

# Procurement Quick Reference Guide

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Saskatchewan 

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## PROCUREMENT MANAGEMENT DIVISION (PMD)

The Procurement Management Division of the Ministry of SaskBuilds and Procurement is responsible for ensuring procurement across Executive Government and the Crown sector is fair, open, transparent, and based on international best practice. PMD is also responsible for conducting procurements for all ministries across Executive government. PMD is committed to ongoing consultation with industry and stakeholders and continuous procurement improvement.

## PMD MISSION

Best value procurement that achieves value for taxpayers, ensures fair treatment for Saskatchewan vendors and provides government goods and services it needs to deliver public programs, services, and infrastructure to Saskatchewan citizens.

## WHEN TO GET PMD INVOLVED

It is important to involve PMD early on in your planning and decision-making process for the greatest benefits. PMD will gain a deeper understanding of your business needs and can assist with determining the most appropriate procurement method based upon your need, industry, or sector capacity.

## HOW TO ACCESS PMD SERVICES

PMD professionals are available to all Executive Government of Saskatchewan and vendors requiring procurement services and support using the following methods:

Organization	Method		Use and Response Times
Procurement Management Division	Phone	1-306-787-6871	General procurement inquiries for goods, services, IT, and construction: <ul style="list-style-type: none"> <li>PMD professionals will be available to receive requests during regular business hours (8 – 5) - five days per week), excluding statutory holidays.</li> <li>A PMD professional will respond within one business day confirming receipt of the request and either advising what the next steps will be or providing an answer to the query.</li> <li>Vendor Concerns (related to competitions).</li> </ul>
	Fax	1-306-787-3023	
	Email	procurement@gov.sk.ca	
		<a href="mailto:response@gov.sk.ca">response@gov.sk.ca</a>	For use as follows: <ul style="list-style-type: none"> <li><b>Email address where electronic vendor responses will be accepted.</b></li> </ul>
		<a href="mailto:rfxquestions@gov.sk.ca">rfxquestions@gov.sk.ca</a>	<ul style="list-style-type: none"> <li>Where specific questions from vendors can be sent regarding a specific competition that was posted on SaskTenders or as specified in</li> </ul>

			the competition documents.
		<a href="http://www.sasktenders.ca">www.sasktenders.ca</a>	<ul style="list-style-type: none"> <li>• To view posted competitions.</li> <li>• To access the knowledge centre.</li> <li>• To access useful links.</li> </ul>

**BEST VALUE**

PMD is committed to the use of a best value approach in its procurement practices. A best value approach means Executive Government procurement will be structured and conducted in a fashion which allows consideration of factors beyond total cost in determining which vendor proposal provides the greatest overall benefit to the government. While total cost remains a fundamental component of any procurement, purchasing organizations are encouraged to consider other applicable factors in developing the evaluation components of procurement opportunities. Refer to the Government of Saskatchewan Procurement Guide for information on considering best value, achieving best value and factors to consider on assessing local knowledge in best value procurements.

**GENERAL PROCUREMENT RULES**

**AUTHORITY FOR PROCUREMENT**

**Goods**

The *Purchasing Act, 2004* and Financial Administration Manual 4505 provide the authority for the procurement of goods.

**Services**

The *Purchasing Act, 2004* provides the authority for the procurement of services.

Service contracts (excluding construction services covered under *The Highways and Transportation Act, 1997* or *The Public Works and Services Act*) are to be procured in accordance with section 4505 and managed in accordance with section 4510 of the Financial Administration Manual and through PMD.

**Construction**

Construction services are coordinated through PMD, the Ministry of SaskBuilds and Procurement for leased space, the Ministry of Highways and Infrastructure for highways, or the Ministry of Parks, Culture and Sport for park-related facilities.

**Information Technology Goods and Services**

The *Purchasing Act, 2004* provides the authority for the procurement of information technology goods (hardware/software) and services are to be procured in accordance with section 4505 and managed in accordance with 4510 of the Financial Administration Manual and through PMD.

### **Print and Advertising**

Executive Council, Communication Services coordinates procurement of print and advertising. The Communication Services Procurement Policy is available at: is available at

<https://publications.saskatchewan.ca/#/products/90637>

### **TRADE AGREEMENTS**

The following trade agreements contain obligations for Executive Government to publicly post competitive procurement on SaskTenders:

1. New West Partnership Trade Agreement (NWPTA)
2. Canadian Free Trade Agreement (CFTA)
3. Trans-Pacific Partnership (TPP)
4. Canada-European Union Comprehensive Economic and Trade Agreement (CETA)
5. World Trade Organization (WTO) Agreement

### **Value of the Procurement**

When determining the value of the procurement and whether any trade agreement applies, calculate the total amount of the expected value of the contract resulting from the procurement activity. Dividing any procurement so that it falls below the Trade Agreement thresholds as shown in the table below is prohibited.

Where any procurement activity has been valued at or above the thresholds identified, that procurement activity is subject to the applicable trade agreement(s). Executive Government is expected to adhere to all the obligations contained within the agreement(s) and will be subject to any of the dispute mechanisms available to vendors.

### SASKATCHEWAN PROCUREMENT THRESHOLDS (IN CANADIAN DOLLARS)

MINISTRIES	New West Partnership Trade Agreement <i>Part II, Article 14.1(a)</i>	Canadian Free Trade Agreement† <i>Article 504.3(a)</i>	WTO Agreement on Government Procurement‡ <i>Appendix I, Annex 2</i>	Trans-Pacific Partnership‡ <i>Appendix I, Annex 2</i>	Canada-EU CETA‡ (includes Treasury Board Crown Corporations) <i>Annex 19-2</i>
Goods	\$ 10,000	\$ 33,400	\$ 627,200	\$ 627,200	\$ 353,300
Services	\$ 75,000	\$ 133,800	\$ 627,200	\$ 627,200	\$ 353,300
Construction	\$ 100,000	\$ 133,800	\$ 8,800,000	\$ 8,800,000	\$ 8,800,000

