participate in the selection, award or administration of a bid or contract supported by Association's funds if a conflict of interest is real or apparent to a reasonable person.
2. Must be aware that Conflicts of interest may arise when there is a financial, family or any other beneficial interest in the vendor or vendors firm selected or considered for an award to provide goods and services.
3. Shall **NOT** do business with award contracts to, or show favouritism toward a member of their immediate family, spouse's family or to any company, vendor or person who either employs or has any relationship to a family member. You will **NOT** award a contract or bid which violates the spirit or intent of Federal, Provincial, and local procurement laws and policies established to maximize free and open competition among qualified vendors.
4. Shall neither solicit nor accept gifts or services in excess of \$50 as outlined in 8.5 of EFMABC Standards and Practices
5. Must be aware that, as permitted within the EFMABC by-laws, the Association shall pursue appropriate legal, Administrative, or disciplinary action against who is alleged to have committed, has been convicted of or pled no contest to a procurement related infraction. If said person has been convicted, disciplined or pled no contest to a procurement violation, said person shall be removed from any further responsibility of serving the Association.

Solicitation and Competition

All procurement transactions will be conducted to provide – to the maximum extent possible – free and open competition among suppliers. The Association will decide on the basis of need for the procurement, to avoid the purchase of unnecessary items (this may include an examination of lease versus purchase alternatives). The purchaser must identify and clearly specify standards for the goods or services desired and seek competitive offers where possible to obtain the best possible quality at the best possible price.

General Terms:

- Some form of cost or price analysis shall be made and documented in the procurement files in connection with every procurement action. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted and market prices, together with discounts.
- Procurement files shall also include any/all handwritten notes, emails, texts that are pertinent in any future review of the files.
- Bids must be sought for goods and services exceeding \$20,000.00.
- Competitive bids will be utilized and requests for these bids will be written in a way that does not restrict competition.

Selection

Price should be one of the factors in the evaluation of responses, but the Association is not required to take the lowest price if other factors are important to the decision.

- There should be an objective method for selection, and any factors for evaluation and selection should be listed in the procurement documents.
- Awards shall be made to the bidder or offeror whose bid is responsive to the solicitation and is most advantageous to the Association (price, quality and other factors considered).
- A bid may be rejected when it is in the Association's interest to do so.

Single Source Justification

There are occasions when products/services over a value of \$20,000 must be purchased from one specific source or manufacturer. Personal preference for certain brands or products does not justify limiting competition. Whenever possible competition should be encouraged and developed however products or services may be purchased on a single source basis .

Documentation

At a minimum, procurement records must clearly show how the Association:

- Executed price sampling for small purchases;
- Selected the method of procurement and the type of contract to be used;
- Determined which bids or proposals to accept and which to reject; and
- Determined the basis for the contract cost or price.

Contract Administration

The Association has an overall system of contract administration to ensure proper oversight and management of procurement actions. The Association is responsible for evaluating contractor performance and documenting, as appropriate, whether contractors have met the terms, conditions and specifications of the contract. This may include progress inspections, interim products, inspection of goods delivered, and other such methods that provide assurance that the goods or services purchased are being delivered within the scope of the contract.

The Organization's contract administration system must ensure that:

- The method of procurement is documented and records maintained for five years after final payment is made;
- All activities are carried out and costs are incurred in compliance with applicable requirements; and
- Before payment is made, services that were performed and/or all goods that were obtained, were adequate and consistent with the contract

Credit Cards

The Association will use Visa or MasterCard as a means to purchase goods and services where and when necessary, on behalf of Association business. There shall be two cards allocated for this purpose. The Executive Operations Committee may authorize additional cards if needed. All transactions using the credit cards must be supported by original or copies of receipts. The receipts must show GST and PST where applicable in accordance with Generally Accepted Accounting Principles.

Credit Cards shall be issued to the following positions using the following spending limits. Increases or decreases of the credit limits must be approved by the Executive Operations Committee.

- Executive Secretary (Daily spending limit \$10,000)
- Executive Director (Daily spending limit \$3,000)

EFMA "Best Practices"

- For procurements under \$1,000, the decision may be made by the grantee or Association's Secretary Treasurer
- For procurements from \$1,000 to \$9,999, prior approval needs to be obtained from the "Executive Operations Committee".
- For procurements from \$10,000 to \$19,999, prior approval needs to be obtained from the full EFMA Executive
- For procurement over \$20,000.00, prior approval needs to be obtained from the full Executive and an open competition must take place.