



SERVICE NOVA SCOTIA PROCUREMENT

PROCUREMENT MANUAL

A series of protocols to provide detailed guidance of procurement processes.

Last Updated: February 2, 2026

TABLE OF CONTENTS

INTRODUCTION	2
1. PROCUREMENT PLANNING.....	2
2. SOLICITATION DOCUMENT OVERVIEW	5
3. DOCUMENT DRAFTING.....	8
4. EVALUATION PLANNING	12
5. FORM OF AGREEMENT	15
6. PUBLISHING THE SOLICITATION DOCUMENT	15
7. RECEIPT OF BIDS.....	16
8. EVALUATION AND AWARD	17
9. LOW VALUE LIMITED COMPETITION	21
10. ALTERNATIVE PROCUREMENTS AND PERMANENT EXEMPTIONS.....	23
11. PIGGYBACKING CONTRACTS	28
12. UNSOLICITED PROPOSALS	29
13. DEBRIEFING.....	31
14. PROCUREMENT COMPLAINT PROCESS.....	32
15. SUPPLIER DISQUALIFICATION	33
16. SUPPLIER PERFORMANCE MANAGEMENT	34
17. PROCUREMENT COMPLIANCE AND CONTROLS MONITORING	34
18. APPENDIX.....	34

The purpose of the Procurement Manual is to give an overview of the requirements for Province of Nova Scotia departments and Nova Scotia Health (NSH) to conduct procurement activities.

The Procurement Manual should be read in conjunction with the [Public Procurement Policy](#). Terms used in this protocol are as defined in the Public Procurement Policy. Some links and referenced resources within this manual are accessible only to departments and NSH.

1. PROCUREMENT PLANNING

1.1 Submit a Sourcing Request - A sourcing request is the starting point for initiating a procurement process with Service Nova Scotia Procurement (Procurement). Provincial departments and NSH submit sourcing requests through SAP Ariba (the Province's eProcurement solution) to initiate a competitive or high value alternative procurement.

Procurement assigns the request to a procurement lead. Sourcing requests with incorrect categories, missing information or errors may be returned for correction.

1.2 SAP Ariba Sourcing Project – Procurement approves all sourcing requests before starting sourcing projects. Procurement meets with the department or NSH to plan the project and develop solicitation documents based on the execution strategy and creates a sourcing project.

1.3 Procurement Project Planning - Departments and NSH must use government-wide standing offers when applicable and verify the availability of such contracts before making a purchase.

The [Standing Offers page](#) lists all standing offers, group purchasing organization contracts, and supply arrangements. Agreements created through FlexTrack qualify as government-wide supply arrangements.

If an existing agreement is applicable, Procurement may help create an amending agreement to grant access under the same terms. If no standing offer meets the requirement or if standard specifications do not apply, departments and NSH may purchase outside the standing offer.

1.4 Planning - When departments and NSH determine a need for a product or service, and an existing contract does not exist, they should submit a sourcing request in Ariba to engage Procurement to discuss next steps. Planning starts by determining the project's complexity, which shapes the strategy. As complexity increases, so does the time and effort needed to plan and execute the procurement effectively. Engaging Procurement early helps ensure successful outcomes and reduces risk. Project complexity is described as low, medium or high. Specifics of what each level involves are as follows:

Low Complexity Procurement may involve:

- Using a Contract A document format for low risk, commercially available procurements that are generic with normal specifications. Selection is based on price and delivery.
- Conducting high-value, non-negotiated, or price-based alternative procurements using a purchase order or standard form of contract.
- Applying pre-approved solicitation and agreement templates with minimal contract management oversight.

Medium Complexity Procurement may involve:

- Specialized procurement where bidders may need to propose solutions or recommendations.
- Subject matter experts help define the scope and evaluation criteria, while Procurement oversees the development of solicitation documents.
- Evaluating bids using multiple criteria such as quality, technical specifications, or overall value.
- Customizing solicitation and agreement templates, including modifying terms and conditions to manage risk. Departments and NSH should engage privacy, cybersecurity, legal, and risk management representatives early to mitigate risks.
- Using a Contract A solicitation document.

High Complexity Procurement may involve:

- Managing major, high-value projects with complex technical specifications, significant risk, and high public visibility. These projects require extensive planning, negotiation, and coordination.
- Executing high-value alternative procurements (ALTPs) with complex contractual terms and negotiations.
- Addressing potential public or bidder scrutiny.
- Conducting negotiated procurements with multistage, complex evaluation processes.
- Engaging subject matter experts to help develop specifications and evaluate bids.
- Coordinating decision-making among multiple parties with diverse interests. Departments and NSH must assign a dedicated project lead to manage input from all parties.
- Developing and administering detailed contracts. Departments and NSH should engage privacy, cybersecurity, legal, and risk management representatives early to mitigate risks.
- A fairness advisor is recommended to maintain transparency and impartiality where public scrutiny is likely.

