

3.1 Sustainable Procurement Policy

Policy Statement

This policy has been designed to drive best value for the expenditure of public funds on the acquisition of goods, services and construction through maximizing competition, adopting commercially reasonable business practices, and conducting open, fair and transparent procurement processes.

Definitions

For the purposes of this policy, the following definitions are provided:

ALTERNATIVE PROCUREMENT PRACTICES (ALTP)

Specialized or exceptional practices that allow for deviation from the procurement processes that the value or nature of the goods, services or construction would normally require. This could include a non-competitive procurement in the place of a competitive process, and a limited competition in the place of an open competition.

BEST VALUE

In order to establish best value, bids may be evaluated not only on purchase price and life cycle cost considerations, but also items such as environmental considerations, social considerations, delivery, servicing and the capacity of the bidder to meet other criteria as stated in the bid documents.

BID

A submission in response to a solicitation document.

BIDDER

A supplier that submits a bid.

CHIEF PROCUREMENT OFFICER

The Chief Procurement Officer for the Province pursuant to the *Public Procurement Act*.

COMPETITIVE PROCESS

A process for soliciting competitive bids from suppliers and includes an open competition, an invitational competition and a limited competition.

CONSTRUCTION

Construction, reconstruction, demolition, repair or renovation of a building, structure, road or other engineering or architectural work, but does not include professional consulting services related to the construction contract, unless they are included in the procurement.

CROWN CORPORATION

A body corporate conferred such status pursuant to the *Finance Act* or any other act of the Legislature and designated by the regulations as a crown corporation for the purpose of the *Shared Services Act*.

DEPARTMENT

A department, office or agency created by or pursuant to the *Public Service Act*.

GOODS

Materials, furniture, merchandise, equipment, stationery and other supplies required by a public sector entity for the transaction of its business and affairs, and includes services that are incidental to the provision of such supplies.

GROUP PURCHASING ORGANIZATION (GPO)

An entity that helps public sector entities realize savings and efficiencies by aggregating purchasing volume and using that leverage to negotiate discounts with manufacturers, distributors and other suppliers.

INVITATIONAL COMPETITION

A competitive process in which an invitation to submit bids is issued to at least three suppliers.

LIMITED COMPETITION

An alternative procurement practice that may be used where the circumstances permit the procurement of goods, services or construction through an invitational competition when an open competition would otherwise be required.

MAJOR PROJECT

A procurement project of a value, complexity, risk level or profile that requires a significant allocation of attention and time and may require the involvement of multiple stakeholders.

NON-COMPETITIVE PROCUREMENT

The procurement of goods, services or construction outside of a competitive process, but does not include the procurement of goods, services or construction from a standing offer provided the procurement falls within the terms and any monetary thresholds applicable to the standing offer.

NOVA SCOTIA PROCUREMENT WEB PORTAL

The websites maintained and operated to facilitate the procurement process.

OPEN COMPETITION

The solicitation of bids through a publicly posted solicitation document.

OPEN COMPETITION THRESHOLDS

The monetary values set out in the Procurement of Goods, Services and Construction section of this policy above which goods, services or construction are to be procured through an open competition.

PERSONAL SERVICES CONTRACTS

An agreement that establishes an employment relationship between an individual and a department, office or government agency, whether or not the terms are in writing, and includes any amendment of or extension to such an agreement.

PROCUREMENT

The Procurement Branch of the Department of Internal Services.

PROCUREMENT MANUAL

A series of protocols to provide detailed guidance to procurement processes.

PROCUREMENT PROJECT

Any procurement of goods, services or construction with a value above open competition thresholds, except where the procurement is made through an existing standing offer, in accordance with this policy and applicable protocols.

PROCUREMENT PROJECT PLAN

A comprehensive plan that must be completed for every procurement project.

PROVINCE

The Province of Nova Scotia.

PUBLIC SECTOR ENTITY

A department, Crown corporation, health authority or any other entity designated in the regulations under the *Shared Services Act* as a public sector entity.

SENIOR ADMINISTRATIVE OFFICER

A deputy minister or equivalent of a public sector entity.

