

Policy Title: Procurement
Policy Approver: Board of Governors
Policy Holder: Finance and Administration Services
Executive Lead: Vice-President, Finance and Administration
Category: Operational
Original Date: January 1999
Last Revised: June 2023
Next Review: June 2025

Approval Statement

With the approval of the Board of Governors, this policy is hereby deemed in effect the 9th day of June, 2023.



June 9, 2023

David Morrison
Chair, Board of Governors
Yukon University

Date

1. Purpose of Policy

The procurement policy will ensure accountable, efficient, transparent, and ethical practices are used to acquire all goods, services, vehicles, products, equipment, and capital assets for Yukon University whether by purchase, rental, or lease.

2. Governing Legislation and Relevant Documents

Yukon University Act
Applicable territorial and federal legislation
PO 4.0 Conflict of Interest Policy
FM 1.0 Signing Authority Policy
FM 2.0 Financial Services Policy

3. Scope

This policy (“Policy”) applies to the acquisition of all goods, services, products and equipment by purchase, rental or lease using Yukon University (“University”).

4. Definitions

Authorized Employee – the Procurement and Contracts Office staff and other University staff who are responsible for the procurement process to acquire goods and services on behalf of the University.

Contract - includes any written agreement, Contract, subcontract, letter of intent, memorandum of understanding, memorandum of agreement, lease, deed, grant, license, purchase order, certificate, instrument, assignment, or any other document which creates an obligation, or which may be binding on the University (monetary and non-monetary).

Designate – a University employee who is authorized, in writing, by his/her superior to act on their behalf, with the decision formally documented by the Director/Manager of Finance, permitting the designate to temporarily make procurement decisions on behalf of their superior; up to an approved authorization limit.

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Signing Authority – is the power, delegated by the Yukon University Board of Governors (“Board”) to certain Authorized Employees, to enter into and execute Contracts on behalf of the University, relating to general operations and the development and expansion of the University.

5. Delegation

Procurement and Contracting authority have been delegated by the Board and President to Authorized Employees as set out in this Policy and the Procurement Guidebook.

Authorized Employees are those who have been given explicit authorization to conduct business on behalf of the University in accordance with this Policy.

6. Procurement Principles

No person shall commit the University to purchases, acquisitions, agreements, Contracts, licenses, leases, or other legally enforceable obligations related to procuring goods and services unless delegated or authorized to do so pursuant to this Policy.

Any goods or services obtained by the University must be acquired in an established and approved manner pursuant to this Policy. As further detailed in the Procurement Guidebook this typically will mean that goods or services are acquired pursuant to a standard form Contract or purchase card following a process to ensure that value for money is achieved.

All procurement and Contracting over \$10,000 in value which is not exempt must comply with the appropriate competitive bidding process set out in the Procurement Guidebook.

Yukon University will maintain high legal, ethical, managerial, and professional standards in the management of the resources entrusted to it as a publicly funded institution and will ensure that products and services are acquired in a manner that ensures the University:

- a) Achieves cultural, environmental, economic, and social value for money;
- b) Increases the ability of local businesses and First Nations to compete for University Contracts;

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- c) Uses fair and open processes when calling for, receiving, and evaluating quotations and tenders from qualified suppliers;
- d) Receives high-quality and standardized goods, equipment and technology which support an excellent learning and working environment;
- e) Complies with funding agency guidelines, applicable legislation, and regulations, including trade agreements, where applicable;
- f) Advances its current strategic plan and obligations under the *Yukon University Act* (“Act”); and,
- g) Expends administrative effort and expense commensurate with the value of the procurement.

A Procurement Guidebook providing further procedures for adherence to this Policy will be developed with amendments to it to be approved by the Vice-President, Finance & Administration.

All instances of noncompliance with this Policy and the Procurement Guidebook will be reviewed. Suppliers and Contractors who fail to satisfactorily meet procurement commitments may be disallowed from further procurement opportunities with the University. Employees who fail to comply with this Policy may face disciplinary action.

