



Procurement Policy	
Purpose	To outline the Council's policy for the procurement of goods and services.
Scope	This policy applies to all Canada Council for the Arts employees
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Accountability	SMC
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1. Background

The Canada Council for the Arts (the Council) is accountable to Parliament through the Minister of Canadian Heritage and is governed by an 11-member Board. Achieving best value and demonstrating sound stewardship through effective procurement is integral to the delivery of Council's mandate.

Employees of the Council must understand the legal and policy framework that supports procurement in the Council, their respective responsibilities, and the principles of public sector procurement. These principles include: ensuring that procurement is the proper method for meeting program and organizational needs; choosing the appropriate procurement tool, taking into consideration operational and program needs; adopting measures aimed at advancing socially responsible procurement practices that reduce barriers to entry for diverse, under-represented supplier groups and encourage socially responsible business practices on the part of suppliers; ensuring personal information is appropriately protected and security risks are minimized; acquiring in a timely manner quality goods and services that meet the Council's needs, based on life cycle considerations and considering environmental performance and accessibility requirements; administering procurements cost effectively; and proactively managing contracts.

2. Policy Objective

The objectives of this policy are to ensure that procurement activities are conducted in a manner that: respects the Council's mandate; meets program and operational needs; complies with all relevant laws, statutes, regulations, policies and the Council By-laws; is fair, open and transparent;¹ respects the principles of the *Values and Ethics Code for the Public Sector* and the Council's *Code of Conduct*; demonstrates sound stewardship of public funds, including promoting environmental stewardship and achieving best value; and leverages procurement to pursue socio-economic outcomes.

2.1 Expected Results

The expected results of this policy are as follows:

2.1.1 An effective, risk-based procurement management framework is in place, including governance and oversight mechanisms;

2.1.2 Procurements are managed in a manner that facilitates operational outcomes, protects personal information, minimizes security risks, including cyber security risks, and demonstrates sound stewardship and best value;

¹ Fair means providing equal treatment to all current and potential suppliers; open means providing all potential suppliers with the opportunity to submit bids; and transparent means providing information to Canadians in a timely manner that facilitates public scrutiny of the decisions made and actions undertaken (from the Office of the Procurement Ombudsman)

2.1.3 Procurement decisions are risk-based and consider performance information and an assessment of total life cycle costs, where possible;

2.1.4 Security risks, including cyber security threats to the Council's Internet-connected networks and to sensitive information, are minimized;

2.1.5 Procurement capacity is developed, maintained, and commensurate with organizational needs; and

2.1.6 Procurement actions are fair, open and transparent and can bear the closest of public scrutiny.

3. Scope

This policy applies to all employees of the Council as it relates to contracting for goods, services, and leases of space, and purchases by corporate acquisition cards. It excludes contractual arrangements such as grants, contribution agreements, partnership agreements, prizes, Letters of Agreement, Memoranda of Understanding, service level agreements with other federal government entities and other levels of government, and honoraria.

4. Definitions

Refer to Annex A.

5. Roles and Responsibilities

5.1 Board

The Board is the governing body of the Council and is responsible for overseeing the management of the activities and affairs of the Council in accordance with Council By-laws:

5.2 Director and CEO

The Director and CEO is responsible for:

- i. actions taken under this policy; and
- ii. approving contracts and amendments in accordance with Annex C.

5.3 Chief Financial, Administration, and Security Officer

The Chief Financial, Administration, and Security Officer is responsible for:

- i. establishing a procurement management framework that is risk-based and aligned with the Council's mandate, strategic objectives, and operational requirements, and results in obtaining the necessary assets and services that support the delivery of the Council's programs, while securing best value;

- ii. overseeing the management of the Council's finance and procurement functions, including the Delegation of Authorities and the associated policy framework, to ensure that the functions are operating effectively and efficiently;
- iii. restricting or revoking delegated authorities of individuals where there is significant non-compliance with the Council's Delegation of Authorities;
- iv. ensuring that security practices and security controls related to contracting are defined, documented, implemented, monitored and maintained to meet identified security requirements and the Council's corporate security plan; and
- v. approving contracts and amendments in accordance with Annex C.

