Alberta shareIT Program

ShareIT Procurement Policies and Procedures
- Governing Policy -

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cybera

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Procurement Policy and Procedures

Governing Policy

Cybera is committed to:

- applying sound procurement practices in support of procuring goods and services on behalf of its members
- fostering a competitive, fair, open and transparent procurement environment
- complying with applicable law, including regulatory requirements and directives

Cybera will:

- assign clear responsibility for achieving ShareIT's procurement policy objectives
- ensure accountability for setting procurement strategy and achieving procurement results
- ensure that consistent and professional standards are applied for all procurements
- utilize efficient and effective procurement practices and processes that are transparent, open and designed to ensure that suppliers are treated with courtesy, fairness, respect, honesty and professionalism
- comply with applicable trade agreements relating to procurement practices

Procurement Ethical Practices

Cybera is dedicated to high standards of ethical conduct and as such adheres to the Supply Chain Canada Code of Ethics for Professionals in the field of Supply Chain Management . Individuals who are engaged in the procurement process on behalf of Cybera shall behave in an ethical manner at all times in every aspect of the performance of their responsibilities.

Regulatory Requirements

Cybera's procurement activities are governed by Alberta and Canadian contract and statute law.

Confidentiality/Disclosure of Information

Where required, procurement related records and information shall be considered Cybera confidential information and will be treated in accordance with Cybera's Privacy Policy.

Dealing with Suppliers

Suppliers, including consultants, contractors, vendors and business associates, will be treated with courtesy, fairness, respect, honesty and professionalism. Cybera will maintain and practice a high standard of business ethics, professional courtesy, and competence in all dealings with suppliers.

Legal Determinations

All requests for legal determinations on commercial procurement matters should be made in consultation with the Chief Financial Officer (CFO).

Compliance and Enforcement

Cybera will use education, preventative controls, and active oversight to ensure compliance to procurement policies and procedures. Cybera will identify policy and procedural non-compliance and management will investigate such instances and will develop an appropriate response according to the circumstances, up to and including use of progressive disciplinary procedures. The purpose of compliance and enforcement activities is to correct unacceptable behaviour or conduct, in order to maintain adherence to Cybera's ethical and operational procurement standards.

The Cybera ShareIT Manager, or their designate, will ensure that all procurements are monitored, and that they follow the policies and procedures described herein. The ShareIT Procurement Lead, or their designate, will also review and approve all contracts prior to signing by Cybera.

Procedure

To ensure that a common framework of terms and acronyms are used within this document, this list will be used to maintain the official Cybera usage of each.

Acronym	Description
ACAN	Advanced Contract Award Notice
BAFO	Best and Final Offer
LT	Limited Tendering
NRFP	Negotiated Request for Proposals
RFI	Request for Information
RFQ	Request for Quotations

RFP	Request for Proposals
RFPQ	Request for Pre-Qualification

Standard Sourcing Practice

The following are standard sourcing practices.

Acquisitions of goods and services must follow applicable Trade Agreements.

Contracts and sourcing documents (or "bid documents") used to solicit competitive responses will be made utilizing Cybera's standard processes and a RFP/NRFP/RFQ/RFI/ or ACAN Template, unless approval is given by the Cybera ShareIT Manager, or their designate, and the CFO.

All public competitions and public procurement requests such as RFP, NRFP, RFI, RFQ and ACAN, will be posted on the Alberta Purchasing Connection (APC) website. They may also be advertised through other media as appropriate, to generate competitive response from the supplier market.

Normally commitments to third parties may not be made, nor items acquired through lease which extend beyond confirmed funding availability (e.g. fiscal year budget, research grant); however, exceptions may be permitted by an executive of Cybera in consultation with the CFO.

Cybera shall create Master Agreements (MA's) with successful proponents from RFP, NRFP, RFQ and ACAN processes, allowing our members to opt into the procured service.

Exceptions/Limited Tendering

Exceptions and/or Limited Tendering may be applied based upon the allowances made in the New West Partnership Trade Agreement, the Canadian Free Trade Agreement and the Comprehensive Economic and Trade Agreement.

All exceptions must be approved by ShareIT Manager, or their designate, as well as a representative from Cybera's executive team.

Limited Tendering (LT) may be issued in accordance with Article 513 of the Canadian Free Trade Agreement (CFTA). When applicable, an Advanced Contract Award Notice will be used to inform vendors that negotiations with a specified contractor will take place without a competitive process. By listing the prospective contractor's qualifications and the rationale for selecting him/her, and allowing others to express their relevant qualifications, it ensures that potential suppliers have not been inadvertently missed.

When Limited Tendering has been applied and an Advanced Contract Award Notice is not posted on the Alberta Purchasing Connection (APC), Cybera will publish award information in accordance with Article 516.2.(f) of the CFTA.

Conflict of Interest

In order that Cybera is aware of any potential conflict of interest in dealing with suppliers and so it can ensure there are no adverse consequences from such conflict, Cybera employees, representatives and members participating in a shared procurement with direct or indirect interest in a merchant or potential supplier must report such an interest to Cybera management and/or ShareIT Manager.