SERVICES

Services required by a public sector entity for the transaction of its business and affairs, including professional consulting services, but does not include services provided by an employee of a public sector entity through personal services contract.

SOLICITATION DOCUMENT

The document used to solicit bids from bidders.

STANDING OFFER

A continuous offer from a pre-approved supplier to supply goods and/or services, as requested, through the use of a call-up process during a particular period of time, at a predetermined price or discount, generally within a pre-defined dollar limit. For clarity, this also includes contracts established through the managed service provider (MSP) program.

STRATEGIC INFRASTRUCTURE PARTNERSHIPS (P3)

A long-term performance-based approach for procuring public infrastructure where the private sector assumes a major share of the responsibility in terms of risk and financing for the delivery and the performance of the infrastructure, from design and structural planning, to long-term maintenance.

SUPPLIER

A person carrying on the business of providing goods, services or construction.

SUSTAINABLE PROCUREMENT

A holistic approach to government procurement that considers the environmental, economic and social factors related to the goods, services and construction that are procured.

Policy Objectives

The objective of this policy is to ensure the Province's requirements for goods, services and construction are achieved through integrating an innovative approach in all procurement efforts resulting in:

- Responsible management of public resources
- Clear client focus
- Adoption of continuous improvement practices

- Optimized sourcing solutions through enhanced category management and strategic sourcing practices
- Transparency, compliance, and sustainability
- Accountability to all stakeholders
- Adherence to the highest standards of ethical conduct

Application

The Nova Scotia Sustainable Procurement Policy applies to all public sector entities in the acquisition of all goods, services and construction. It also applies to the establishment of strategic infrastructure partnerships (P3), as well as the establishment of partnerships with group purchasing organizations (GPO), but may not apply to subsequent procurement activity of successful proponents once those partnerships have been established.

This policy does not apply to any form of assistance including grants, loans, equity infusions, guarantees or fiscal incentives. This policy does not apply to the acquisition or rental of land, existing buildings, or other immovable property or the rights thereon. In addition, this policy does not apply to the establishment of personal services contracts.

This policy is designed to help achieve the objectives of the *Shared Services Act* and the *Public Procurement Act*, while supporting the sustainable procurement goals identified in the *Environmental Goals and Sustainable Prosperity Act* and the *Green Economy Act*.

Policy Directives

PROCUREMENT PROJECT PLANNING

Effective project planning is essential to ensuring effective results and limiting risk. Planning must be completed for every procurement project. Procurement is responsible for ensuring planning is completed for every procurement project in accordance with the Procurement Project Planning Protocol found in the Procurement Manual. The exception to this would be in the case of an Emergency Procurement as outlined in the Emergency Procurement section of this policy.

Sufficient time must be set aside to properly plan for a procurement project. Planning will include consideration for:

- a. an initial business case including a mapping statement and estimated procurement value
- b. determining other internal advice that may be required (e.g., Legal, Finance)
- c. determining if external resources are required (e.g., use of a fairness monitor)
- d. determining the appropriate execution strategy (e.g., Open, Non-Competitive, Limited)
- e. developing proper specifications and business requirements including identifying opportunities for consolidation of requirements
- f. pricing structures
- g. evaluation plan (Open and Limited Processes only)
- h. format selection (Open and Limited Processes only)
- i. justification for using an Alternative Procurement Practice (Non-Competitive or limited competition only)

MANDATORY USE OF STANDING OFFERS

It is mandatory for public sector entities to use existing standing offers to achieve contracted benefits through the consolidation of purchases. This includes contracts established through a group purchasing organization. Access to the list of standing offers and applicable contracts established through a group purchasing organization are available to public sector entities via the Nova Scotia Procurement Web Portal.

Public sector entities are responsible for checking the list of standing offers and applicable group purchasing organization contracts already established for a spending category. If a standing offer exists for a spend category, related procurements must be conducted in accordance with the applicable Standing Offer Protocol found in the Procurement Manual.

If the specifications on the standing offer do not satisfy a public sector entity's requirement, the public sector entity must obtain approval from Procurement to purchase outside of the standing offer.