5.4 Director, Finance

The Director, Finance is responsible for:

- i. managing the development, implementation, and maintenance of procurement policies, procedures, and supporting tools;
- ii. supporting and managing the Council's procurement processes and related reporting requirements, and monitoring compliance with this Policy;
- iii. providing guidance, training, and awareness sessions for employees on procurement;
- iv. approving contracts and amendments in accordance with Annex C;
- v. sampling approved invoices after payment has been made to ensure that Cost Centre Managers properly approved any invoices; and
- vi. overseeing the requisitioning of payments.

5.5 Procurement Centre of Expertise

The Procurement Centre of Expertise (COE) is responsible for:

- a. providing centralized procurement services;
- b. determining the appropriate procurement strategy, in conjunction with the Cost Centre Manager;
- c. ensuring that the rationale for a non-competitive contract complies with one of the exceptions to competition under S. 6.2 of this Policy;
- d. providing advice to Cost Centre Managers on completing Security Requirements Check Lists (SRCLs);
- e. ensuring that for contracts that do not involve any security requirements, documenting the file accordingly;
- f. reviewing the adequacy of statements of work
- g. for competitive procurements, the evaluation criteria; providing advice to Cost Centre Managers on developing evaluation criteria that reflect the risk and complexity of the procurement, consider environmental and accessibility requirements, and incentivize to the extent feasible, diverse and under-represented supplier groups to bid;
- h. drafting procurement strategies and supporting documentation for Contract Review Committee (CRC) approval;
- i. determining the appropriate selection methodology for competitive procurements;
- j. responding to vendor questions during competitive solicitation processes, and consulting with the Cost Centre Manager as necessary;
- k. preparing competitive solicitation documents and contractual documents;
- l. overseeing the conduct of competitive evaluation processes, evaluating financial bids, and selecting the winning bidder based on the methodology outlined in the solicitation;

- m. reviewing non-competitive proposals to validate the fairness and reasonableness of the price quoted;
- n. consulting Security Operations to ensure that security requirements are appropriately addressed in any contractual documentation;
- o. ensuring that contractual documentation does not contain any language that could give rise to an employer-employee relationship;
- p. confirming with Security Operations before contract award, the security screening of the vendor's resources;
- q. ensuring that contracts and amendments are approved in accordance with Annex C;
- r. debriefing unsuccessful bidders, when requested, with the assistance of the Cost Centre Manager;
- s. addressing non-performance issues arising during the course of the contract and taking appropriate remedial action, including obtaining legal advice where appropriate, and with the assistance of Cost Centre Managers.

5.6 Cost Centre Managers

Cost Centre Managers are responsible for:

- a) identifying the need to acquire goods or services;
- b) engaging with the Procurement COE as early as possible to integrate procurement considerations into the planning process;
- c) defining requirements in a manner that considers environmental performance and accessibility requirements and avoids the potential to create an employer-employee relationship²;
- d) developing evaluation criteria for competitive procurements, in consultation with the Procurement COE, that reflect the risk and complexity of the procurement, consider environmental and accessibility requirements, and incentivize to the extent feasible, diverse and under-represented supplier groups to bid;
- e) addressing the need for personnel, organization, information technology, or document safeguarding security clearances in all procurements, and completing an SRCL where Protected or Classified assets and information is involved;
- f) providing justification for requests for non-competitive contracts that meets one of the four exceptions to competition under this Policy;
- g) providing input into responses to vendor questions of a technical nature related to competitive solicitations;
- h) evaluating competitive technical bids;
- i) assisting the Procurement Specialist in debriefing unsuccessful bidders on their technical bids;
- j) managing the work under a contract, ensuring that all contract terms are met, and avoiding actions that could give rise to the creation of an employer-employee relationship;
- k) advising the Procurement Specialist immediately in the event of problems arising during the course of the contract; and
- l) approving invoices for payment, which involves ensuring that the goods received or services rendered and price are in accordance with the terms of the contract, and ensuring that funds are available in the relevant budget;

