

3.1 Procurement Policy

Policy Statement

Procurement of goods, services, construction, and facilities by the government of Nova Scotia, and by public-sector entities that are provincially funded, shall be governed by the Province of Nova Scotia Policy on Government Procurement, as revised September 1, 2005.

Rationale

The intent of this policy is to establish and maintain a high level of confidence in the procurement process by ensuring that all public sector procurement is carried out in an open, fair, consistent, and competitive manner.

The Minister of the Office of Economic Development has management and supervision of the Procurement Branch, which administers the Province of Nova Scotia Policy on Government Procurement.

Policy Objectives

- ensure that the government's requirements for goods, services, construction, and facilities are met through an open and fair process that provides the highest degree of competition and value to the province
- ensure that all bidders have reasonable notice and opportunity to tender
- foster economic development by giving every capable Nova Scotia supplier the opportunity to do business with the government
- encourage Nova Scotia businesses to be competitive and to sustain quality product development
- adhere to the Agreement on Internal Trade and the Atlantic Procurement Agreement, which create opportunities for Nova Scotians
- treat out-of-province bidders in the same way as their jurisdiction would treat bidders from Nova Scotia

Application

This policy applies to all departments, agencies, boards, and commissions of the Government of Nova Scotia.

Public-sector entities that are provincially funded, such as academic institutions, schools boards, health authorities, and Crown corporations who have not yet developed and adopted their individual Procurement Policy will abide by the Province of Nova Scotia Policy on Government Procurement dated September 1, 2005.

This policy applies to all goods, services, construction, and facilities procured by purchase, contract, lease, or long-term rental.

Accountability

The Minister of the Office of Economic Development is responsible for promoting and implementing this policy.

The deputy minister of a government department or head of an agency, board, commission, or other public-sector entity is responsible for ensuring conformity with this policy.

Any employee of a department, agency, board, commission, or other public-sector entity who has responsibility for the procurement of goods, services, construction, or facilities must adhere to this policy.

When a procurement is to be undertaken that is an alternative (untendered) procurement, an unsolicited proposal, or is to be for a price other than the lowest tender, the deputy head in the client department must approve the procurement, where appropriate, in consultation with the Procurement Branch. A report of these transactions will be prepared on a regular basis and forwarded to the Deputy Head with an annual report to the Minister of Economic Development.

Monitoring

All procurement activities will be subject to audit by the Auditor General and Corporate Internal Audit division of the Department of Finance. All procurement activities will also be subject to compliance testing by the Procurement Branch for the purpose of outreach and education.

Directives

- Requirements up to maximum threshold values will be acquired by departments at competitive prices, in accordance with procedures established by the Procurement Branch. The thresholds are as follows:

Goods: \$5,000

Services: \$10,000

Construction: \$10,000

Facilities: up to 2,500 square feet

- Requirements exceeding the delegated thresholds will be publicly advertised to all interested bidders through the Nova Scotia Procurement website.
- Website notification may be augmented by specific invitations to vendors selected by the department. Further augmentation by newspaper advertising is optional for goods requirements over \$25,000, services over \$50,000, construction over \$100,000, and facilities over 2,500 square feet.
- Alternative procurement processes may be used subject to the prior approval of the appropriate deputy head or persons with delegated signing authority. (Appropriate circumstances are described in Sections 8.1 through 8.20 of the Province of Nova Scotia Policy on Government Procurement, and in greater detail in Government Procurement Processes; see **References**.) Such processes are not to be used for the purpose of avoiding competition or to discriminate against specific suppliers.
- Departments must ensure that all procurement transactions are properly authorized, recorded in the Provincial Corporate Financial Management System, and supported by appropriate documentation. Repeated failure to comply with the Procurement Policy may result in the withdrawal of purchasing authority from an individual, branch, or department.
- The Procurement Branch of the Office of Economic Development shall prepare and provide to the Minister an annual report on procurement activity.

Guidelines

Joint purchasing of goods and services by all levels of the public sector is encouraged where the arrangement results in overall cost savings or other substantial advantages. Crown corporations and the publicly-funded MASH sector (Municipalities, Academic Institutions, School Boards and Health Authorities) may participate in such arrangements where this will benefit both their organization and the province.

References

The following reference materials may be obtained from the Procurement Branch or from the Policies and Guides section of the Public Tenders website at <<http://www.gov.ns.ca/tenders>>.

Province of Nova Scotia Policy on Government Procurement

Government Procurement Process, Office of Economic Development, Procurement Branch

Summary and Overview Procurement Policy Revisions, September 1, 2005, Office of Economic Development, Procurement Branch

Government Procurement Process - ASH Sector, Office of Economic Development, Procurement Branch

Construction Contract Guidelines, Department of Transportation and Public Works

Facilities Procurement Guide, Department of Transportation and Public Works

Alternative Practices Report Form, Office of Economic Development, Procurement Branch

Guide to the Submission and Evaluation of Unsolicited Proposals, Office of Economic Development, Procurement Branch

Vendor Complaint Process, Office of Economic Development, Procurement Branch

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Approval date: August 3, 2005

Approved by: Executive Council

Manual release date: January 9, 2003

Most recent review: September 20, 2005