Once the complexity level is determined and a procurement strategy identified, Procurement works with the department or NSH to develop the project.

1.5 Conflict of Interest and Confidentiality Undertaking Declaration - To maintain integrity, fairness and public trust in procurement processes, department or NSH employees must avoid conflicts of interest and be impartial in conducting work activities.

A Conflict of Interest can be a situation, whether real, apparent or potential, where a department or NSH employee has private interests that could influence or be perceived to influence the performance of their

duties, or responsibilities that may result in personal or professional gain for themselves, or another individual or company.

The following definitions apply for determining if there is a Conflict of Interest:

- Actual - the individual already has a conflict.
- Potential – the conflict is about to happen or could happen.
- Perceived – others might reasonably believe you are not being objective.

Under the Public Procurement Policy, all employees, evaluation team members, advisors, consultants, and service providers involved in a procurement process must declare any perceived, potential, or actual Conflict of Interest to the Chief Procurement Officer or designate before they develop tender documents, join an evaluation panel, or make award decisions or recommendations.

Evaluation participants must submit a [Conflict of Interest and Confidentiality Undertaking declaration](#) to Procurement. If a conflict is declared, the project lead must document how they will manage the situation and review with Procurement. Procurement accepts the COI declarations and confirms any actual, potential or perceived conflicts with their manager. Until Procurement responds to the declaration, the individual must not participate in the process. Procurement saves all completed declarations in Ariba.

1.6 Project Overview (Mapping Statement) - The reason for the project and an overview of the goods, services or construction that are to be procured.

1.7 Development of the Project Timeline - Determination of when the deliverables are required and establishing the timelines to create, post, evaluate and award the solicitation. Timelines can be based on historical timelines, resource availability and project complexity.

1.8 Site Visits - Suppliers may need to attend a site visit to assess site-specific requirements before submitting a bid. Site visits may be mandatory or optional. If a site visit is mandatory and a supplier fails to attend, they cannot submit a bid. To determine if a site visit should be mandatory, the department or NSH should consult with Procurement during planning.

1.9 Define Evaluation Criteria - Evaluation teams use criteria as benchmarks to assess solicitations and determine each proposal's merit. Evaluation criteria may include price, technical specifications, demonstrations or trials, to determine best value.

1.10 Estimated Project Cost - To estimate project cost, departments and NSH add all anticipated expenses over the purchase life. This includes life cycle cost considerations such as consumables, acquisition, training, delivery, installation, licensing, contract extensions, maintenance, and disposal. The total project value determines if the solicitation qualifies either as a high or low value procurement and which trade agreement applies.

If the procurement involves both goods and services, the commodity that represents the largest portion will determine the applicable threshold. Departments and NSH must not subdivide projects or split contracts to reduce the value. If a good or service is required regularly or on an ongoing basis, consider establishing a standing offer, supply arrangement or longer-term contract.

1.11 Internal Approvals –Departments and NSH are responsible for ensuring all necessary internal approvals, which may include budgetary approvals (i.e., Ministerial approval, MEC). These approvals are obtained prior to submitting a sourcing request.

For departments, confirmation of an official purchase requisition (S/4HANA), with approved values is required by Procurement prior to publishing a solicitation document. For NSH, submitting a sourcing request in Ariba acts as confirmation that all approvals necessary have been obtained.

1.12 High Value Procurement Processes - Departments and NSH must use one of the following procurement processes when procuring at or above Canadian Free Trade Agreement (CFTA) thresholds:

- High Value Competitive Procurement - a public tender process that is advertised on the Procurement Portal and open to all bidders.
- High Value Alternative Procurement – a non-public procurement process where the procurement meets one of the defined ALTP circumstances. In these cases, it may not be possible or practical to conduct a competitive process. Departments and NSH must consult with Procurement to confirm whether the situation qualifies for an ALTP. Departments and NSH must never use an ALTP to avoid competition or to discriminate against specific suppliers.

2. SOLICITATION DOCUMENT OVERVIEW

Procurement manages and issues solicitation documents on behalf of departments and NSH. These documents define the framework and terms and conditions that guide the procurement strategy.

To maintain version control, Procurement owns and maintains the solicitation templates. Departments and NSH must not modify the terms and conditions without review and approval from both Procurement and legal. Unauthorized changes can introduce risk and legal implications that may affect the procurement process and the resulting agreement. During planning, Procurement will advise the department or NSH on the sections they are responsible for.