² 'Employer-employee relationship' is defined in Annex A

5.7 Deputy Chief Security Officer

The Deputy Chief Security Officer is responsible for:

- a) defining, documenting and maintain Council security practices for procurement;
- b) establishing a process for identifying security requirements for specific contracts;
- c) reviewing SRCLs and identifying any contractual requirements for personnel, organization, information technology, or document safeguarding security clearances;
- d) providing the appropriate security clauses for inclusion in contracts involving security requirements; and
- e) where proposed contracts contain a personnel security screening requirement, confirming that individuals chosen to do the work hold the necessary level of security; and
- f) identifying any health or safety issues with a proposed contract.

5.8 Director, Human Resources and Organizational Development (HROD)

The Director, HROD is responsible for:

- a) providing advice on whether work should or could be done by an employee of the Council rather than a private sector supplier, considering where applicable the requirements specified in the Collective Agreement between the Council and the Public Service Alliance of Canada;
- b) providing advice on whether a real, potential or apparent conflict of interest exists with a contractor or a proposed contractor; and
- c) reviewing proposed procurements involving a former Council employee, to ensure that the Council's post-employment measures are being respected.

5.9 Contracts Review Committee

The Contract Review Committee (CRC) is responsible for:

- a) reviewing, at the procurement planning stage, procurement strategies for specific contracts and amendments, as set out in the Terms of Reference attached as Annex B;
- b) reviewing any proposed contracts or amendments deemed to entail significant risk, as determined by the Director, Finance, in consultation with the CFASO;
- c) examining key risk areas and determining whether these risks are being appropriately mitigated through measures proposed by the Procurement COE or the Cost Centre Manager; and
- d) providing approval of proposed contracts and amendments based on the submitted procurement strategy.

The CRC may approve a procurement strategy as submitted or may request changes to the strategy or may approve the procurement strategy but request that the contract or amendment be tabled at the CRC before being awarded.

The CRC Terms of Reference are attached as Annex B.

6. POLICY REQUIREMENTS

6.1 Contracting Limits - Specific positions in the Council have authority to enter into contracts or amendments on behalf of the Council, up to the limits specified in Annex C. When determining the appropriate level of approval, the total cost of the contract, including options, travel and other miscellaneous expenses must be taken into consideration. When determining the authority for amendments, the aggregate value of previous amendments and the proposed amendment must be taken into consideration.

6.2 Competition - Procurements must be conducted in a competitive manner where it is operationally feasible and cost effective to do so. The requirement to solicit bids may only be set aside under one of the following conditions:

- a. The need is one of pressing emergency in which delay would be injurious to the public interest;
- b. The estimated expenditure does not exceed \$50,000 (excluding taxes);
- c. The nature of the work is such that it would not be in the public interest to proceed with a competitive process;
- d. Only one person or firm is capable of performing the contract;³

6.3 Exceptions to Competition - Use of any of the above exceptions to competition must be fully justified in writing by the Cost Centre Managers.

6.4 Environmental Performance Considerations – Cost Centre Managers, in consultation with the Procurement COE, should integrate environmental performance considerations into all phases of the procurement life cycle, from requirements definition through to file close-out, where feasible and within the context of achieving value for money over the lifecycle of the goods or services.

6.5 Social procurement – When developing competitive procurement strategies, the Procurement COE and Cost Centre Managers should consider setting aside a procurement for Indigenous businesses and to incentivize to the extent feasible, diverse and under-represented supplier groups to bid;

6.6 Inappropriate Contracting Practices - Where a contract or amendment has been entered into verbally⁴, or a written contract or amendment entered into in the absence of the appropriate authority, the Cost Centre Manager must advise the Procurement COE in writing of the situation. Where goods or services were verbally requested and have been received, the Procurement COE will issue a Confirming Order to establish a legal written record of the verbal contract. In

³ This exception is quite definitive and should be invoked only where patent or copyright requirements, or technical compatibility factors and technological expertise suggest that only one contractor exists. This exception should not be invoked simply because a proposed contractor is the only one known to management

⁴ Oral contracts and amendments can be legally binding, creating a legal liability for the Council. In the absence of any written terms and conditions, it could be difficult to interpret and apply an oral contract or amendment, particularly in the event of a dispute, or to determine whether the goods or services received meet the Council's requirements

either case, the Procurement COE will ensure that the appropriate approval or ratification is received for the contract, amendment or Confirming Order, as applicable.