PROCUREMENT OF GOODS, SERVICES AND CONSTRUCTION

If no standing offer exists for a spending category, public sector entities must procure goods, services and construction over \$2,500 in accordance with the following tables (all values excluding taxes):

Departments	LOW VALUE		HIGH VALUE
	Quotes	Invitational Competition	Open Competition
Goods	<\$10,000	N/A	\$10,000 and above
Services	<\$10,000	\$10,000 - \$49,999	\$50,000 and above
Construction	<\$10,000	\$10,000 - \$99,999	\$100,000 and above
PROCUREMENT PLANNING REQUIRED			✓

ALL OTHER PUBLIC SECTOR ENTITIES	LOW VALUE		HIGH VALUE
	Quotes	Invitational Competition	Open Competition
Goods	<\$10,000	\$10,000 - \$24,999	\$25,000 and above
Services	<\$10,000	\$10,000 - \$49,999	\$50,000 and above
Construction	<\$10,000	\$10,000 - \$99,999	\$100,000 and above
PROCUREMENT PLANNING REQUIRED			✓

Dividing procurement activity to reduce or keep the procurement value below certain thresholds is not permitted. If a public sector entity anticipates making multiple purchases of the same requirement, the total value of all anticipated purchases must be used to determine the appropriate procurement process. For purchases which contain a Good and Service component, the procurement is classified based on the largest portion of spend.

Public sector entities are responsible for ensuring all appropriate internal approvals are obtained and internal processes are followed prior to engaging in any procurement activity. Examples include but are not limited to Treasury Board Directives and Information, Communication and Technology Services (ICTS) approvals.

Low Value Procurement

If the value of the goods, services or construction are less than \$10,000

Public sector entities are expected to obtain competitive quotes wherever possible and award to the bid that provides the best value. The exception to this would be the use of an Alternative Procurement practice, as outlined in the Alternate Procurement Practices section of this policy. For goods, services or construction below \$2,500, quotes are not required.

If the value of the goods, services or construction is \$10,000 and over but less than open competition thresholds

Public sector entities are required to conduct an invitational competition. The exception to this would be the use of an Alternative Procurement practice, as outlined in the Alternate Procurement Practices section of this policy. All invitational competitions must be conducted in accordance with the Invitational Competition Protocol found in the Procurement Manual. Where possible, invitational competitions are addressed to qualified suppliers located in Nova Scotia.

Senior administrative officers are responsible and accountable for all low value procurement decisions and transactions. All documentation related to low value procurement must be retained by the public sector entity and may be subject to review in accordance with this policy.

High Value Procurement

If the value of the goods, services or construction is above open competitions thresholds, public sector entities must work with Procurement to conduct a competitive process. The exception to this would be the use of an Alternative Procurement practice, as outlined in the Alternate Procurement Practices section of this policy. Open competitions are posted on the Nova Scotia Procurement Web Portal.

All open competitions must be conducted in accordance with the Open Competition Protocol found in the Procurement Manual.

All solicitation documents must be assembled in accordance with the Document Drafting Protocol found in the Procurement Manual. In all circumstances, Procurement must review and approve the final solicitation document before an open competition is initiated.

SUSTAINABLE PROCUREMENT

Procurement maintains current knowledge of product and service standards; codes and certifications; changing market conditions; new green products; innovative technologies; and best practices in sustainable procurement. This knowledge is used to identify and implement strategies for maximizing the economic, environmental, and social value of purchases.

Procurement is responsible for ensuring that the core list of all standing offers contain sustainable goods and services to the greatest extent possible, and that sustainable options are identified and promoted to all public sector entities. Additionally, Procurement will develop standard clauses and guidelines for individual procurement projects as needed for environmental attributes; performance requirements related to waste, hazardous chemicals, energy or water use; and social benefits and economic requirements.

ALTERNATIVE PROCUREMENT PRACTICES

To balance the need to be open and competitive with the demands of urgent, specialized, or exceptional circumstances, alternative procurement practices are used under specific justifications in accordance with the alternative procurement practices Protocol found in the Procurement Manual. Alternative procurement practices must not be used to avoid competition between suppliers or to discriminate against specific individual or groups of suppliers.