2.1 Contract A Solicitation Document (Non-Negotiated) - Some solicitation documents include terms and conditions that automatically create a Contract A agreement. This happens when a supplier submits a compliant bid in response to a solicitation with binding rules. Both the supplier and the department or NSH are then legally obligated to follow the solicitation rules until a winning bid is selected.

These documents include a fixed irrevocable period, as defined in the solicitation document, where

suppliers cannot withdraw or change their bids after the deadline. Once the department or NSH accepts a bid, Contract B (the purchase agreement) is formed with the winning supplier. All other suppliers are released from their Contract A obligations. To ensure transparency, departments and NSH must include all terms of Contract B in the solicitation document. These terms are final and cannot be negotiated.

When the Province asks suppliers for bids, there are two types of agreements involved:

- **Contract A – The Rules Agreement:** Some bid requests (called solicitation documents) include strict rules that automatically create a legal agreement called Contract A. This happens when a supplier sends in a bid that follows all rules Procurement has put in place. Once that bid is submitted, both the supplier and the department or NSH must adhere to those rules until a winner is selected. Suppliers cannot change or withdraw their bids for a set time (usually 60 days) after the deadline. Contract A ends for all but the winning supplier once a winner is selected.
- **Contract B – The Purchase Agreement –** When a supplier’s bid is accepted, Contract B is formed. This is the actual purchase agreement. All the terms of Contract B must be written in the original solicitation document. These terms cannot be negotiated later.

The following solicitation formats create Contract A:

- **Request for Quotations (High Value) (RFQ)** – When specifications and contract terms are defined. Awarded to the lowest-price compliant bid. RFQs are best for standard, competitive procurements.
- **Request for Proposals (High Value) (RFP)** – When suppliers are to propose solutions. Specifications may be less defined. The award is based on the highest total score using rated criteria and pricing.
- **Request for Standing Offer (RSO)** – Issued when a need is anticipated for a range of goods or services for a specific purpose, but the actual demand is not known, and delivery is to be made when a requirement arises.

2.2 Non-Contract A Solicitation Documents - The following outlines the types of non-contract A solicitation documents used when negotiation is permitted prior to contract award:

- **Negotiated Solicitation Documents** - These documents allow departments and NSH to negotiate pricing and deliverables before signing a contract. For use with complex services or specialized goods where requirements are not fully defined or where negotiation adds value.
- **Negotiated Request for Proposals (NRFP)** – Use this non-binding format when suppliers can offer flexible solutions. The award is based on the highest score using price and rated criteria.

There are two types of NRFPs:

- **Consecutive Negotiation** – Negotiate with the top-ranked supplier and move to the next highest ranked supplier if the top-ranked supplier is unsuccessful; and,
- **Concurrent Negotiation Best and Final Offer (BAFO)** – Negotiate with multiple suppliers and request final offers to determine best value.

2.3 Request for Supplier Qualifications (Non-Contract A) – Use to pre-qualify suppliers for complex or high-value projects. The process includes two stages:

- Stage 1: Department or NSH evaluates suppliers based on qualifications, experience, and capabilities. Only suppliers who meet the criteria move forward.
- Stage 2: Qualified suppliers are invited to respond to a follow-up solicitation, such as an RFQ or RFP. For departments, Procurement evaluates these proposals and awards the contract to the supplier offering the best combination of technical and financial value.

This approach ensures that only capable suppliers participate in the final bidding stage, improving efficiency and competition.

2.4 Standing Offers and Supply Arrangements – Departments and NSH can establish either a standing offer or a supply arrangement for goods, services, or construction needed over time.

A standing offer (SO) is ideal when departments and NSH need specific goods or services on a recurring basis. Suppliers agree to provide these items at fixed prices and under agreed terms for a set period. Departments and NSH can place individual orders (called “call-ups”) without running a new competition each time. A standing offer does not guarantee work or create a binding contract until a call-up is issued.

A supply arrangement (SA) also uses a two-stage process:

- Stage 1: Departments and NSH prequalify suppliers based on their experience and capabilities, creating a roster of approved vendors.
- Stage 2: Departments and NSH invite prequalified suppliers to bid on specific work. They define the scope and deliverables at this stage and finalize the contract terms and pricing.

The following table compares the attributes between standing offers and supply arrangements as tendered using a Request for Supplier Qualifications.

Aspect	Standing Offer (SO)	Supply Arrangement (SA)
Procurement Process	Single-stage process where suppliers agree to terms upfront.	Two-stage process: prequalification (Stage 1) and task-specific proposals (Stage 2).
Volume Commitment	No commitment to volume, just the terms for future purchases.	Commitment is made at Stage 2 when specific work is defined.
Flexibility	Limited flexibility: terms are fixed, and call-ups are based on predefined conditions.	High flexibility: the scope of work is defined in each call-up under the arrangement.
Contract Finalization	No need for further contract negotiation once the standing offer is established.	Contract terms are finalized in Stage 2 based on specific work or project requirements.
Use Case	Ideal for recurring purchases or services with fixed terms.	Ideal for project-based or complex work where scope varies by task.