The practices of payrolling - instructing a firm to hire a specific individual who is then assigned to provide services to the Council, contract switching - where a contractor resource is persuaded to change firms, and entering into contracts which have the effect of circumventing the Council's employment policies and *Code of Conduct*, and the *Values and Ethics Code for the Public Sector* are prohibited.

Other inappropriate contracting practices such as contract splitting, backdating contracts or amendments, and inappropriate amendments,⁵ must be avoided as they are not in keeping with the principles of the Council's Code of Conduct and the *Values and Ethics Code for the Public Sector*.

6.7 Corporate acquisition cards – These cards have been provided to specific employees for the purchase of non-travel related goods and/or services. They are to be used for business purchases only, and receipts should be retained and attached to the monthly credit card statement sent to them by Finance. Expenditures must be approved by the Cost Centre Manager.

6.8 Conflict of Interest – Employees must disclose the full details to their director, of any real, potential or apparent conflict of interest between them and a supplier or potential supplier which could impair their ability to render unbiased advice or make unbiased decisions affecting the procurement of goods and/or services.

6.9 Ethics - In accordance with the Council's Code of Conduct, Council employees must not take advantage of their positions for personal gain, financial or otherwise, and should not accept a gift or gratuity or other personal favour from a supplier or potential supplier.

6.10 Advance Payments – Advance payments should be considered only in exceptional circumstances as contractors are generally expected to finance their work and it is the Council's preference to only issue payment after receipt of goods or services.

The approval of the CFO is required before incorporating advance payments provisions in any contract.

6.11 Standing offers – Cost Centre Managers must consult the Procurement Centre of Expertise when initiating a requirement, to determine whether the requirement could be satisfied through a Council standing offer, Public Services and Procurement Canada standing offer, or a Shared Services Canada standing offer. These standing offers have already undergone a solicitation process, so the process for obtaining the required goods or services is streamlined.

6.12 Proactive Publication of Contract Information – Information on any contracts over \$10,000, including call-ups against standing offers, and positive and negative value amendments for contracts over \$10,000 and positive value amendments that modify the initial contract value to over \$10,000 will be published quarterly on the Council's website, with only very limited exceptions,

⁵ Inappropriate amendments include amendments where a contractor is relieved of a contractual obligation such as a delivery date, without commensurate consideration in return

for example, where Personal Information is involved. Proactive publication reports will be published quarterly, within 30 days after the end of a fiscal year quarter.

6.13 File Documentation - All procurement files must be appropriately documented and must include as a minimum, all decisions, approvals, and contract changes, including amendments, in keeping with the *Access to Information Act*, and to ensure that records are preserved in accordance with Council information management practices and that an appropriate audit trail is established.

7.0 COMPLIANCE

The Procurement COE will monitor the management practices and controls associated with procurement in the Council to detect and communicate unacceptable risks, vulnerabilities or control deficiencies or failures, and to take early and effective preventive and remedial action whenever significant potential or actual deficiencies are identified.