For high value procurement

The use of alternative procurement practices must be authorized by the senior administrative officer of the public sector entity. The senior administrative officer may delegate signing authority to an acting or assistant senior administrative officer. The rationale permitting the Alternative procurement practice will be documented on the appropriate form and will provide substantiation for the actions taken. This form must also indicate whether or not the circumstance is supported by Procurement.

Any disagreement between Procurement and the public sector entity with respect to the approval of an Alternative Procurement Practice are to be reviewed and discussed by the Chief Procurement Officer and the senior administrative officer of the public sector entity. Senior administrative officers are responsible and accountable for any decision to authorize or proceed with a procurement process or transaction that does not have the approval of Procurement.

For low value procurement

Public sector entities will be required to complete a low value ALTP form which must be signed by the person making the purchase as well as the person's supervisor or the person with signing authority for the given business area. In all cases, forms require two signatures and must be kept on file by the public sector entity for audit purposes.

Permanent Exemptions

Public sector entities may apply for a permanent exemption for certain goods or services that are considered at the sole discretion of Procurement not to be subject to tender. Any such request must be authorized by the senior administrative officer or his or her designate and the Chief Procurement Officer. A list of permanent exemptions will be made available through routine access to information.

Emergency Procurement

Where an urgent need arises due to an immediate risk to the safety or health of employees or the general public or because of the possibility of serious damage to public or private property, a senior administrative officer is authorized to procure the necessary goods, services or construction as he or she determines appropriate. In doing so, the senior administrative officer should take into account and fulfill the objectives and requirements of this policy to the extent possible under the circumstances.

STRATEGIC ROLE OF PROCUREMENT

Procurement leads the Province's procurement operations on behalf of all public sector entities. In fulfilling this role, Procurement has the authority to determine the appropriate procurement strategies and processes for acquiring goods, services and construction to guide procurement decisions, requirement definitions and to establish standing offers for mandatory use by all public sector entities.

Procurement has the authority to participate in the planning, budgeting, and tangible capital asset (TCA) processes with public sector entities to identify areas where efficiencies could be realized through aggregate spending and cooperative procurement initiatives.

Procurement has the authority to obtain category-related financial and operating information for all public sector entities to identify priority spending areas that have high impact on overall operating costs and present significant opportunity for savings.

Procurement has the authority to determine requirement definitions that impact the spending for priority procurement categories, introduce changes to drive operating efficiency, establish benefit tracking mechanisms for key contracts, and manage strategic relationships with suppliers.

CONTRACT NEGOTIATION AND APPROVALS

Contract Negotiations

Where the solicitation document provides for negotiation to take place Procurement may engage in negotiations with potential suppliers. Any proposed changes to the standard contract terms and conditions must be reviewed by Legal Services prior to finalizing the contract.

Contracting Approval and Signing Authority

Public sector entities are responsible for approving and entering into contracts with suppliers for goods, services and construction, including issuing purchase orders and signing agreements. The exception to this would be, as per Section 5A of the *Public Procurement Act*, which permits the Minister of Internal Services (or a person delegated by the Minister of Internal Services) to execute a Procurement contract on behalf of another department where the Minister of that department has given permission in writing to do so.

A contract must not be entered into unless all procurement approvals, as required by this policy and applicable procedures and protocols, have been obtained.

Each public sector entity must maintain an updated and easily accessible record of the delegation of contract approval and signing authority to particular individuals within the public sector entity.

Original contracts are to be retained by public sector entities and copies of all contracts signed by the public sector entities must be provided to Procurement for inclusion in a centralized database to be maintained by Procurement.

AWARD NOTIFICATION

After a contract has been entered into pursuant to an open competition, Procurement will post the name of the successful supplier and the value of the awarded contract on the Nova Scotia Procurement Web Portal. For open competitions resulting in the award of a standing offer contract, only the name of the successful bidder(s) will be published.

For contracts entered into after a limited competition or for a high value non-competitive procurement, Procurement will post the name of the successful supplier and the value awarded on the Nova Scotia Procurement Web Portal as is required under applicable trade agreements.

Public sector entities are responsible for notifying bidders of the outcome of an invitational competition.