CROWNS	New West Partnership Trade Agreement <i>Part II, Article 14.1(b)</i>	Canadian Free Trade Agreement† <i>Article 504.3(c)</i>	WTO Agreement on Government Procurement‡	Trans-Pacific Partnership‡	Canada-EU CETA‡ (plus SLGA) <i>Annex 19-3</i>	
					Section A	Section B*
Goods	\$ 25,000	\$ 668,800	No coverage		\$ 627,200	\$ 706,700
Services	\$ 100,000	\$ 668,800			\$ 627,200	\$ 706,700
Construction	\$ 100,000	\$ 6,685,000			\$ 8,800,000	

MASH	New West Partnership Trade Agreement <i>Part II, Article 14.1(c)</i>	Canadian Free Trade Agreement† <i>Article 504.3(b)</i>	WTO Agreement on Government Procurement‡	Trans-Pacific Partnership‡	Canada-EU CETA‡ <i>Annex 19-2</i>
Goods	\$ 75,000	\$ 133,800	No coverage		\$ 353,300
Services	\$ 75,000	\$ 133,800			\$ 353,300
Construction	\$ 200,000	\$ 334,400			\$ 8,800,000

† The procurement thresholds for the Canadian Free Trade Agreement are adjusted with inflation by the Internal Trade Secretariat in accordance with Annex 504.4 of that Agreement. The values above are for calendar years 2024-2025.

‡ The procurement thresholds for the World Trade Organization (WTO) Agreement on Government Procurement, the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA), and Comprehensive and Progressive Agreement for Trans-Pacific Partnership are periodically adjusted to account for changes in currency strength. The values above are for calendar years 2024-2025. The Canada-U.K. Trade Continuity Agreement applies CETA procurement obligations and thresholds to the United Kingdom.

\* Section B entities are those involved in energy transmission, transit networks, distribution and treatment of water, or the distribution of electricity or gas (see Canada-EU CETA, Annex 19-3, Section B).

Valid until: December 31, 2025

This document has no legal force and is intended for information only. The text of each of these five trade agreements is public and available online.

## PROCUREMENT BUSINESS PLAN AND CHECKLISTS

It is a requirement that a business plan be developed for larger, more complex procurement opportunities, and one of the following procurement checklists can be used as guidance in simple, small-dollar procurement opportunities:

1. IT Services Procurement Checklist
2. Services Procurement Checklist
3. Goods Procurement Checklist
4. Construction Procurement Checklist

The checklists and a sample business plan can be found in the **Government of Saskatchewan Procurement Guide**: <https://publications.saskatchewan.ca/#/products/112708>.

## REPORTING AND KEY PERFORMANCE INDICATORS

Key performance indicators are useful in standardizing the function of PMD so that government is working towards common goals and know the level of achievement expected.

### Benefits

Reporting of benefits will demonstrate best value is being obtained across government procurements through prudent, professional procurement activities. There are several different ways that benefits from procurement can be obtained, including:

- Local procurements;
- Sustainability based savings;
- Direct price savings;
- Price versus market savings;
- Cost avoidance;
- Payment terms-based savings;
- Added value;
- Risk reduction; and
- Process savings from collaborative agreements.

Consistent tracking, calculation and quarterly reporting of realistic benefits is the joint responsibility of the purchasing organization and PMD.

### Cycle Time Targets for Competitive Procurements

Typically, the entire competitive process will take six to eight weeks but can increase significantly on a more complex business need. Below is a table outlining the time estimated to complete each step of the process.

Step #	Description	Estimated Timeframe
1	Identify need and assess procurement options	1-3 business days
2	Creating the scope of work and drafting the procurement package	1-2 weeks
3	Issuing competition package on Sasktenders.ca and obtaining responses (posting period)	Minimum three weeks
4	Evaluations	One week
5	Interviews and reference checks	One week
6	Contract negotiations	One week
7	Debriefing sessions	30 minutes per vendor

## CODE OF CONDUCT

All employees procuring goods and/or services are expected to conduct all procurement activities in accordance with the Government of Saskatchewan Procurement Code of Conduct.

<https://publications.saskatchewan.ca/#/products/112785>. Employees of government and PMD are expected to conduct all procurement activities:

- in accordance with the law and the government's legal, trade and policy obligations;
- with competence and professionalism;
- in an ethical fashion, avoiding:
  - unethical or compromising behaviours or appearances of unethical or compromising behaviours, and
  - conflicts of interest or situations that may be perceived to be conflicts of interest. Employees are to report such situations to the employee's supervisor when the employee is aware of the potential of a conflict of interest in accordance with the rules established by the government for the management of such matters.
- in a fair, balanced, and respectful manner and ensure that decisions and evaluations are undertaken in an objective, unbiased fashion in accordance with the requirements and specifications outlined in the procurement request; and
- in accordance with the government's values and policies.

Section 8(1) of *The Purchasing Act, 2004* <https://publications.saskatchewan.ca/#/products/9882> outlines the penalties for willfully not following the Act, which includes possible suspension or dismissal from office.

## CONFLICT OF INTEREST

A "Conflict of Interest" includes any situation or circumstance where, in relation to a government procurement competition, a participating vendor has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including having access to information in the preparation of its proposal that is not available to other vendors; communicating with any person with a view to influencing preferred treatment in procurement competition; and engaging in conduct that compromises, or could be seen to compromise, the integrity of the open and competitive procurement competition or renders that competition non-competitive, less competitive, or unfair.

The conflict of interest policy applies to all government procurements of goods, services, and construction, whether by purchase, contract, or lease. The conflict of interest policy establishes that vendors are to declare all actual, potential or perceived conflicts of interest in procurement competitions. A vendor that fails to identify actual, potential, or perceived conflicts of interest may be disqualified from the procurement competition and may also be subject to such other sanctions as the government may deem appropriate.

For more information on the Code of Conduct and Conflict of Interest Policy, refer to the:

**Government of Saskatchewan Procurement Guide**

<https://publications.saskatchewan.ca/#/products/112708>

## APPROVED AUTHORITY LIMITS (DECISION-MAKING AUTHORITY)

Prior to undertaking any type of procurement, employees should ensure that they have the appropriate authority to make the purchase and are following any internal procedures established by the organization.

