

1.0 POLICY STATEMENT

- 1.1 All Goods and/or Services shall be procured by authorized MacEwan University employees through effectively managed, properly planned and executed procurement processes that are in compliance with legislated requirements and facilitate fiscal stewardship, demonstrate value, and promote financial sustainability and accountability.

2.0 PURPOSE

- 2.1 This policy provides the foundation for all procurement matters related to MacEwan's affairs and serves as a foundation for other policies and procedures on administrative and operational matters related to the acquisition of Goods and/or Services.
- 2.2 The purpose of this policy is to ensure procurement decisions and activities make optimum use of resources for an intended purpose, demonstrate the values and mission of MacEwan University, and are fully compliant with public procurement trade agreements and legislation, other related MacEwan policies and established University procedures.

3.0 APPLICABILITY

- 3.1 This policy applies to all Employees of MacEwan University who are involved in the acquisition of Goods and/or Services as defined within this policy.
- 3.2 Goods and/or Services excluded from this policy are:
- Employment related contracts;
 - Goods for resale in any University operated retail outlet;
 - Property leases and/or acquisition of land or buildings;
 - Library collection materials;
 - Contracts which are subject to specialized policies and procedures (e.g. Research and/or Collaboration Agreements);
 - Employee benefits insurance and/or pension plans;
 - Legal services; and/or
 - Insurance services.

4.0 DEFINITIONS

Competitive Bid

The formal procurement process by which potential Suppliers are invited to submit proposal(s) to supply Goods and/or Services to the University.

Contract

Any agreement entered into on behalf of the University with a third party that creates a legally binding obligation, commitment, right or liability for the University, including memoranda/letters of understanding or cooperation and/or letters of intent.

Employee

An individual employed by the Board to perform services for the University. Employee does not include students and other individuals who are not employed by the Board.

Expense Procurement and Contract Services (EPACS)

The department authorized and responsible for the execution and maintenance of all requirements related to the procurement of Goods and/or Services identified within this policy and including any accompanying procedures.

Goods and/or Services

Includes all personal property of any kind including, without limitation, all equipment, materials, supplies, software and/or any work, duty, or labour performed by a Supplier; exclusive of those as identified in item 3.2 of this policy.

Procurement Agent

An Employee of the University who has been delegated authority to act on behalf of the University with respect to procurement.

Supplier

Any entity or individual who may be engaged by the University through a procurement process to provide Goods and/or Services. For the purpose of this policy includes; contractors, consultants, service providers and/or individuals; but does not include Employees as may be determined with reference to the *Determination of Worker's Status* policies and procedures.

Trade Agreements

For the purpose of this policy includes: *New West Partnership Agreement* (NWPTA); the *Canadian Free Trade Agreement* (CFTA); and the *Canada-European Union (EU) Comprehensive Economic and Trade Agreement* (CETA).

5.0 POLICY ELEMENTS

- 5.1 Procurement decisions, actions and communications will be undertaken as guided by the following key principles:
 - 5.1.1 Ensure the highest level of professional and organizational integrity is applied;
 - 5.1.2 Ensure procurement meets the operational requirements of the university while maximizing value for money and use of resources for intended purpose;
 - 5.1.3 Ensure procurement processes provide an open, non-discriminatory, unbiased, fair and transparent environment for Suppliers to earn university business;
 - 5.1.4 Ensure real and perceived conflicts of interest are avoided throughout the procurement process; and
 - 5.1.5 Ensure environmental, social and ethical sustainability factors are considered when procuring University requirements.
- 5.2 The officer responsible for EPACS has the authority to act as the Procurement Agent of the University for the acquisition of all Goods and/or Services included within the scope of this policy.
- 5.3 All acquisitions of Goods and/or Services must be properly authorized in accordance with the university policies and procedures, including but not limited to; *Delegation of Authority* and *Contract Review and Signing Authority Policies* and all accompanying procedures.

- 5.4 EPACS shall administer, facilitate and support the procurement processes of the University, and shall identify related procedures and/or sub-processes, including but not limited to:
- 5.4.1 Competitive Bid (refer to *Procurement Competitive Bid and Competitive Bid Exemption Procedure and Request Form*);
 - 5.5.2 Contract administration, (refer to *Procurement Contract Procedure*);
 - 5.4.3 Procure to Pay (refer to *Procurement Procure to Pay Procedure*); and
 - 5.4.4 Expense reimbursement, including University-issued credit cards (i.e. P-card program) (Refer to *Allowable Expenses Policy and related procedures and Guidelines*).
- 5.5 The Competitive Bid thresholds established for the University shall be aligned with all requirements identified by the applicable Trade Agreements with respect to the obligations for public procurement.
- 5.5.1 The *Procurement Competitive Bid and Competitive Bid Exemption Procedure* identifies the applicable threshold and the method of valuation; and
 - 5.5.2 EPACS is responsible for the facilitation of the Competitive Bid processes for the University.
- 5.6 All Employees shall ensure the following principles, requirements, and practices are adhered to with respect to Supplier gifts and/or donations during any procurement process.
- 5.6.1 Employees shall remain free from any obligation to any Supplier. Employees shall at no time, or under any circumstances, solicit or accept directly or indirectly, any monetary or material gift, discount, benefit or other thing of value from a Supplier which might influence or appear to influence a procurement decision;
 - 5.6.2 Voluntary donations to MacEwan shall not be solicited and offers shall not be accepted from any Supplier while that Supplier is engaged in a procurement process with MacEwan. For further clarity, this blackout period shall begin when the procurement opportunity is issued (i.e. Competitive Bid) and end once the contract is awarded.
 - 5.6.3 No current or prospective Supplier of Goods and/or Services to MacEwan shall be penalized in any procurement decision for declining a solicitation for donations to MacEwan.

6.0 ASSOCIATED PROCEDURES

- Procurement Competitive Bid Exemption Procedure
- Procurement Contract Procedure
- Procurement Procure to Pay Procedure
- Allowable Expense Procedure

7.0 RELATED POLICIES, FORMS, AND OTHER DOCUMENTS

- Allowable Expenses Policy
- Procurement Competitive Bid Exemption Request Form
- Delegation of Signing Authority Policy
- Contracts Review and Signing Authority Policy
- Employee Code of Conduct
- Determination of a Worker's Status Policy
- Conflict of Interest and Commitment
- Executive Officer Signing Procedure
- Sustainability Policy

8.0 ACCOUNTABILITY

Policy Sponsor

Vice President, Resources and People

Responsible Office

Expense Procurement and Contract Services (EPACS)

9.0 HISTORY

Relevant Dates

Approved: **18.12.13**

Effective: **19.01.01**

Next Review: **24.01.01**

Modification History

10.02.18: New Policy approved by Board Motion 01-02-18-2009/10. (This policy replaces D5010 Procurement and Contracts)

18.12.13: Revised policy approved by Board Motion 02-12-13-2018/19. Policy has been re-named and revised to reflect new legislation and regulations for public procurement and additional guidance to university planning relative to supplier gifts and donations.