DEBRIEFINGS

Bidders in both open and invitational competitions may request a debriefing of their submission. When requested, debriefings must be scheduled with and conducted in accordance with the Bidder Debriefing Protocol found in the Procurement Manual.

PROCUREMENT COMPLAINT PROCESS

Subsequent to a debriefing, bidders may file a complaint regarding the outcome of a procurement process. Complaints must be made by bidders and responded to by the Chief Procurement Officer in accordance with the Procurement Complaint Protocol found in the Procurement Manual.

CONTRACT MANAGEMENT & SUPPLIER PERFORMANCE EVALUATION

Establishing contract management practices, and assessing supplier performance are both critical to the success of procurement projects. Poor workmanship, unnecessary contract delays and unsafe work practices will not be tolerated. Contracts and standing offers will be managed in accordance with the Contract Management Protocol, Supplier Performance Evaluation Protocol and Standing Offer Protocol found in the Procurement Manual.

SUPPLIER DISQUALIFICATION

Suppliers can be disqualified from participating in future procurement opportunities for any one of the following:

- Failure to honour a bid
- Failure to disclose a conflict of interest
- Unethical bidding practices
- Convicted of bid rigging, price fixing or collusion
- Inadequate performance

The process for disqualification must be in accordance with the Supplier Disqualification Protocol found in the Procurement Manual.

CONFLICT OF INTEREST

All procurement activity must be conducted with integrity so as to maintain the public's trust.

Internal Conflict of Interest

All participants in a procurement process, including all employees of Procurement and public sector entities and all members of the evaluation team, must ensure that there are no undeclared internal conflicts of interest. Evaluation team members must sign individual conflict of interest declarations stating they have no conflict of interest with respect to the procurement process.

Bidders Conflict of Interest

All bidders will be required to declare that there are no conflicts of interest or provide details for any actual or apparent conflicts of interest at the time of bid submission.

Procurement must ensure that all procurement templates include appropriate conflict of interest language and declarations.

CONFIDENTIALITY & ACCESS TO INFORMATION

Confidentiality

Supplier information submitted in connection with a procurement process must be adequately protected.

Access to Information

The Province is subject to the *Freedom of Information and Protection of Privacy Act*. Procurement and public sector entities must be aware of and manage their obligations in respect to the maintenance, release and management of all procurement records.

Personal Information Disclosure

Public sector entities must be aware of the requirements under the *Personal Information International Disclosure Protection Act* of Nova Scotia.

Policy Guidelines

JOINT PROCUREMENT

The Province encourages joint procurement by all levels of the public sector when the arrangement results in overall best value.

If deemed to be in the best interest of the Province, joint procurement with another provincially funded entity, province or the Government of Canada may be pursued. Joint procurement may result in extending the opportunity to other provincially funded entities, provinces or the Government of Canada to participate in the established contracts, or in the Province participating in contracts established by other provincially funded entities, provinces or the Government of Canada through a publicly advertised solicitation. Public sector entities wishing to pursue joint procurement opportunities must contact Procurement to collaborate and evaluate the opportunity.

When two or more entities jointly procure, the provisions of the applicable trade agreements that are more restrictive in nature shall apply to the procurement process.

SUPPORT FOR NOVA SCOTIA, ATLANTIC CANADIAN, AND CANADIAN SUPPLIERS

Preferences

Nova Scotia is committed to seeing its supplier community continue to grow, be competitive and receive fair treatment in other provinces. The Province is party to several trade agreements developed to ensure reciprocal non-discrimination and geographic neutrality. However, in certain circumstances, Procurement may be able to facilitate preferential treatment to a bidder from Nova Scotia, Atlantic Canada or Canada.

Many factors drive the decision to apply preferential treatment such as dollar thresholds in applicable trade agreements, exclusions found within applicable trade agreements and availability of competition in the marketplace. To apply a preference, the solicitation document must clearly state the application of a preference. When a preference is used, the method to be used to determine the preference must be set out in the solicitation documents. In all situations where preference is applied, Procurement must be consulted.