Processes

Request for Information (RFI)

RFI is a non-competitive method for gathering specific information about materials or service from the market prior to embarking on negotiations. Information gathered will generally help management to refine its procurement needs and prepare a clear description of these needs for a competitive solicitation of bids, quotes or proposals.

Request for Quote (RFQ)

RFQ is a method for gathering specific pricing for commodities, simple services or straightforward/uncomplicated items with little or no room for product or service differentiation between responding vendors. Information gathered will lead to a purchase.

Limited Tendering with Advanced Contract Award Notice (ACAN)

ACAN may be issued to inform vendors that negotiations with a specified contractor will take place without a competitive process. By listing the prospective contractor's qualifications and the rationale for selecting him/her, and allowing others to express their relevant qualifications, it ensures that potential suppliers have not been inadvertently missed.

Request for Proposal (RFP)

RFP is a method for gathering specific detailed proposals from vendors for product or service that may differ between responding vendors or may have unknown price differentials between responding vendors. Information gathered most often leads to a purchase should a vendor be able to provide acceptable products, services and/or pricing.

Negotiated Request for Proposal (NRFP)

NRFP is a method for gathering specific detailed proposals from vendors for product or service that may differ between responding vendors or may have unknown price differentials between responding vendors. The NRFP is a non-binding procurement process. The NRFP shall not give rise to any "Contract A" based tendering law duties or any other legal obligations arising out of any process contract or collateral contract.

Request for Pre-Qualification (RFPQ)

RFPQ means a competitive procurement process for determining whether the qualifications of a vendor are at a level that will allow participation in a subsequent bidding opportunity that takes place as a direct result of the RFPQ.

Working Groups

Working group members will be expected to agree to and sign the terms of a Non-Disclosure Agreement for each initiative or RFx in which they partake.

In all cases the ShareIT Oversight Committee will have final authority over the content, release and administration of any procurement process.

Cybera ShareIT procurements may include the creation of a working group of interested members prior to the development of the scope, requirements/specifications, pricing structure, and evaluation criteria. This group will work with the ShareIT Manager or Project Lead to create the specifications for the procurement, design and approve the procurement document, evaluate and score the responses. Working groups are also responsible for making an award recommendation for the approval by the ShareIT Oversight Committee.

Where applicable and where their participation would not place them into a conflict of interest, Cybera's members are eligible for inclusion within the working group.

Evaluation of Submissions

For all RFx responses, the ShareIT Manager, or their designate, must review all proposals for commercial compliance, prior to the results being made available to the working group.

For all procurements, awards will be made to suppliers based evaluation criteria established for the procurement and shared with proponents within the competitive bidding.

Evaluation Criteria

The individual evaluation criteria and their weightings will be fixed prior to the closing of the competitive process and will be documented by the ShareIT Manager or designate who is responsible for the sourcing competition, in collaboration with Cybera/ShareIT committees and other internal parties (together, forming the Evaluation Team).

Fairness of Competitive Bid Process

Cybera has an obligation to treat respondents fairly and equally and during the competitive process to provide all with the same information. For example, communications during competitions will follow a formal question & answer process and Cybera employees and/or ShareIT committees/working groups will not discuss competitions with suppliers or release information that may create an advantage to any potential respondent.

In a process requiring a series of engagements, Cybera will endeavour to limit advantages an incumbent supplier may have over its competitors. In situations where Cybera's or ShareIT community's best interests make any advantage in favour of an incumbent supplier unavoidable, the advantage will be disclosed in the competitive bid documentation for all phases and Cybera will seek to mitigate such advantage through disclosure of information about the prior work.

Non-Standard Procurement

Procurement not in accordance with standard practice is permitted only in exceptional circumstances. Non-standard procurements include the following:

- When an award is to be made with a value exceeding the thresholds for public advertisement but a public procurement process has not been followed, except where the procurement is an exception.
- An award is to be made to other than the highest ranked participant in a competitive procurement process based on pre-defined evaluation criteria and weightings.

Where standard practice is not followed, the procurement is considered non-standard. Instances of non-standard procurement are reported to and reviewed by the CFO of Cybera and the ShareIT oversight and procurement committee.

Contract Administration

The ShareIT Manager, or their designate, must review and approve any final procurement decision prior to the signing of a contract. This will ensure that the procurement has followed the policies and procedures contained herein.

Upon completion of the procurement process, the responsibilities of Cybera and the successful respondent should be identified in a signed written contract before the provision of the materials or services commences.

The ShareIT Manager, or their designate will monitor the performance of the supplier and handle any contract issues resulting from non-compliance.

Scope

Cybera members acknowledge the provisions of these policies and procedures by executing the [Shared Procurement and Vendor Management Services Memorandum of Understanding](#) .

Roles and Responsibility

This policy is approved by the Chief Financial Officer. The CFO is accountable and responsible for these procedures. All Cybera management and staff ensure compliance to these policies and aid resolving non-compliance issues.

The CFO, in conjunction with the President and CEO, will be responsible for reviewing this document and making recommendations of required changes.

Citations and Disclaimer

This policy is for the sole use of Cybera and the ShareIT community. Cybera has the right to make changes/amendments at its discretion with input from the ShareIT community.