2.5 A Request for Information (RFI) – An RFI is used to gather structured and transparent market insights to help define requirements or understand the availability of specific goods or services. An RFI allows suppliers to share their expertise and may be used to collect expressions of interest. An RFI does not result in a contract or purchase. It helps inform future procurement decisions by clarifying what the market offers.

2.6 Solicitation Document Strategy. The following table notes which templates create a legally binding Contract A (Non-negotiated) and which do not, (negotiated).

Template	Contract A	Non-Contract A
RFQ (High Value)	✓	
RFP	✓	
RSO	✓	
NRFP – Consecutive		✓
NRFP – Concurrent (BAFO)		✓
RFSQ – Prequalification		✓
RFSQ – Standing Offer / Supply Arrangement		✓
RFI		✓

3. DOCUMENT DRAFTING

3.1 Drafting Solicitation Documents - Procurement designs solicitation documents to give bidders a fair and transparent framework for submitting responsive bids while protecting the interests of the department or NSH. Each document must follow applicable legislation and use approved templates.

When drafting a solicitation document, departments and NSH must ensure the deliverables align with evaluation criteria, pricing format, and contract type. Procurement reviews the documents to ensure compliance with policies and approves the final version before the competitive process begins.

Departments and NSH follow these guidelines when drafting solicitation documents:

- Consult Procurement before changing any terms and conditions.
- Use plain language. Avoid jargon or vague terms.
- Specify the basis of award, evaluation criteria, and evaluation process.
- Capitalize defined terms and include definitions.
- Include language in the deliverables about how service levels will be measured and managed.
- Include all contract terms and conditions.
- Integrate supplier performance management expectations into the deliverables.

The following sections of the solicitation templates are completed by Procurement in collaboration with the department or NSH through the planning process.

3.2 Invitation to Proponents – This section should include a short statement outlining the procurement,

with a high-level summary of the expected deliverables so bidders understand the scope of work.

3.3 Type of Contract for Deliverables – This section should specify the type of contract the successful proponent will be required to sign, including the format, term of agreement, and any extension options. Attach the form of contract as an appendix to the solicitation document.

3.4 Solicitation Timetable - This section should list all key dates related to the solicitation, including the submission deadline, proponent meetings, site visits, presentations, or demonstrations. Ensure the timeline gives suppliers enough time to prepare a complete and competitive response and follows applicable trade agreement timelines.

3.5 Requirements and Specifications - This section should include a description of bidder requirements.

When drafting specifications, it is good practice to:

- Follow trade agreement rules that promote fair and open competition.
- Use generic, non-branded language unless a specific brand is unavoidable.
- If referencing a brand, include the phrase “or equivalent”. Do not use brand names as a preference.
- Avoid restrictive language that could limit competition.

In solicitations where award is based solely on lowest bid price, example specifications may include:

- Physical, functional or performance characteristics that define how the goods or services should operate or perform.
- Quality standards based on recognized third-party certifications.
- Usage descriptors such as consumer, industrial, medical or laboratory grade, depending on the intended application.
- Sustainability considerations including environmental, social, or accessibility considerations, or third-party certifications that support these goals.
- Essential specifications that inform price, but only if price is the sole evaluation factor. Avoid including features that could unfairly favour a specific product or supplier.

In solicitations where the award is based on evaluated criteria and price, example specifications may include those noted above, in addition to:

- Specifications that inform price and rated criteria, if using a rated evaluation process. These must be clearly disclosed and aligned with the evaluation framework.
- Negotiable specifications and requirements, if the solicitation allows for negotiation.

3.6 Material Disclosures - This section should include a description of what is required from bidders to prepare accurate proposals and pricing. The department or NSH must disclose information that could influence a supplier’s decision or ability to submit a fair and competitive bid. Failure to disclose this information can expose the Province to legal, financial, or reputational risk.

Examples of material disclosures include:

- Engineering, consulting, environmental, or site reports related to the procurement.
- Regulatory or compliance requirements that suppliers must meet.
- Unusual conditions that could affect pricing, such as delivery restrictions or tight timelines.
- Contract performance expectations, including service standards, penalties, or security requirements.
- Indemnity clauses, performance security, or insurance requirements that apply to the contract.
- Non-standard procedures that the successful supplier must follow.
- Conditions for award, such as mandatory certifications, completion dates, or criminal record checks.