References:

Statutes

[Access to Information Act](#)

[Accessible Canada Act](#)

[Canada Council for the Arts Act](#)

[Conflict of Interest Act](#)

[Employment Equity Act](#)

[Federal Accountability Act](#)

[Federal Sustainable Development Act](#)

[Financial Administration Act](#), Sections 89.8, 89.92 (ss 105(2) and sections 113.1, 119, 131, 148, 154.01

[Interpretation Act](#)

[Library and Archives Act](#)

[Official Languages Act](#)

[Personal Information Protection and Electronic Documents Act](#)

[Privacy Act](#)

[Public Servants Disclosure Protection Act](#)

Regulations

[Access to Information Regulations](#)

[Privacy Act Heads of Government Institutions Designation Order](#)

[\(SI/83-114\) Privacy Regulations](#)

By-Laws

[Canada Council for the Arts BY-LAW No. 1](#)

Codes

[Canada Council for the Arts Code of Conduct](#)

[Canada Labour Code](#)

Criminal Code of Canada

Policies

[Canada Council for the Arts Governance Policy](#)

[Canada Council for the Arts Official Languages Policy](#)

Annex A – Definitions

Assets – Tangible and intangible items of value, excluding money or records, that have an expected life beyond one year, whether they are Council-owned, leased or accessed through other arrangements.

Bid - A proposal, quotation or tender submitted in response to a solicitation

Call-up against a standing offer – an order issued against a particular standing offer agreement (*see definition of Standing Offer Agreement below*). Communication of a call-up against a standing offer to the supplier constitutes acceptance of the standing offer and creates a contract.

Competitive contract - a contract that is entered into by soliciting more than one bid.

Contract – a binding agreement entered into by a Council official and a contractor to procure a good or service or enter into a lease for space.

Contract amendment - an agreed addition to, deletion from, correction or modification of a contract.

Contract value – the total amount in Canadian dollars to be paid under a contract, including the price of goods, services or lease to be delivered over the term, including all options and amendments; all disbursements and other related costs charged by a contractor; and all applicable taxes.

Contract Review Committee (CRC) - a risk-based governance structure designed to provide oversight of the procurement function and advice regarding high-risk procurement strategies, contracts and amendments

Contract splitting - the practice of unnecessarily dividing an aggregate requirement into a number of smaller contracts to avoid controls on delegated authorities or the competition requirements of this *Policy on Procurement*.

Contribution Agreement – A payment subject to performance conditions specified in a funding agreement.

Corporate Acquisition card – A credit card issued under a contract between the card issuer and the Council for the procurement and/or payment of goods and services. Acquisition cards provide a simplified, convenient, and practical method of procuring and paying for goods and non-professional services while maintaining financial control.

Cost Centre Manager - managers, as outlined in the Delegation of Authorities Policy, who have authority to manage their respective organizational unit's budget.

Delegation of Authorities - a mechanism in which financial authorities are formally delegated via the Council's delegation chart and supporting notes.

Emergency contract - a contract that is initiated in response to a pressing emergency in which delay would be injurious to the public interest.

Employee–employer relationship – an oral or written agreement in which an employee agrees to work on a full-time or part-time basis for an employer for a specified or indeterminate period of time, in return for salary or wages. The employer has the right to decide where, when, and how the work will be done, and the employee assumes no risk of loss or gain. In this type of relationship, an employment contract exists.

Environmental performance considerations - actions aimed at protecting the environment and supporting sustainable development, including reducing greenhouse gas emissions and air contaminants; improving energy and water efficiency; reducing waste and supporting reuse and recycling; using renewable resources; reducing hazardous waste; and reducing toxic and hazardous substances.

Goods contract - an agreement for the purchase of articles, commodities, equipment, goods, materials or supplies. Goods are tangible items such as consumable supplies, stationery, office furniture and furnishings, equipment, information technology hardware and software, and books.

Grant - A payment subject to pre-established eligibility and other entitlement criteria. The recipient may be required to report on results achieved. Grants are governed by Grant Acknowledgement Forms.

Honorarium - a payment for services to an individual who is a Board member, committee member, etc.

Letter of Agreement - A letter of agreement is a legally binding contract reached by the parties' exchange of letters.

Non-competitive contract - a contract that is entered into without soliciting bids.

Procurement - the process related to obtaining goods or services from the planning to the completion of the procurement life cycle. The procurement life cycle is the continuum of effective and efficient management of procurement phases including planning, acquisition and execution, use and maintenance, and disposal and close-out.