### Order in Council

Subsection 18(2) of *The Executive Government Administration Act* (EGAA) requires an Order in Council for agreements that are greater than \$50,000. This \$50,000 amount includes any agreements entered into by the government with an organization where the total amount of the agreement is more than \$50,000 or the total amount paid to the organization in a fiscal year is more than \$50,000. An Order in Council is not required for agreements engaging the services of or retaining any technical, professional, or other advisors, specialists or consultants.

Note: Other statutes (e.g., *The Highways and Transportation Act, 1997*) may exempt purchasing organizations from the requirement of an Order in Council; therefore, purchasing organizations should consult with PMD for information and assistance related to Orders in Council.

## MAJOR PROJECTS

A major project is a procurement of goods, services, information technology services and/or construction that is of a value, complexity, risk level or public profile that requires it to be given a significant allocation of attention and time from the government organization and PMD, as well as the possible involvement of other stakeholders.

When conducting a major project, the government organization, in consultation with PMD, should consider the following additional factors:

- Retention of external advisors where there is insufficient internal capacity or expertise to assist in developing specifications or business requirements;
- Appointment of an internal project lead to coordinate input from multiple business units or stakeholders;
- Early involvement of legal services to ensure that all legal and risk considerations are appropriately addressed and
- Engagement of a fairness advisor where a major project is high-profile or controversial or involves a particularly complex vendor selection process.

## VENDOR PERFORMANCE FRAMEWORK

The Vendor Performance Framework is designed to ensure Executive Government and Crown organizations maximize value, competition, and fairness and achieve the best possible balance of benefits to the government and Crown stakeholders, customers and vendor community.

Vendor Performance Management does not replace ongoing contract management. Rather, it is a supplementary process used to ensure that (a) vendors are receiving formal evaluation and feedback on their performance and (b) past vendor performance is considered in procurement decisions.

Vendor performance evaluations may be applied to contracts of any value. Evaluations are mandatory for all contracts valued at \$1,000,000 or over, excluding option years (exceptions must be approved in advance by the Chief Procurement Officer).

More information on vendor performance and its role in effective public sector procurement is available in the **Vendor Performance Manual**:

<https://publications.saskatchewan.ca/#/products/112770>.

## VENDOR DEVELOPMENT

PMD is committed to promoting the development of vendors and enhancing PMD's vendor relationships.

PMD supports vendors by:

1. Assisting vendors in understanding how to do business with government through Vendor Information Sessions;
2. Early vendor engagement, which covers topics including PMD's procurement procedures and upcoming projects;
3. Conducting debriefs on open competitive procurement processes where the procurement document is publicly posted;
4. Sharing upcoming procurement activities enabling vendors to prepare for, plan and consider which opportunities to respond to;
5. Developing local vendors; and
6. Assisting vendors with new product development by providing information and support.

Refer to "How to Access PMD Services" for information on how to contact your PMD professional for more information on vendor development.

## VENDOR CONCERN PROCESS

A method to handle vendor concerns and to improve the government's procurement process is an integral part of a fair and open procurement policy. The PMD Vendor Concerns Process provides government entities and vendors with information on the process and procedures for addressing concerns related to processes, competitions, and awards.

### **Concerns Regarding Open Competitions**

Prior to initiating a concern, vendors are strongly encouraged to resolve problems by contacting the procurement contact identified on the competition document.

### **Concerns Regarding Closed Competitions**

Concerns must be submitted within ten business days after notice of

contract award. The request should include the following information:

- The vendor's name, phone number, address, email address and name of the contact person;
- A description of the concern;
- A description of the background leading to the concern, including relevant dates, competition and reference numbers;
- The procurement contact name who initial discussions took place with and the results of those discussions; and
- Action/resolution being requested.

## **CONTRACTING AND OTHER LEGAL MATTERS**

### **CONTRACT TERMS**

A contract is an agreement between two parties that is generally utilized for service and construction procurement but may also be used for goods procurement.

Once available, ministries may make use of the standard consulting, construction, and purchase contract template(s) for the preparation of a contract resulting from a procurement competition. **The signing and managing of service contracts will be the ministry's responsibility.**

Work should not commence before a contract or purchase order is signed. As appropriate, each contract should define:

- The project or program the product or service is associated with and intended to support;
- The work to be done, as well as services and deliverables to be provided. These are to be specific and not general in nature and should be directly linked to the project or program being supported;
- The roles and responsibilities of each party, including reporting relationships;
- The standard of conduct expected;
- Compensation to be paid, including rules surrounding expenses;

- Term of the agreement:
  - Rules for contract amendment, termination, scope change, and extensions;
  - A statement that the contract is subject to the provisions of *The Freedom of Information and Protection of Privacy Act*.
- The need to transfer knowledge and skills to government employees;
- Support, facilities and resources to be made available;
- Monitoring and performance evaluation of the vendor; and
- Dispute resolution mechanisms.

It is highly recommended that use of a vendor's contract be avoided as these documents may contain clauses which do not adequately protect government. If confronted with a vendor contract, the organization should consult with their legal services to discuss the appropriateness of such contracts and any other legal concerns that may arise.

Purchase Orders are used for the one-time purchase of goods or services. Standing Offers are used for ongoing purchases of goods or services. A Blanket Standing Offer is one where the item listing is created in MIDAS, which allows the government to create releases in MIDAS against a Standing Offer. Where a Standing Offer is available to the MASH sector, Blanket Standing Offers are not created as these entities would not have access to MIDAS.

#### **Contract Progress Billings and Payment**

Contracts should not provide for payment in advance of work being completed unless partial (or advance) payments are specifically provided for in the contract and are associated with a deliverable.

#### **Contract Templates**

Various contract templates are in the process of being developed for consideration for use by the government. These templates are intended to be companion materials to the procurement competition templates available from your procurement area.