3.7 Mandatory Submission Requirements - In this section, departments and NSH must identify all documents and forms that bidders are required to submit for the bid to be considered. These requirements ensure bidders follow the submission process and provide the necessary information to support compliance and evaluation.

Examples of mandatory submission requirements include:

- Completed bid forms that meet the solicitation's formatting and content expectations.
- Signed certifications, such as legal or regulatory compliance.
- Corporate registration or business licenses that validate the bidder's legal status.
- Conflict of Interest declarations or non-disclosure agreements.
- Proof of insurance or bonding, if required by the solicitation.

Procurement is required to verify these requirements prior to evaluating a tender to ensure bids are compliant. If a bidder fails to submit a required document or submits an incomplete form, Procurement may reject a bid depending on the legal opinion of the materiality of the omission.

If the solicitation uses a Negotiated Request for Proposal (NRFP) format, Procurement may allow a rectification period. During this period, Procurement may request a bidder to resubmit incomplete or missing documents by a certain time to ensure flexibility, fairness and transparency. Rectification applies only to non-Contract A solicitations.

3.8 Mandatory Technical Requirements – In this section, departments and NSH must disclose all mandatory technical requirements that bidders must meet to be considered technically compliant. If a bidder fails to meet these requirements, Procurement may declare the bid non-compliant.

In some cases, departments and NSH may not be able to verify compliance until after awarding the contract. If this applies, the solicitation must outline how and when verification will occur and specify penalties for non-compliance. This ensures bidders understand the consequences of failing to meet the requirements in accordance with verification requirements.

Departments and NSH review bids for compliance with mandatory technical requirements on a pass/fail

basis. These requirements should be minimal, essential, and not favour specific products or suppliers. If a technical requirement is not essential, the department or NSH should consider including it as part of the rated criteria instead. Overly prescriptive or unnecessary mandatory requirements can discourage qualified bidders and reduce the chances of achieving the best value.

3.9 Sustainability Considerations - The Government of Nova Scotia recognizes sustainable procurement, and takes a holistic approach by considering the environmental, economic, and social impacts of all purchasing activities. Departments and NSH should consider the following in all procurement activities:

Promoting Social Value - To support individuals facing barriers to employment and help build healthy communities, consider opportunities for Social Enterprises to deliver the required goods or services.

Using Apprentices - To create employment opportunities for apprentices and youth, consider requirements to involve designated trades where practical. Visit the [Nova Scotia Apprenticeship Agency](#) for a list of designated trades.

Preferences - The Government of Nova Scotia is committed to providing advantage to local suppliers. Where possible and in accordance with Government Directives, departments and NSH should apply preference to suppliers based in Nova Scotia or elsewhere in Canada. This means giving those suppliers a slight advantage in the evaluation process, when allowed under trade agreements. Whether a preference can be applied depends on factors such as the value of the procurement and specific rules or exceptions in the trade agreements.

To apply a preference:

- The solicitation document must clearly state that a preference will be used.
- The document must also explain how the preference will be calculated or applied.

Departments and NSH should always consult with Procurement before including a preference in a solicitation to ensure it aligns with trade agreement rules and Government policy.

Supplier Diversity – The Government of Nova Scotia is committed to supporting businesses owned by individuals from underrepresented and underserved communities. Departments and NSH are encouraged to consider supplier diversity when planning procurements. By including diverse suppliers, government is helping build a more inclusive and equitable economy.

Accessibility Standards – The Government of Nova Scotia supports accessibility standards. Departments and NSH must consider these standards during procurement planning. For more information, see the [Nova Scotia Accessibility Directorate](#).

Environmental – The Government of Nova Scotia is committed to protecting the public by selecting safer solutions and minimizing environmental impacts from greenhouse gases, waste, and toxins. When

developing specifications, use third-party certifications—such as EPEAT, LEED, Energy Star, and Ecologo—where feasible. These certifications should reflect meaningful product or service criteria, including life-cycle considerations, and be widely adopted to support a competitive procurement process.

Identify projects that demonstrate sustainability attributes. Require certifications only when essential to achieving the project’s outcomes and deliverables. Avoid imposing unnecessary restrictions on bidders.

If a certification is mandatory, include it in the material disclosures or mandatory technical requirements. If the certification is not mandatory but includes desirable attributes, incorporate the attributes into the rated criteria as “equivalent to” within the solicitation document, without requiring formal certification.

4. EVALUATION PLANNING

4.1 Evaluation Strategies – Procurement supports the department or NSH by advising on evaluation strategies that reduce risk and differentiate among bidders.