Procurement strategy – a strategy that defines, in general terms, how a good or service will be procured to obtain best value and include, at the highest level, the determination to proceed competitively or non-competitively.

Partnership Agreement - a written agreement between two or more individuals, corporations, trusts, or partnerships (the partners) that join to carry out a project. Each partner contributes money, labour, property, or skills to the project. The agreement describes the purpose of the partnership, lists each partner responsibilities, specifies the timeline, the disbursement schedule (if applicable) and the reporting schedule (if applicable) and includes other important rules about how the Partnership will be managed.

Pressing Emergency – a situation where delay in taking action would be injurious to the public interest. Emergencies are normally unavoidable and require immediate action which would preclude the competitive process. Any emergency may be an actual or imminent life-threatening situation, or a disaster that endangers the quality of life, has resulted in the loss of life, or has resulted in significant loss or damage to Council property.

Security Requirements Check List – a Treasury Board of Canada Secretariat form available for Council use by Cost Centre Managers, the Deputy Chief Security Officers, and the Procurement COE where a proposed contract involves Protected or Classified information or assets.

Service contract - a contract for the provision of services but excluding an agreement under which a person is employed as an officer, clerk or employee of the Public Sector.

Service level agreement - a legal agreement between the Council and an entity of the Crown (e.g. government departments, Crown corporations, provincial governments or municipalities) to provide a good, perform a service, or lease space for appropriate consideration.

Standing offer agreement - an offer from a potential supplier to provide goods and/or services at pre-arranged prices, under set terms and conditions, on an as-and-when requested basis. A standing offer is not a contract, and no contract exists until a call-up against the standing offer is issued. There is no actual obligation by the Council to purchase until that time.

Statement of Work – the primary mechanism by which the Council communicates its requirement to the industry. The statement of work is a narrative description of the work to be carried out by the contractor under the contract, essentially, the five W's – what, where, why, when and who, and defines the respective obligations of the contractor and the Council related to the work itself as opposed to the terms and conditions governing the contract.

Unit 4 – the Council's financial and procurement system that is used to requisition goods or services, enter the receipt of those goods or services and process payments upon receipt of invoices.

Annex B – Terms of Reference for the Contract Review Committee

1. Objective

The objective of the Contract Review Committee (CRC) of the Canada Council for the Arts (CCA) is to provide oversight of the procurement function to ensure that the principles of fairness, openness and transparency are respected, and that corporate and contractual risks are identified and mitigation measures are appropriate to the risk and complexity of the procurement. This includes ensuring that procurements are compliant with the relevant laws, regulations, and policies and that contract spending is justified and represents best value to Canadian taxpayers.

2. Mandate

The CRC is a risk-based governance structure under the aegis of the Chief Financial, Administration, and Security Officer (CFASO) that provides oversight of the procurement function and high-risk procurement strategies on a proactive basis. The Committee is mandated to review and approve procurement strategies for the following types of procurements:

- a) non-competitive goods and services requirements above \$50,000;
- b) amendments to non-competitive goods and services contracts that result in the contract value exceeding \$50,000; and
- c) any proposed contracts or amendments where the Procurement COE, in consultation with the Director, Finance, deem the risk to be significant. Appendix 1 provides an overview of the criteria that will be used to determine whether a procurement strategy should be reviewed by the CRC.

The Committee is also responsible for:

- a) reviewing the quarterly report on inappropriate contracting practices, including but not limited to contract ratifications and confirming orders; and
- b) reviewing the quarterly list of contracts issued using the emergency contracting authority.

3. Members and Roles

CFASO	Chairing the committee, ensuring agenda items are covered, and ensuring that actions are implemented in accordance with CRC decisions
Director, Finance	Ensures that the requirement is in compliance with CCA financial and procurement policies and identifying any financial issues or risks.

Procurement Specialist

Performs a secretariat function by reviewing CRC submissions and coordinating CRC meetings to discuss requirements.