#### **TRADE AGREEMENTS**

The following trade agreements contain obligations for Executive Government to publicly post competitive procurement on SaskTenders:

1. New West Partnership Trade Agreement (NWPTA)
2. Canadian Free Trade Agreement (CFTA)
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5. World Trade Organization (WTO) Agreement

## APPROVED METHODS FOR ACQUIRING GOODS AND SERVICES

**Note: Any procurement is subject to audit.**

The procurement of goods and services can occur using one of the following methods:

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
Goods	No dollar threshold > \$50,000	Standing Offer Agreements	<ul style="list-style-type: none"> <li>• A complete list of the standing offers is available on the website. You can register for the standing offer website at (<a href="http://www.standingoffers.gov.sk.ca">www.standingoffers.gov.sk.ca</a>). Most standing offers are also available on MIDAS. Some examples are food, tires, fuel, asphalt and emulsion.</li> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have the authority to make purchases on behalf of their organization and the limitations which apply to them.</li> <li>• Place your order with the vendor that was issued the standing offer. While many vendors accept a government purchase card for purchases off a standing offer, others may require an actual order document. Government organizations can create a purchase order or release, which can also be used for the order and to facilitate the payment process.</li> <li>• The purchasing organization is responsible for the following:               <ul style="list-style-type: none"> <li>○ for the receipt and inspection of goods;</li> <li>○ to ensure the payment is made in accordance with the standing offer details (pricing, quality); and</li> <li>○ completing the Vendor Performance Evaluation.</li> </ul> </li> <li>• <b>Consult with PMD for guidance using the contact information provided in “How to Access PMD Services” on procurement of goods over \$50,000 prior to proceeding under a standing offer.</b></li> </ul>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
Information Technology (IT) (Hardware/ Software)	No dollar threshold	ServiceNow Customer	<p><b>Purchasing entities are to confirm that they have gone through the appropriate governance channels, which may include IMAC, ITGC and/or a contract brief endorsed by ITD prior to working with PMD on their procurement.</b></p> <ul style="list-style-type: none"> <li>• ServiceNow customers can access the full offering of services in the Service Catalogue and request a service through the ServiceNow tool:</li> <li>• (<a href="https://govskprod.service-now.com/navpage.do">https://govskprod.service-now.com/navpage.do</a>)</li> <li>• Questions related to ServiceNow can be addressed through the purchasing organization’s Service Level Coordinators.</li> </ul>
	<p><b>Non-ServiceNow purchasing organizations should first contact PMD for guidance on purchasing IT hardware and/or software using the contact information provided in “How to Access PMD Services.”</b></p>		
	No dollar threshold	Standing Offer Agreements	<ul style="list-style-type: none"> <li>• PMD will provide advice on whether a Standing Offer Agreement is available for hardware/software.</li> <li>• Place an order with the vendor that was issued the standing offer. While many vendors accept a government purchase card for purchases off a standing offer, others may require an actual order document. Government organizations can create a Purchase Order (PO) or release, which can also be used for the order and to facilitate the payment process.</li> <li>• The purchasing organization is responsible: <ul style="list-style-type: none"> <li>○ for the receipt and inspection of goods;</li> <li>○ to ensure the payment is made in accordance with the standing offer details (pricing, quality); and</li> <li>○ completing the Vendor Performance Evaluation.</li> </ul> </li> </ul>

<p>&gt; \$2,500 &lt; \$10,000</p>	<p>Quote Sheet</p>	<ul style="list-style-type: none"> <li>• It is recommended that three quotes be obtained and documented.</li> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have been delegated authority to make purchases on behalf of their organization and the limitations which apply to them.</li> <li>• The procurement can be made using a standard PO; however, if the vendor accepts a purchase card, a PO is not required.</li> </ul>
		<ul style="list-style-type: none"> <li>• The audit trail is the responsibility of the purchasing organization. PMD recommends the quote information should be kept attached to the payment file or attached to the PO.</li> <li>• Where purchases are reoccurring, it is recommended that the purchasing organization contact PMD to discuss whether a standing offer would be a more appropriate procurement option.</li> <li>• The purchasing organization is responsible for the receipt and inspection of goods to ensure they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
	> \$10,000	<ul style="list-style-type: none"> <li>• Request for Proposal</li> <li>• Invitation to Tender</li> <li>• Advance Contract Award Notice</li> <li>• Expression of Interest</li> <li>• Request for Information</li> <li>• Request for Pre-Qualification</li> </ul>	<ul style="list-style-type: none"> <li>• Purchasing organizations will complete a requisition/procurement business plan detailing the requirements. Requisitions/procurement business plans that contain complete and accurate information will prevent delays in the procurement process.</li> <li>• If the purchasing organization feels a specialized product which can only be provided by one vendor, the purchasing organization must provide this rationale with the requisition/procurement business plan.</li> <li>• A PMD professional will work with the purchasing organization to determine the procurement method and develop the competition document for the procurement. As required, the PMD professional will engage subject matter experts such as Security, Enterprise Architecture and Application Management Support to gather requirements and ensure compliance. This document will identify to vendors what the purchasing organization requires.</li> <li>• All competition documents will outline the evaluation process and criteria. For more information, refer to the <b>Government of Saskatchewan Procurement Guide</b>: <a href="https://publications.saskatchewan.ca/#/products/112708">https://publications.saskatchewan.ca/#/products/112708</a> Competition documents are typically advertised for approximately two to three weeks on (<a href="http://sasktenders.ca">sasktenders.ca</a>).</li> <li>• Once the competition closes, the PMD professional works with the purchasing organization to evaluate the bids/submissions in accordance with the evaluation criteria. Where there are technical requirements, the purchasing organization making the purchase may be requested to provide their expertise to ensure responses are compliant with the requirements identified.</li> <li>• When evaluations are completed, an award is made. A PO is issued by the PMD professional that authorizes the successful vendor to provide the purchasing organization with the goods procured.</li> <li>• Once the goods have been provided, the purchasing organization is responsible for inspecting the items to ensure they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation</li> </ul>