Low Complexity Procurements - Where price is the sole deciding factor, evaluation planning focuses on confirming the pricing methodology and ensuring the solicitation includes all necessary information for suppliers to submit compliant bids. Procurement confirms any mandatory submission requirements (if applicable), while the project lead reviews bids for solicitation compliance.

Medium and High Complexity Procurements - Procurement provides a structured overview of the evaluation strategy before posting the solicitation. This includes an evaluation guide that outlines the evaluation process, governance structure, and negotiation protocols. The guide ensures alignment with the evaluation and selection process described in the solicitation document.

Solicitation documents must clearly state how bids will be evaluated and awarded. This transparency is essential for fairness and compliance.

4.2 Evaluation Methodologies – Procurement uses two primary evaluation methodologies.

Lowest Price - Awards the contract to the lowest-priced, compliant bid. No other criteria may influence the decision. This method applies to low complexity procurements where specifications are straightforward, and price is the key differentiator. The solicitation must disclose how the lowest price will be calculated, including any pricing tables or formulas.

Rated Criteria (With Pricing) - Solicitation documents with a rated criteria evaluation must outline evaluation categories, relative weights, minimum scoring thresholds, submission format, and evaluation process used to select the successful bidder.

A minimum of three evaluators must assess the submissions. For major projects, additional evaluators

may be included. One evaluator acts as the evaluation lead, coordinating with Procurement to manage timelines, ensuring consistent application of criteria, and maintaining defensible scoring practices.

Rated criteria typically fall into categories such as price, quality, experience, delivery timelines, and interviews. Each category receives an assigned weight, and evaluators score each bid relative to that weight. When assigning weights, ensure they reflect the importance of each criterion without overshadowing other critical factors.

If interviews, presentations, site visits or trials are part of the evaluation, the solicitation document must explain how the scores are determined. Once evaluators reach consensus on non-price criteria, the total non-price score determines the initial ranking. If the solicitation sets a minimum threshold for non-price scores, only bids that meet or exceed this threshold will proceed to the pricing evaluation. Bids that do not meet the required minimum score(s) will not be considered further.

Pricing is weighted as part of the overall score and calculated using a method disclosed in the solicitation document. Several pricing evaluation methods may be used, such as relative pricing and price per point. The most appropriate approach will be selected based on the nature of the procurement. The solicitation document will specify the formula and how pricing contributes to the final score. The final ranking that determines the preferred bidder(s) is determined by combining the totals of price and non-price to provide a total overall score.

4.3 Rated Criteria (No Pricing) Request for Supplier Pre-Qualifications (RFSQ) - In a two-stage procurement process, an RFSQ is used to evaluate qualitative factors only (such as qualifications, experience and capabilities) in the first stage. Since the RFSQ stage does not form Contract A, pricing is evaluated separately in the second stage.

The solicitation document must state how suppliers qualify for the second stage. Only suppliers who meet the criteria outlined in the RFSQ are invited to participate in the second-stage solicitation where pricing is evaluated. Common qualification methods include:

- Threshold-based: Suppliers that meet or exceed a specified score (e.g., 75%) qualify.
- Rank-based: Suppliers that rank within a defined number of top-scoring submissions qualify.

4.4 Pricing Submission Requirements - Solicitation documents must include instructions for pricing submissions. These instructions should explain how suppliers complete pricing tables and how pricing will be calculated and evaluated. The structure of the pricing form should reflect the nature of the procurement and align with industry standards.

Procurement is responsible for finalizing and creating the pricing form. If the solicitation includes options to extend the contract, then terms and conditions that address future price adjustments must be included. Use standard template language, such as indexing to inflation or other benchmarks. Departments and NSH

may provide input, but Procurement must approve any changes to standard clauses to ensure fairness, transparency, and alignment with operational needs and market practices.

The pricing section must disclose:

- The currency (Canadian dollars recommended)
- Whether pricing should include taxes, duties, or shipping
- Units of measure (e.g., metric or imperial)
- Whether suppliers must provide a cost breakdown as part of the total price

The payment structure (if applicable) must disclose:

- Whether payment will be made as a lump sum at contract completion
- Whether invoicing will occur at regular intervals or upon completion of project phases
- Whether a holdback will apply to payments

4.5 Pricing Submission Options - Select a pricing model that aligns with the type of procurement, the level of price certainty required, and prevailing industry practices. Common pricing submission options include:

Lump Sum - Use a lump sum when all specifications and conditions are known and disclosed in the solicitation. This all-inclusive price covers the full scope of deliverables with no post-award adjustments. Also referred to as “flat fee,” “firm price,” or “total price”.

Unit Prices - Use unit prices when specifications are known but quantities may vary. Multiply per-item prices by estimated or actual quantities. Payment is based on actual usage, and all contract terms must be disclosed in the solicitation.