Director, Human Resources & Organizational Development

Providing an opinion on whether the work should and could be done by a Council employee, whether contractual terms and conditions and the statement of work are written in a manner that will avoid the creation of an employer-employee relationship, whether there is a real, potential, or apparent conflict of interest, and whether there are any occupational health or safety issues.

Deputy Chief Security Officer

Identifying any potential security concerns and recommending mitigation measures

Sponsoring Directors will be invited to any CRC meeting where their procurement is being tabled. In addition, senior level individuals from functional areas such as Information Management, Access to Information & Privacy, and/or Information Technology may be invited on an ad hoc basis to provide input, depending on the nature of the procurement. The Chair may also seek legal advice on an ad hoc basis from outside legal counsel, as appropriate.

4. Procedures

The Procurement COE will submit CRC documentation to members via e-mail.

CRC deliberations will generally be conducted via a meeting involving all members of the CRC, the Procurement Specialist, and the Cost Centre Manager. Should a CRC member not be available to attend the meeting, they may have their back-up attend in their place. In cases of extreme urgency or where CRC is unable to act, the Chair of the CRC may consult with outside Legal Counsel, review the procurement strategy and provide comments or make a decision on behalf of the CRC.

During CRC meetings, all CRC members must provide their verbal approval or rejection of the proposed procurement strategy, and where a member rejects the proposed strategy, they must provide written rationale supporting their position. There must be majority approval from CRC members in order for the procurement strategy to be implemented.

CRC members will review procurement strategies taking into consideration various risk factors to assess the extent to which risk is being mitigated through measures proposed in the procurement strategy.

Appendix 1 to Annex B

Regardless of dollar value or sourcing method, the Procurement COE, in consultation with the Director of Finance, may determine that a proposed contract or amendment should be reviewed by the CRC given the risks or potential risks associated with the contract/amendment. Risk indicators, based on materiality and complexity, could include any type of procurement that:

- is politically sensitive and could attract media attention
- has risks for the Council that could erode the trust in or reputation of the Council, e.g. cyber security incidents, real or perceived ethical issues
- will involve industry engagement in the development of the requirement
- involves sensitive information
- involves special security considerations
- involves the creation, collection, retention, use, disclosure or disposal of Personal Information, as defined in the *Privacy Act*
- has the potential for a real, apparent or potential conflict of interest
- has the potential to create an employer-employee relationship
- limits the contractor's liability
- is dependent on the success of other procurements or is critical to the success of other procurements
- involves an amendment that could be perceived as contract splitting

involves an amendment that is the result of a legal dispute with the contractor Any procurement strategies where CRC members are of the opinion that the strategy is politically sensitive or has reputational risks will be escalated to the Senior Management Committee for further discussion.

Annex C – Contracting Limits

Position	Contract Entry Authority Competitive	Contract Entry Authority Non-Competitive	Amending Authority Competitive	Amending Authority Non-Competitive	Call-ups against Standing Offers
Board	F	F	F	F	-
Director/CEO	\$500,000	\$500,000	\$250,000	\$250,000	F
Chief Financial Officer	\$500,000	\$100,000	\$250,000	\$50,000	F
Directors General, Chief Information Officer & Secretary General, Canadian Commission for UNESCO	\$100,000	\$50,000	\$50,000	\$25,000	F
Directors	\$50,000	\$25,000	\$25,000	\$12,500	F
Corporate Secretary ⁶	\$50,000	\$25,000	\$25,000	\$12,500	F

Applicable Taxes are extra

Emergency Contracting – Non-competitive contracts for goods and services up to a total value of \$1,000,000 (excluding taxes) in response to a pressing emergency⁷ must be approved by the CFO or the Director and CEO. This authority should only be used when the requirement cannot be satisfied by normal contracting procedures due to the urgency of the situation. Other than the competition requirements, all other requirements set out in this Policy must be respected, including the requirement to avoid any real, potential or apparent conflict of interest.

Any limitation of liability or indemnification of the contractor must be approved by the CFO.

⁶ The authority to the Corporate Secretary is restricted to procurements related to Board meetings and Board member expenses.

⁷ As defined in Annex A