<b>Goods/ Services</b>	<b>Dollar Threshold</b>	<b>Procurement Method(s)</b>	<b>Process Description</b>
<b>Information Technology (Services)</b>	< \$25,000	Quote Sheet	<ul style="list-style-type: none"> <li>• For Executive Government, Business and Technology Solutions (BTS Procurement with conduct the competition and ITD will hold the contract on behalf of the ministry.</li> <li>• It is recommended that three quotes be obtained and documented.</li> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have been delegated authority to make purchases on behalf of their organization and the limitations which apply to them.</li> <li>• The procurement can be made using a services contract; however, if the services are under \$10,000 and the vendor accepts a purchase card, a PO is not required.</li> <li>• The audit trail is the responsibility of the purchasing organization. PMD recommends the quote information be kept attached to the payment file or attached to the PO.</li> </ul> <p>The purchasing organization is responsible for ensuring the services meet the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation</p>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
	> \$25,000 < \$75,000	Quote Sheet	<ul style="list-style-type: none"> <li>• For Executive Government, BTS Procurement will conduct the competition, and ITD will hold the contract on behalf of the ministry.</li> <li>• It is required that three written quotes be obtained. In cases where the three written quotes cannot or are not obtained, the purchaser is required to document the reasons why the three quotes were not obtained.</li> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have been delegated authority to make purchases on behalf of their organization and the limitations which apply to them.</li> <li>• The procurement can be made using a standard PO.</li> <li>• The audit trail is the responsibility of the purchasing organization. PMD recommends the quote information be kept attached to the payment file or attached to the PO.</li> <li>• Purchasing organizations are responsible for ensuring the services meet the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>
	> \$75,000	<ul style="list-style-type: none"> <li>• Request for Proposal</li> <li>• Invitation to Tender</li> <li>• Advance Contract</li> </ul>	<ul style="list-style-type: none"> <li>• For Executive Government, BTS Procurement will conduct the competition, and ITD will hold the contract on behalf of the ministry.</li> <li>• Purchasing organizations will complete a requisition/procurement business plan detailing the requirements. Requisitions/procurement business plans that contain complete and accurate information will prevent delays in the procurement process.</li> <li>• If the purchasing organization feels a specialized product which can only be provided by one vendor is required, the purchasing organization must provide this rationale with the requisition/procurement business plan.</li> </ul>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
		Award Notice <ul style="list-style-type: none"> <li>• Expression of Interest</li> <li>• Request for Information</li> <li>• Request for Pre-Qualification</li> </ul>	<ul style="list-style-type: none"> <li>• A PMD professional will work with the purchasing organization to determine the procurement method and then develop the competition document for the procurement. This document will identify to vendors what the purchasing organization requires.</li> <li>• All competition documents will outline the evaluation process and criteria. For more information, refer to the <b>Government of Saskatchewan Procurement Guide</b> <a href="https://publications.saskatchewan.ca/#/products/112708">https://publications.saskatchewan.ca/#/products/112708</a>.</li> <li>• Competition documents are typically advertised for approximately two to three weeks on (<a href="http://sasktenders.ca">sasktenders.ca</a>).</li> <li>• Once the competition closes, the PMD professional works with the purchasing organization to evaluate the bids/submissions in accordance with the evaluation criteria. Where there are technical requirements, the purchasing organization making the purchase may be requested to provide their expertise to ensure responses are compliant with the requirements identified.</li> <li>• When evaluations are completed, an award is made. A PO is issued by the PMD professional that authorizes the successful vendor to provide the purchasing organization with the goods procured.</li> <li>• Once the services have been provided, the purchasing organization is responsible for ensuring they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>
<b>Goods</b>  <b>Construction</b>	< \$2,500  < \$25,000	Quote Sheet A sample Quote Sheet can be downloaded	<ul style="list-style-type: none"> <li>• It is recommended that three quotes be obtained and documented.</li> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have been delegated authority to make purchases on behalf of their organization and the limitations which apply to them.</li> </ul>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
		from <a href="http://sasktenders.ca">sasktenders.ca</a> .	<ul style="list-style-type: none"> <li>• Procurement of goods can be made using a standard PO; however, if the vendor accepts a purchase card, a PO is not required.</li> <li>• Procurement of services requires a formally signed contract by the vendor and the purchasing organization.</li> <li>• The audit trail is the responsibility of the purchasing organization. It is recommended by PMD that the quote information be kept attached to the payment file or attached to the PO.</li> <li>• Where purchases are occurring, it is recommended that the purchasing organization contact PMD to discuss whether a standing offer would be a more appropriate procurement option.</li> <li>• The purchasing organization is responsible for the receipt and inspection of goods to ensure they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>
<b>Goods</b>	> \$2,500 < \$10,000	Quote Sheet	<ul style="list-style-type: none"> <li>• It is required that three written quotes be obtained. In cases where the three written quotes cannot or are not obtained, the purchaser is required to document the reasons why the three quotes were not obtained.</li> </ul>
<b>Construction</b>	> \$25,000 < \$100,000	A sample Quote Sheet can be downloaded from <a href="http://sasktenders.ca">sasktenders.ca</a> .	<ul style="list-style-type: none"> <li>• It is the responsibility of employees to check with their supervisor or Director of Finance/Administration (or equivalent) to learn whether they have been delegated authority to make purchases on behalf of their organization and the limitations which apply to them.</li> <li>• Procurement of goods can be made using a standard PO.</li> <li>• Procurement of services requires a formally signed contract by the vendor and the purchasing organization.</li> </ul>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
			<ul style="list-style-type: none"> <li>• The audit trail is the responsibility of the purchasing organization. PMD recommends the quote information be kept attached to the payment file or attached to the PO.</li> <li>• Where there are reoccurring purchases, it is recommended that purchasing organizations contact PMD to discuss whether a Standing Offer would be a more appropriate procurement option.</li> <li>• Purchasing organizations are responsible for the receipt and inspection of goods to ensure they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>
Goods Services	> \$10,000 > \$75,000	<ul style="list-style-type: none"> <li>• Request for Quotation</li> <li>• Request for Proposal</li> <li>• Invitation to Tender</li> <li>• Advance Contract Award Notice</li> <li>• Expression of Interest</li> <li>• Request for Information</li> <li>• Request for Supplier Qualification</li> </ul>	<ul style="list-style-type: none"> <li>• Purchasing organizations will complete a requisition/procurement business plan detailing the requirements. Requisitions/procurement business plans that contain complete and accurate information will prevent delays in the procurement process.</li> <li>• If the purchasing organization feels a specialized product which can only be provided by one vendor is required, the purchasing organization must provide this rationale with the requisition/procurement business plan.</li> <li>• The PMD professional will work with the purchasing organization professional to determine the procurement method and then develop the competition document for the procurement. This document will identify to vendors what the purchasing organization requires.</li> <li>• All competition documents will outline the evaluation process and criteria. For more information, refer to the <b>Government of Saskatchewan Procurement Guide:</b> <a href="https://publications.saskatchewan.ca/#/products/112708">https://publications.saskatchewan.ca/#/products/112708</a>.</li> <li>• Competition documents are typically advertised for approximately two to three weeks on (<a href="http://sasktenders.ca">sasktenders.ca</a>).</li> </ul>
Construction	> \$100,000		