Lump Sum / Unit Prices with Predetermined Price Adjustments - Use this model when pricing certainty is needed, but market fluctuations may affect costs. Tie adjustments to objective criteria or a predetermined formula, such as the Consumer Price Index or Industrial Product Price Index.

Licensing Fees - Use licensing fees for rights-based products or services, (software, subscriptions, or training materials). Fees may be one-time or recurring. Describe the pricing model in the solicitation.

Time and Materials - Use this model when the scope of work or required materials cannot be estimated in advance. The pricing form must include deliverables and a rate structure (e.g., hourly or per-diem rates, material costs, units of measure).

Budget-Based Bidding - Use this model when the total available budget is disclosed in the solicitation. Bidders compete to deliver within that budget. If the budget is a mandatory maximum, reject proposals that exceed it. State this in the pricing tables or mandatory disclosures.

Life Cycle Costing (LCC) - Use LCC when operational costs are significant relative to the purchase price. Evaluate total cost of ownership, including installation, energy use, maintenance, licensing and disposal. The solicitation must explain how LCC will be calculated and evaluated. LCC can replace price in lowest-price evaluations or be scored as a separate rated criterion.

Median Pricing - Use median pricing to select a supplier whose bid reflects the market norm and to avoid awarding to outliers. If using this method, the process and how it will be utilized must be explained in the solicitation document. All bid prices are reviewed, a median price is determined, and the bid closest to that price, provided all mandatory and related submission requirements are met, will be selected.

Discount of MSRP – Primarily used in IT Digital procurements where a specific product is being offered by distributors or resellers. More points are awarded for larger discounts.

5. FORM OF AGREEMENT

The form of agreement is a required component of the solicitation document. It protects the department or NSH and the supplier by defining obligations, deliverables, service levels, remedies, and performance measures throughout the contract term.

Procurement maintains agreement templates for use in solicitations. These templates include standard terms and conditions that must not be altered without prior approval by Procurement.

The agreement provides transparency by allowing suppliers to review the terms and conditions before submitting a bid. The department or NSH is responsible for following applicable policies and must consult its legal representative before entering into a contract.

Supplier-provided contracts are generally discouraged, as they often include terms that favour the supplier. In certain cases, such as software licensing agreements, supplier contracts may be used if reviewed and approved by legal services and the department or NSH representative in advance of signing.

6. PUBLISHING THE SOLICITATION DOCUMENT

Once the draft solicitation documents are complete and the department or NSH provides approval to proceed, Procurement will review, format, and publish the solicitation on the Procurement Portal.

6.1 Time for Bid Submissions - While the CFTA does not specify a minimum posting period, it requires suppliers be given sufficient time to prepare and submit responsive tenders. As a general guideline:

- Minimum Posting Period: 15 calendar days is recommended for low complexity procurements.
- Complex Projects: Longer posting periods: 30 - 45 days - may be appropriate depending on the complexity, risk, or value of the procurement.

- International Trade Agreements: Solicitations subject to agreements such as CETA, CPTPP, WTO GPA, or TCA require a minimum posting period of 25 calendar days.

The posting period should account for:

- Supplier time to review requirements and prepare a quality bid
- Time needed to manage bidder questions and issue addenda
- Supplier lead times for securing materials, bonding, insurance, transportation, and subcontracting

Procurement will advise the department or NSH on the appropriate posting period based on the applicable trade agreements and the nature of the procurement. For additional information, please refer to: [Trade agreements for procurement](#) and [trade-agreements-thresholds-and-posting-timelines](#).

6.2 Communication with Potential Bidders and Addenda Process - All communication with potential bidders during a solicitation must follow the instructions outlined in the solicitation document. Suppliers must submit all questions through the SAP Ariba Event Message Board.

If a bidder contacts Procurement or the department or NSH directly, they must be redirected to submit their inquiry through Ariba. No discussion of the project should occur outside the designated channel. Bidders who bypass this process may be disqualified, as outlined in the solicitation.

The designated Procurement representative reviews all inquiries and coordinates responses. Questions related to the procurement process are answered by Procurement. Questions related to technical or project-specific content are forwarded to the project lead, who must respond promptly. Delays may affect a supplier's ability to submit a bid and could require an extension of the closing date.

All responses that impact the solicitation are compiled into a Q&A format and issued as a written addendum through Ariba. The Q&A does not identify which bidder submitted each question. Similar or duplicate questions may be consolidated, provided all legitimate inquiries are addressed.

If an addendum introduces significant new information or material changes close to the submission deadline, Procurement will assess whether to extend the deadline to allow bidders sufficient time to respond. The decision depends on the nature and impact of the new information.