Employees who are engaged in the procurement process must familiarize themselves with this Policy and with the Procurement Guidebook prior to engaging in procurement activities. Any questions or clarifications required should be directed to the employee’s Supervisor and/or to the Procurement office. The Procurement office will set up a schedule of routine training opportunities to educate supervisors, managers and other employees engaged in procurement activities, regarding this Policy, and the procedures described in the Procurement Guidebook .

7. Spending Authority

Spending Authority is the power to initiate the procurement process and is distinct from ‘Signing Authority’. The Spending Authority alone does not provide the authority for an individual to sign agreements on behalf of the University. Only those individuals delegated Signing Authority can sign documents binding the University to a Contract and/or making a commitment on behalf of the University.

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Because Spending Authority is about initiating not concluding the procurement process, there are no thresholds provided for Spending Authority. Additionally, Authorized Employees have Spending Authority only in the departmental units that they are directly responsible for – or have been delegated responsibility for, as evidenced in writing by their supervisor. Authorized Employees are responsible for coordinating with the Signing Authority who will be executing the Contract/PO etc., in any matter where they have initiated a procurement activity.

Every decision to acquire goods and services on behalf of the University must:

- a) Follow established and approved University procurement tools and procedures set out in this Policy and the Procurement Guidebook;
- b) Accord with established finance codes pursuant to the annual budget approved by the Board;
- c) Not be split, altered, or amended in such a way as to avoid dollar value limits within this Policy; and,
- d) Be authorized by an individual with the Spending Authority to initiate the acquisition.

A Spending Authority may be revoked by the President if this Policy and/or Procurement Guidebook is not adhered to.

Any Spending Authority will terminate when the individual leaves the position their spending authority attaches to.

8. Procurement and Contracts Office Responsibilities

The Procurement and Contracts Office is responsible for:

- a) Overseeing the procurement and Contracting process including this Policy, the Procurement Guidebook, standard forms, and other procedures.
- b) Overseeing the competitive bid process to provide all suppliers with identical information on which to base their responses, if requested.
- c) Maintaining and making available to employees a list of preferred suppliers as required for specific goods or services.
- d) Maintaining adequate records of procurement processes including solicitations, awards, executed Contracts, amendments, submitted progress reports and evaluations.

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- e) Provide procurement advice and guidance to the University offices and departments regarding their delegated authority.
- f) Provide oversight for any bid dispute challenges.
- g) Ensure all Contract awards are in compliance with this Policy.

9. Authorized Employee Responsibilities

Authorized Employees are responsible for:

- a) Identifying the need for goods or services;
- b) Obtaining the appropriate approval to initiate the procurement process;
- c) Ensuring adequate operational or capital funding is available to cover the cost of acquisition;
- d) Adhering to the established procurement and Contracting process including this Policy, the Procurement Guidebook, standard forms, and other procedures.
- e) Guiding the procurement and Contracting process including planning, solicitation, compliance monitoring, payment schedules and reporting;
- f) For competitive bids, scoping the goods and services to be procured;
- g) In instances where invitational or competitive bidding is not required, employees should still seek to obtain competing quotations whenever possible;
- h) Retaining and remitting quotes, invoices, receipts and other records of the transaction;
- i) Ensuring that adequate review and monitoring processes are in place to confirm that goods and services are received as ordered; and
- j) Ensure no amendments, renewals, extensions, or revisions to a Contract are made unless the changes are approved in advance and the Contract will conclude no later than any associated 3rd party funding agreement.

10. Contracting Authority

Any procurement made via Contract must be done pursuant to the terms of a fully executed Contract, signed in accordance with the University's Signing Authority Policy.

11. Conflict of Interest

All procurement and Contracting must comply with the Standards of Conduct Policy, specifically:

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- a) No University employee or individual involved in the awarding of Contracts shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with their duties and responsibilities.
- b) No Procurement and Contracting or authorized employee shall sell or assist in the sale of: instructional services, supplies, or equipment, within or to the University, and shall not furnish lists of students or faculty to anyone selling such services or materials.

12. Exceptions

Exceptions to competitive bidding requirements must not be for the purposes of avoiding competition or to discriminate against nor favour specific suppliers.

A list of established exceptions to the competitive bid process required in this Policy is set out in the Procurement Guidebook.

13. Other Related and/or Accompanying Documents

Procurement Guidebook