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
			<ul style="list-style-type: none"> <li>• Once the competition closes, the PMD professional works with the purchasing organization to evaluate the bids/submissions in accordance with the evaluation criteria. Where there are technical requirements, the purchasing organization making the purchase may be requested to provide their expertise to ensure responses are compliant with the requirements identified.</li> <li>• Goods: when evaluations are completed, an award is made. An agreement is issued by the PMD professional that authorizes the successful vendor to provide the purchasing organization with the goods procured.</li> <li>• Services: when evaluations are completed, an award is made by the PMD professional, and a contract is prepared by the purchasing organization.</li> <li>• Once the goods/services have been provided, the purchasing organization is responsible to validate the goods/services to ensure they comply with the requirements. Once satisfied, the purchasing organization is responsible for processing the required payments to the vendor in accordance with their internal processes and completing the Vendor Performance Evaluation.</li> </ul>
<b>Emergency Goods/Services</b>	No dollar threshold	> \$10,000 (Memorandum of Understanding or Letter of Intent, followed by a formal contract, or a formal contract – <i>see FAM</i> )	<p>Where an emergency exists, and prior approval of the Chief Procurement Officer cannot be obtained, the permanent head of the purchasing organization or their designate may authorize any official in the organization to purchase the goods to immediately address and stabilize the situation. This authorization may be given after the emergency purchase is made.</p> <p>There is no limitation on the value of the purchase.</p> <p>All organizations subject to <i>The Purchasing Act, 2004</i>, may use this delegation for any emergency purchases as defined in section 12(1) of <i>The Purchasing Regulations</i> as existing:</p>

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
		4510.17)	<p>(a) if an act of nature causes the need for an immediate acquisition of supplies; or            (b) if supplies vital to the continuation of a program;            (c) are needed immediately; and            (d) the program is necessary for public safety or public health.</p> <p>As soon as practical after an emergency purchase is made, the purchaser must forward to the Chief Procurement Officer details of the purchase, including a written explanation of the circumstances which justified the emergency purchase and the short-term actions taken, and to discuss the proposed actions to address the situation in the longer term. For example, ceiling failure requires immediate action to make the building safe, which may include moving the occupant, stabilizing the ceiling, and to secure the facility.</p>
<b>Construction Goods/Services</b>	> \$20 million > \$10 million	Multi-Stage Procurement  <ul style="list-style-type: none"> <li>• Request for Supplier Qualification</li> <li>• Expression of Interest (EOI)</li> <li>• Request for Proposal</li> </ul>	<p>A multi-staged procurement is defined as a procurement in relation to an identified project or contract that involves an initial assessment of potential vendors prior to conducting a subsequent competition. The initial assessment may take the form of a market-sounding pre-qualification (such as an RFS or EOI) or a similar process. The goal of this initial assessment is to identify vendors that may be invited to participate in a subsequent competition, such as an RFP.</p> <p>A multi-stage procurement must be conducted for construction projects over \$20 million and goods and services contracts over \$10 million or for complex projects of any size unless an exception has been approved in advance by the permanent head, President, Chief Executive Officer, or equivalent or designate.</p>
<b>Sole Source Goods/Services</b>	No dollar threshold	Advance Contract Award Notice	Where procurement could involve a sole source (one provider for the product or service required), it is recommended that before directly awarding a contract to this vendor, an Advanced Contract Award Notice (ACAN) be utilized.

Goods/ Services	Dollar Threshold	Procurement Method(s)	Process Description
			<p>Vendors would be invited to challenge the direct award by providing written justification why an open procurement competition should be undertaken. For a challenge to be accepted, the vendor must clearly identify why they believe there is competition in the area. Once a valid challenge has been received, an open procurement process is generally conducted (i.e. RFP, ITT).</p>
<p><b>Non-Standard/ Customized Goods/Services</b></p>	<p>No dollar threshold</p>	<ul style="list-style-type: none"> <li>• Request for Proposal</li> <li>• Request for Supplier Qualification</li> </ul>	<p>Where applicable and in consultation with a procurement resource, a detailed procurement plan must be developed. The specific information required in the procurement plan will depend on the opportunity under consideration. The business unit must ensure that all requirements of procurement planning are met. A detailed procurement plan template can be found on the Priority Saskatchewan website at (or in the <b>Government of Saskatchewan Procurement Guide</b> <a href="https://publications.saskatchewan.ca/#/products/112708">https://publications.saskatchewan.ca/#/products/112708</a> and should provide details to explain how the procurement circumstances justify a non-standard procurement.</p> <p>The business unit must submit the completed procurement plan to their procurement area for review and approval. Business units are encouraged to consult with and involve their procurement area during the development of the procurement plan to avoid unnecessary delay in the review and approval process. Non-standard procurements require the approval of the Chief Procurement Officer or designate.</p>