Reciprocity

Nova Scotia

Since not all jurisdictions are prepared to provide reciprocal access to goods, services or construction, the principles of fairness demand that Nova Scotia reserve the right to apply comparable limitations on access. Procurement reserves the right to accept bids from other jurisdictions on the same basis that the procurement authorities in those jurisdictions would treat a bidder from Nova Scotia for a similar requirement. Bidders who choose to respond to an opportunity would do so with the understanding that their bid may be rejected due to the practices of their home jurisdiction. Procurement may consider at its sole discretion best overall value in its decision to accept a bid from a non-reciprocating provincial jurisdiction.

Atlantic Canada

The Atlantic Canadian provinces are committed to providing fair and reciprocal access to business opportunities and to ensuring that the supplier community receives fair treatment in their dealings elsewhere in Canada. Based on the language of the Atlantic Procurement Agreement and in the same context as outlined above, Procurement may reject a bid from a bidder located in a non-reciprocating jurisdiction valued at less than Agreement on Internal Trade thresholds in favour of a bidder from Atlantic Canada.

STAFF TRAINING

Procurement will provide orientation and training as required to employees involved in procurement activities. Supporting the promotion and provision of appropriate education and training for employees involved in procurement activities is required. Employees involved in procurement activities should be knowledgeable with respect to the general principles of public procurement and should pursue relevant training opportunities whenever possible.

SUPPLIER ENGAGEMENT

Procurement will display leadership for supplier engagement by using innovative and well planned strategies and initiatives to identify, attract and retain suppliers to participate in public procurement opportunities. An engaged supplier community helps to maximize competition and assists the Province in obtaining best value for government purchases.

CONTRACTING FOR SERVICES OF INDIVIDUALS

Public sector entities should carefully review the circumstances when contracting for the services of individuals, including through the use of standing offers, to determine whether an employer-employee relationship is established in accordance with criteria established by the Canada Customs and Revenue Agency. For guidance in assessing employer-employee relationships:

- a. consult CRA's current guidance, for example, "Employee or Self-Employed?", publication number RC4110;
- b. where it is not feasible for a public sector entity to determine whether a contract is a contract for services or a personal services contract (i.e., employment status is not easily identifiable), they should seek legal advice.

It is ultimately the responsibility of the public sector entity to ensure contracts that create an employer-employee relationship are established in accordance with the "Personal Services Contract Policy", Chapter 2.1 Management Manual 500 (if applicable to your organization) or other relevant policies applicable to your organization.

Accountability

MINISTER

The Minister responsible for the Department of Internal Services is responsible for promoting and implementing this policy.

DEPUTY MINISTER

The Deputy Minister of the Department of Internal Services is responsible for the overall administration of this policy.

CHIEF PROCUREMENT OFFICER

The Chief Procurement Officer is responsible for ensuring the consistent application of this policy and the provision of procurement services to all public sector entities in an efficient and diligent manner.

SENIOR ADMINISTRATIVE OFFICER

The senior administrative officer of a public sector entity is responsible for ensuring compliance with this policy. Senior administrative officers are accountable for any decision to proceed with a procurement process or transaction that does not have the approval of Procurement. Senior administrative officers are required to address non-compliance with this policy by their public sector entity. Where instances of non-compliance are identified, the senior administrative officer is expected to submit a written confirmation of actions taken to Procurement and Treasury Board.

PROCUREMENT EMPLOYEES

Procurement employees are responsible for consistently applying this policy and all protocols to all procurement projects.

Procurement employees must clearly understand their obligations and responsibilities under this policy and all applicable protocols and consult with the Chief Procurement Officer in respect of any questions regarding the application or interpretation of this policy or any protocols.

Procurement employees are expected to provide procurement services in an efficient and diligent manner, and are encouraged to develop and foster productive and cooperative professional relationships with their colleagues.

PUBLIC SECTOR ENTITY EMPLOYEES

Public sector entity employees are responsible for applying this policy and all protocols to all procurement projects and transactions.

Public sector entity employees must clearly understand their obligations and responsibilities under this policy and all applicable protocols and consult with Procurement in respect of any questions regarding the application or interpretation of this policy or any protocols.

Public sector entity employees are encouraged to develop and foster productive and cooperative professional relationships with their colleagues to ensure successful implementation of this policy.

