

## PURCHASING AND TENDERING

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- (1) Competitive tenders on quotations shall be solicited in connection with all purchasing of goods and services which exceed the amount prescribed by Manitoba Education and tenders and contracts shall be awarded to the lowest responsible bidder complying with specifications and with other stipulated conditions, except as otherwise stated in this policy.
- (2) The following tenders shall be presented to the Board of Trustees for decisions; unless the province is awarding the tender:
  - (a) additions to existing buildings,
  - (b) new buildings,
  - (c) buses;

All other tenders may be awarded by the Secretary-Treasurer.

- (3) Where the lowest tender meets specifications, but is not suitable, a recommendation and referral shall be made to the Finance, Facilities, Transportation, and Technology Committee.
- (4) The metro Winnipeg school division purchasing committee has undertaken joint tenders on behalf of all or some divisions and intends to pursue this practice on an ongoing basis. It shall be recognized that the division will participate in certain tenders and will assign authority to award tenders to the metro Winnipeg school division purchasing committee having representation from the Winnipeg area divisions. Each year, the Finance, Facilities, Transportation, and Technology Committee shall receive a summary of tenders undertaken by the metro Winnipeg school division purchasing committee. Administration shall maintain a file for such tenders, such file to be available for review by the committee upon its request.
- (5) The division shall, from time to time, request to be included on individual tenders issued by other metro school divisions. Each year, the Finance, Facilities, Transportation, and Technology Committee shall receive a list of these tenders.
- (6) All expenditures for the provision of goods and/or services exceeding the amount prescribed by Manitoba Education shall be subject to public tenders and advertising except as provided in Section 70 of the Public Schools Act.

It shall be understood that exceptions may be made as follows:

- (a) where the goods and/or services are available from a single source; or

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- (b) where the goods and/or services must be compatible with existing equipment;  
or
  - (c) where an emergency situation is deemed to prevail; or
  - (d) where the division has entered into an agreement with a procurement group.
- (7) A file shall be developed for every tender and shall be available for review by a trustee upon individual request. The said file shall contain the following:
- (a) a copy of the tender advertisement;
  - (b) general and specific conditions of the tender;
  - (c) tender forms submitted by tenderers;
  - (d) a tabulation of bids received;
  - (e) a report containing a description of the deliberations of those persons reviewing tenders and determining the tender award, the said report to detail any unusual factors influencing the award;
  - (f) award letter.
- (8) All tender advertisements shall be over the name and title of the Secretary-Treasurer. Where information regarding specifications or any other aspect of the tender may be better known by a staff person other than the aforementioned, that person's name and title may be contained in the public advertisement. All purchase of goods or services over \$100,000 and construction projects over \$250,000 must be advertised electronically in accordance with the provisions of the Internal Trade Agreement.
- (9) When a department other than the Secretary-Treasurer department has occasion to tender any of its requirements, all documents (general conditions, specifications, drawing, bid sheets) related to such tenders shall be referred to the Secretary-Treasurer for scrutiny and approval prior to the advertisement of the tender and the circulation of documents to interested parties.
- (10) Prior to the closing time for receiving tenders, the board office shall be responsible for the receipt and physical control of tenders. Following the closing time for any tender, tender forms shall be turned over to the person supervising tender evaluation and award.

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- (11) Following the closing time for tenders originating from departments other than the Secretary-Treasurer department, a meeting shall be convened with officials of that department and the Assistant Secretary-Treasurer to review tenders received and to determine an appropriate tender award.
- (12) Where goods and/or services are not tendered and are anticipated to cost less than the maximum amount prescribed by Manitoba Education, formal written quotations shall be obtained. Wherever possible, a minimum of three quotations should be obtained.
- (13) A file shall be developed for every formal quotation and will contain at least the following:
  - (a) general and specific conditions of the quotations; or
  - (b) all original quotation forms as submitted by bidders; or
  - (c) a recap of quotations; or
  - (d) copies of quotation award letters.

Formal quotation files are to be held at the board office until closing time of the quotation.

- (14) The Assistant Secretary-Treasurer is authorized to issue purchase orders without board approval when all or any of the following circumstances have been complied with as they may apply:
  - (a) where tenders may be awarded without reference to the board; or
  - (b) where formal tendering procedures are not required by policy or provincial statutes; or
  - (c) when budget appropriations are adequate to cover such obligations.
- (15) No board member, officer, or employee of the school division shall be interested financially in any contract entered into by the board. This shall also preclude acceptance of any gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the division.
- (16) No employee of the division shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with their duties or responsibilities within the division.

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