## STANDARD PROCUREMENT TEMPLATES

The following templates to support the use of the key procurement tools identified in the **Government of Saskatchewan Procurement Guide** <https://publications.saskatchewan.ca/#/products/112708>

Template	Description
<b>Advanced Contract Award Notice (ACAN)</b>	ACANs are designed to enhance transparency in potential sole source and direct award procurement situations and to identify other possible sources of supply of the goods and/or services. It identifies the rationale for the proposed sole source but also invites the vendor community to provide alternatives or for previously unknown sources of supply to respond to the procurement opportunity.
<b>Expression of Interest (EOI)</b>	An EOI is used to determine whether the vendor community would be interested in or able to respond to a procurement opportunity. It is intended to assist with market sounding and the collection of information.
<b>Invitation to Tender (ITT)</b>	ITTs are used primarily when a clearly defined product or service is being requested. The evaluation with this approach heavily emphasizes total cost as there should be little to negotiate with respect to specifications or outcomes.
<b>Request for Bid (RFB)</b>	RFB is a document utilized to solicit written solution-based proposals from potential vendors. RFBs are utilized when criteria other than price are requested. The evaluation includes factors in addition to price and includes negotiations that cannot be accommodated within a traditional ITT or RFQ.
<b>Request for Information (RFI)</b>	RFIs are utilized where information from the vendor community is being sought to assist in the possible development of another procurement document. Where the purchaser is unfamiliar with the marketplace or is seeking additional information, an RFI can be utilized to receive this information from the vendor community.
<b>Negotiated Request for Proposal (NRFP)</b>	<p>An RFP is a document utilized to solicit written solution-oriented proposals from potential vendors. NRFPs are used for those requirements where flexibility is required in the procurement process and include negotiations that cannot be accommodated within a traditional RFP.</p> <p>Both non-cost and cost criteria are evaluated, in addition to responsiveness and responsibility, to achieve best value. A successful RFP process will:</p> <ul style="list-style-type: none"> <li>• support the principles of a fair, open, and transparent procurement;</li> <li>• will provide the purchasing organization with a business solution; and</li> <li>• will comply with the expectations of government policy and procurement law.</li> </ul>
<b>Request for Quotation (RFQ)</b>	<p>RFQs are utilized:</p> <ul style="list-style-type: none"> <li>• For low dollar requirements that are below the trade agreement thresholds;</li> <li>• To get quotes for simple, non-complex goods or services;</li> </ul>

	<ul style="list-style-type: none"> <li>• Where negotiations are not intended after award; and</li> <li>• Where the award is primarily a price-based decision.</li> </ul> <p>It is recommended evaluation criteria such as delivery time and warranty be included.</p>
<p><b>Request for Supplier Qualifications (Framework with Master Agreement and Pre-Qualification (RFSQ))</b></p>	<p>RFSQs are utilized where the purchasing organization wishes to create a list of pre-qualified suppliers who are deemed to be competent to provide quotes on future procurement opportunities.</p> <p>This process can be complicated and should only be conducted under guidance and direction from your procurement area.</p>

## PROCUREMENT PROCEDURES DURING A COMPETITION

### CONTACT DURING THE COMPETITION

Throughout a competitive process, purchasing organizations must ensure that potential vendors to government are treated in a fair and unbiased manner.

- Ensure only one person is the contact person and is authorized to make commitments on behalf of the purchasing organization. This person will answer, or arrange to answer, all questions from bidders and may distribute the answers to all bidders who have expressed interest in the process. In this way, all stakeholders will receive consistent information. The exception is in the case of proprietary information that should not be disclosed to competitors.
- Only questions in writing will be accepted and answers must be given in writing to maintain an accurate historical record. If verbal questions are received by the contact person, both the question received, and the answer provided must be recorded.
- All relevant information which could reasonably impact the procurement also needs to be disclosed in the procurement document. Fair and consistent disclosure of information related to the procurement process ensures a leveling of the playing field for all potential vendors.
- The procurement document must not be drafted in such a way that only one vendor would be able to qualify. At a minimum, where there are specific product requirements, equivalent products must be allowed to be considered.

### ADDENDA

All changes to a competitive procurement must be implemented by way of a written addendum. All such changes to a competitive procurement process managed by PMD must be done in keeping with the following procedures:

1. PMD Procurement Professionals prepare an addendum including the words and phrases being modified or added to the procurement documents.
2. If the addendum affects the contract terms, obtain legal advice on the form and content.

3. Publicly post the addendum on SaskTenders at least two days prior to the Submission Deadline.

## SUBMISSION RECEIPT AND OPENING

### **Submission Receipt**

Submissions must be received in accordance with handling procedures as identified in the procurement competition document. Submissions may be received in paper, fax and/or electronic format as identified in the procurement competition documents.

### **Opening**

Submissions will be accepted in accordance with the closing time, date and process stipulated in the bid documents.

## VENDOR DEBRIEFS

The purpose of the vendor debriefing is to provide a two-way communication process for the purchasing organization and participating vendors in order to exchange constructive feedback on the procurement processes and practices and the strengths and weaknesses of the vendor's submission.

Employees involved in a debriefing must exercise appropriate tact and represent the government with utmost integrity. After a successful debriefing, a disappointed vendor is usually more accepting of the results of the competition.

Debriefings are an important component of a competitive procurement process and provide an opportunity to:

- Recognize the efforts vendors make in responding to procurement documents issued by the purchasing organization and provide vendors with an opportunity to provide feedback on challenges that the process created for vendors, and potential changes or improvements that could be made to the procurement processes and practices;
- Offer constructive criticism and suggestions for improvements so that unsuccessful vendors have a better opportunity for succeeding in future procurement processes;
- Promote positive two-way communication between the vendor and the purchasing organization and PMD to build relationships and allow perspectives to be shared, which may result in enhancements to future procurement activities and improve project results;
- Offer vendors an explanation as to why their submission was not successful and address questions and concerns in a non-confrontational manner, which may increase the vendor's understanding of the process and assist in mitigating the risk of unsuccessful vendors pursuing litigation or initiating procurement disputes.