Monitoring

RECORD KEEPING

All procurement activity must be authorized, properly recorded in the appropriate financial management system, and supported by the appropriate documentation required under the applicable protocols.

AUDIT

All procurement activity is subject to audit by the Auditor General and the Internal Audit Centre for the Province.

PROCUREMENT COMPLIANCE TESTING

Procurement activities are subject to compliance testing by Procurement. The procurement compliance testing results may be used to:

- assess compliance with strategic contracts
- develop strategies to improve compliance
- develop and execute outreach and education programs

Procurement may issue separate reports outlining instances of non-compliance to the senior administrative officer of the public sector entity with a copy to Treasury Board. In cases of non-compliance, Procurement reserves the right to revoke the delegation for low value procurement activity.

REPORTING

Procurement prepares an annual report summarizing key performance indicators for the Deputy Minister of the Department of Internal Services.

Procurement is also responsible to report on sustainable procurement through the *Environmental Goals and Sustainable Prosperity Act* and the *Green Economy Act* as required.

References

All procedures, protocols, and forms referred to in this policy can be found on the internal site of the Nova Scotia Procurement Web Portal.

Public site: <<https://procurement.novascotia.ca>>

The Procurement Manual can be found at the following link:

<<https://procurement.novascotia.ca/media/53284/Protocols.pdf>>

Some of the relevant legislation, trade agreements, and reference documents include:

- *Public Procurement Act*
- *Shared Services Act*
- *Freedom of Information and Protection of Privacy Act (FOIPOP)*
- *Personal Information International Disclosure Protection Act (PIIDPA)*
- *Environmental Goals and Sustainable Prosperity Act (EGSPA)*
- *Green Economy Act*
- Agreement on Internal Trade (AIT)
- Atlantic Procurement Agreement (APA)
- WTO-GPA
- Construction Contract Guidelines
- Atlantic Standard Terms and Conditions
- Facilities Procurement Guide

Enquiries

For further information or clarification regarding this policy please contact:

Chief Procurement Officer, Procurement
Department of Internal Services
1660 Hollis Street, Suite 502
Halifax, Nova Scotia B3J 1V7
Phone: (902) 424-3333

Appendices

Appendix 3-A Applicable Protocols

Approval date:	July 27, 2016	Effective date:	October 1, 2016
Approved by:	Treasury and Policy Board	Administrative update:	December 4, 2020

Appendix 3-A

Applicable Protocols

Type of Procurement	Applicable Protocols
Procurement of less than \$10,000 (unless on an existing standing offer)	None
Procurement under existing standing offer	<ul style="list-style-type: none"> • Standing Offer Protocol
Competitive Procurement of \$10,000 or more and below the open competition thresholds (invitational competition)	<ul style="list-style-type: none"> • Document Drafting Protocol • Invitational Competition Protocol • Bidder Debriefing Protocol (as required) • Procurement Complaint Protocol (as required)
Competitive Procurement at or above the open competition thresholds (open competition)	<ul style="list-style-type: none"> • Procurement Project Planning Protocol • Format Selection Protocol • Document Drafting Protocol • Open Competition Protocol • Contract Management Protocol • Supplier Performance Evaluation Protocol • Bidder Debriefing Protocol (as required) • Procurement Complaint Protocol (as required) • Supplier Disqualification Protocol (as required)
Limited competition at or above the open competition threshold	<ul style="list-style-type: none"> • Procurement Project Planning Protocol • Alternative Procurement Practices Protocol • Format Selection Protocol • Document Drafting Protocol • Invitational Competition Protocol • Bidder Debriefing Protocol (as required) • Contract Management Protocol • Supplier Performance Evaluation Protocol • Debriefing Protocol (as required)

	<ul style="list-style-type: none">• Procurement Complaint Protocol (as required)• Supplier Disqualification Protocol (as required)
Non-competitive procurement of \$10,000 or more	<ul style="list-style-type: none">• Procurement Project Planning Protocol• Alternative Procurement Practices Protocol• Contract Management Protocol• Supplier Performance Evaluation Protocol• Procurement Complaint Protocol (as required)• Supplier Disqualification Protocol (as required)