

Comparison Table

Supply Chain Guideline (SCG) April 2009 vs. Broader Public Sector (BPS) Procurement Directive April 2011

| Directive Req. # | Area of Change | SCG 1.0 April 2009 | BPS Procurement Directive |
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| 2. | Approval Authority | BPS organizations must have a documented delegation of authority schedule and seek the necessary approval for all procurements prior to conducting the procurement. | <p>Goods and non-consulting services: The Board must approve the approval authority schedule (AAS).</p> <p>Consulting services: Addition of AAS specifically for consulting services.</p> <p>General: Language added on not reducing the overall value of procurement to circumvent the requirements of the AAS.</p> |
| 3. | Competitive Procurement Thresholds | BPS organizations must conduct open competitive procurements where the estimated value of procurement of goods, services or construction is \$100,000 or greater. | <p>BPS organizations must competitively procure consulting services irrespective of value.</p> <p>Exemptions must be in accordance with applicable trade agreements.</p> <p>Language added on not reducing the overall value of procurement to circumvent procurement thresholds.</p> |

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| 5. | Supplier Pre-Qualification | Terms and conditions built into a Request for Supplier Qualification (RFSQ) must contain specific language to disclaim any obligation on the part of the BPS organization to actually call on any supplier as a result of pre-qualification. | Further clarification on pre-qualification processes, including establishment and utilization of vendor of record (VOR) arrangements. Language removed that stated if the VOR or preferred suppliers list is to be used for procurements over \$100,000 a supplier that meets the conditions for registration on the list must be able to register at any time. |
| 6. | Posting Competitive Procurement Documents | Calls for those competitive procurements can be made through an electronic tendering system and/or one or more of the following methods: a. Publication in one or more predetermined daily newspapers that are easily accessible to all Canadian suppliers; or b. The use of source lists, such as Vendor of Record's or preferred supplier lists. | Language about additional publication and the use of source lists removed. |
| 7. | Timelines for Posting Competitive Procurements | A minimum response time of 15 calendar days is required for procurements valued at \$100,000 or more. | Language added for organizations to consider response times of 30 days for procurements of high complexity, risk and/or dollar value. |
| 9. | Evaluation Criteria | The competitive documents must identify those criteria that are considered mandatory and any technical standards that need to be met. The evaluation criteria cannot be changed or altered once the competitive process has begun. | Further details on evaluation criteria provided. Alternative solutions/strategies added and moved from mandatory requirement #13 to #9 and further clarification provided. |

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| 10. | Evaluation Process Disclosure | BPS organizations must fully disclose the evaluation methodology and process to be used in assessing a supplier's submission. | Competitive procurement documents must fully disclose the method of resolving tie score (moved from mandatory requirement #14 within the Supply Chain Guideline to mandatory requirement #10 within the BPS Procurement Directive). Competitive procurement documents must state that submissions that do not meet the mandatory criteria will be disqualified. |
| 15. | Executing the Contract | When executing the contract, the organization must obtain the supplier signatures before obtaining the designated organization's signature. In situations where an immediate need exists for goods or services and a contract has not yet been finalized, a letter of intent, memorandum of understanding (MOU) or interim purchase order may be used. | Language removed about order of signatures required. Language updated to state that for an immediate procurement need, only an interim purchase order may be used. The justification of such decision must be documented and approved by the appropriate authority. |
| 16. | Establishing the Contract | The contract must be finalized using the form of agreement/contract that was released with the procurement document. | Alternative procurement strategies (non-contract A / B model) recognized. |
| 17. | Termination Clauses | All contracts must include appropriate cancellation or termination clauses and BPS organizations should seek appropriate legal advice on the development of these clauses. | Language added for organizations to consider, as appropriate, the use of contract clauses that permit cancellation or termination at critical project life-cycle stages. |

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| 21. | Non-Competitive Procurement | Formal documentation must be completed to support and justify the decision of a non-competitive procurement. This documentation must be completed and approved by the appropriate authority levels within the organization and may be used as supporting documentation in the case of a competitive dispute. | Organizations may utilize non-competitive procurement only in situations outlined in the exemption, exception or non-application clauses of the AIT or other trade agreements. Non-competitive procurement approvals and supporting documentation required. |
| 22. | Contract Management | N/A | New mandatory requirement – effective management of procurement and the resulting contract. Procurements and the resulting contracts must be managed responsibly and effectively. |
| 23. | Procurement Records Retention | All procurement documents, as well as any other pertinent information for reporting and auditing purposes must be maintained for a period of seven years and be in recoverable form if requested. | Language added regarding organizations must have a written policy for maintaining suppliers' confidential and commercially sensitive information. |
| 24. | Conflict of Interest | BPS organizations must consider any conflicts of interest during procurement activities. The organization must require any individual involved in supply chain-related activities to declare all actual or potential conflicts of interest. | Where a conflict of interest arises, it must be evaluated and an appropriate mitigating action must be taken. |