For more information on this, refer to the Vendor Debriefing Policy

<https://publications.saskatchewan.ca/#/products/112787>

## DEFINITIONS

**Competition Document** – This refers to the variety of documents used in a procurement process and typically includes an Advance Contract Award Notice, Invitation to Tender, Request for Information, Request for Prequalification, Request for Proposal, Request for Resources or Supply Arrangement.

**Construction** – Means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work. Also includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work. Does not include professional consulting services related to the construction contract unless they are included in the procurement.

**Contract** – Is an agreement between two or more parties. A contract is considered binding when an offer to provide goods or services, at a price, is accepted.

**Emergency procurement** – Means a procurement that is made to immediately address a sudden, unforeseeable, and unexpected occurrence that poses a clear and imminent danger to public safety or requires immediate action to preserve prevent or mitigate the loss or impairment of life, health, property or essential public services. **Note: lack of planning does not constitute emergency.**

Emergency procurement shall be limited to those supplies, services, information technology, or construction items necessary to meet the emergency.

**Financial Administration Manual (FAM)** – The Financial Administration Manual contains policies and procedures established by the Ministry of Finance.

**Goods** – See definition of “Supplies”.

**IT Services** – Means hardware, software, services.

**MASH sector** – Means municipalities, school boards, health regions and publicly-funded post-secondary institutions.

**MIDAS** – Refers to the Oracle financial system used by Public Entities.

**Procurement** – Means the acquisition by any means including the purchase, rental, lease or conditional sale of goods, services, or construction.

**Public Entity** – Means a ministry or agency of the Government of Saskatchewan.

**SaskTenders** – Refers to the ([sasktenders.ca](http://sasktenders.ca)) website maintained by PMD, which is used by the Saskatchewan Government to advertise procurement opportunities to the vendor community.

**Services** – Refers to any service supplied or to be supplied.

**Procurement Management Division (PMD)** – means the Government of Saskatchewan Procurement Management Division.

**Supplies** – Defined by *The Purchasing Act, 2004* as all goods, wares and merchandise that are required by a purchasing organization or public institution for the transaction of its business and affairs and includes food, drugs, chemicals, petroleum and other processed products, furnishings, fixtures, equipment, appliances and stationery. This does not include supplies designated in the regulations as being included in a contract for construction or a contract for other services. Also, may be referred to as “goods” or “commodities”.

## RELATED POLICIES, GUIDELINES & PROCEDURES

The following is a list of policies, guidelines and procedures related to procurement procedures:

### **Best Value Procurement Policy**

This policy sets out the Government of Saskatchewan's goals with respect to best value procurement.

### **Communications Procurement Policy**

The **Communications Procurement Policy**

<https://publications.saskatchewan.ca/#/products/90637> protects and promotes the use of fair, transparent and competitive communications procurement practices used by the Government of Saskatchewan.

### **Financial Administration Manual**

The complete Financial Administration Manual can be accessed at

<https://publications.saskatchewan.ca/#/products/7852>, including Financial Administration Manual for copies of relevant policies including 3154 (purchase card usage), 4505 (supplies and services), 4510 (contracts for services).

### **Multi-Staged Procurement Policy**

This policy requires a multi-stage must be conducted for all construction projects that have a total estimated procurement value of at least \$20 million or all goods and services projects that have a total estimated procurement value of \$10 million or more.

### **Government of Saskatchewan Procurement Guide**

Provides a framework to how public entities conduct their procurements.

### **Procurement Code of Conduct Policy**

This policy sets out the standards and expectations to be followed by employees of public entities who conduct procurement activities on behalf of those public entities as well as the standards and expectations to be followed by vendors who participate in procurement opportunities.

### **Procurement Evaluation Guide**

This Procurement Evaluation Guide will cover many of the issues related to the evaluation of a competitive process, such as:

- The principles of evaluation;
- The role of the procurement area;
- The public entity's responsibilities during the evaluation, selection and debriefing;
- Step-by-step guidance on how to prepare an evaluation document;
- Guidance on the disclosure of information; and
- Link to other tools and resources.

### **Procurement Standards Involving Conflict of Interest**

This policy details the obligations of vendors to declare any actual, potential or perceived actual conflict of interest in procurement competitions.

## **Publication Centre**

Visit Publication Centre <https://publications.saskatchewan.ca/#/freelaw> for copies of relevant Acts and Regulations, including *The Purchasing Act, 2004*, Government Organization Act and any accompanying regulations.

## **Request for Proposal (RFP) Guide**

This guide is to assist public entity employees navigate the RFP process. The guide covers many of the issues related to the development of an RFP, such as:

- The obligations in the RFP process;
- The role of the public entity's procurement area;
- The public entity's responsibilities during the RFP process, from developing and issuing the RFP document, to awarding the contract to the successful vendor;
- Step-by-step guidance on how to prepare an RFP document;
- Guidance on the disclosure of information; and
- Links to other tools and resources that are relevant to the RFP process.

## **Scope of Work Writing Guide**

The purpose of the Scope of Work Writing Guide is to assist public entity employees in addressing the challenges associated with writing a scope of work for all types of procurement documents, including a tender and/or request for proposal document.

## **Standing Offers**

A complete list of the standing offers is available from the standing offer website. You can register for the standing offer web site at ([www.standingoffers.gov.sk.ca](http://www.standingoffers.gov.sk.ca)).

## ***The Purchasing Act, 2004***

*The Purchasing Act, 2004* provides the authority for the procurement of goods.

## **The Purchasing Regulations**

The Purchasing Regulations are the rules and guidelines that dictate how the provisions of *The Purchasing Act, 2004* should be applied.

## **Vendor Debriefing Policy**

This policy describes the purpose and nature of a vendor debriefing and the process for conducting vendor debriefings requested by vendors that have participated in a competitive procurement process conducted by a public entity.

## **Vendor Performance Manual**

This Manual provides a framework for public entities to maximize value, competition and fairness, and achieve the best possible balance of benefits to public entities through vendor performance evaluation.