In cases where suppliers with existing contracts are also potential bidders, employees must maintain their existing contractual relationships but must not discuss upcoming or active procurement projects unless they are the designated contact.

7. RECEIPT OF BIDS

All bids must be submitted through SAP Ariba, following the instructions in the solicitation document.

Procurement is responsible for opening and screening bids in Ariba in accordance with the strategy, terms and conditions of the solicitation, and the Public Procurement Policy. Bids received after the closing time in Ariba will not be accepted, regardless of the reason. Ariba's system time is the official time of record. This ensures a fair, transparent, and consistent process for all bidders.

7.1 Review of Mandatory Submission Requirements - Procurement reviews all submissions to confirm the mandatory submission requirements outlined in the solicitation have been met. Failure to meet these requirements may result in disqualification and only bids that meet these requirements will proceed to evaluation. Examples of mandatory submission requirements include:

- Meeting the submission deadline – late bids are not accepted
- Signed submission forms – all required forms must be signed
- Completed response templates – any templates provided for bidders must be filled out
- No amendments to submission forms

7.2 Rectification Period – A rectification period is permitted only for non-legally binding, non-Contract A solicitations. In these cases, if a bid fails to meet mandatory submission requirements, Procurement may issue a rectification notice via Ariba that describes the deficiencies and provides a correction deadline.

The rectification period allows bidders to correct specific mandatory deficiencies but does not permit material changes or enhancements to the bid. Only the deficiencies identified in the notice may be addressed. Bids that fail to meet the rectification requirements or are not resubmitted by the deadline will be disqualified.

7.3 No Compliant Bids Received – If no compliant bids are received by the submission deadline, Procurement will determine next steps with the department or NSH. Options may include:

- Reissuing the solicitation
- Proceeding with ALTP 6 – No Suppliers Satisfied the Competition. See section 10 for information on ALTPs. Cancelling a competitive process requires consultation and approval from Procurement

8. EVALUATION AND AWARD

Evaluations must be fair, defensible, transparent and in line with the evaluation process disclosed in the solicitation document. All evaluation team members and third-party advisors must submit and comply with the terms and conditions of the Conflict of Interest and Confidentiality Undertaking form before the evaluation of bids can proceed. See section 1.5 for more details.

8.1 Assessment of Mandatory Technical Requirements - The evaluation team, acting as subject matter experts, is responsible for determining whether each bid meets the mandatory technical requirements outlined in the solicitation document. These requirements are assessed on a pass/fail basis.

At the start of the evaluation process, evaluators must flag any submissions that appear not to meet the mandatory technical requirements. Evaluators must not contact bidders directly. Instead, they must notify the project lead, who will review the flagged submission and provide Procurement with rationale within 24 hours explaining why the bid fails to meet the requirement.

Procurement, in consultation with the evaluation team, will review the rationale. If the failure is confirmed, Procurement may consult with legal services before making a final decision of whether the bid will be disqualified and excluded from further evaluation.

This process ensures a consistent, fair, and transparent approach to confirming compliance with mandatory technical requirements. Evaluation will not proceed to the next stage until Procurement has reviewed and confirmed the assessment.

8.2 Lowest Price Evaluation (Contract A) - When the solicitation specifies a lowest price evaluation, the contract is awarded to the bidder that submits the lowest-priced, compliant bid, based on the pricing format outlined in the solicitation document. Procurement reviews the award recommendation with the project team lead to confirm compliance with the evaluation process.

No additional evaluation criteria or considerations may be applied unless stated in the solicitation. If pricing includes discounts off of MSRP, the award is based on the highest discount, provided the bid meets all other mandatory requirements.

8.3 Tiebreaker Mechanism: Coin Toss - If two or more compliant bids share the lowest price, Procurement will break the tie using a coin toss. The Chief Procurement Officer or designate will oversee the process, and Procurement will document the outcome for transparency.

8.4 Rated Criteria (with Pricing) - When a solicitation uses a rated criteria evaluation with pricing, evaluators assess each bid against the weighted criteria disclosed in the solicitation. If the solicitation includes a minimum score threshold for non-price criteria, only bids that meet or exceed this threshold proceed to the pricing stage.

Evaluation Process:

- Evaluators must possess the subject matter expertise necessary to assess the proposals objectively. Individuals lacking this expertise should not participate in the evaluation.
- Each evaluator independently reviews and scores each bid based on its own merits. Evaluators must not compare bids during this stage. Detailed notes must support each score, and vague comments such as “very good” are not acceptable. All notes are subject to the Freedom of Information and Protection of Privacy Act (FOIPOP) and must be fair, defensible, and transparent.
- Evaluators must apply only the pre-established criteria and weightings outlined in the solicitation. Assumptions or undocumented interpretations are not permitted.
- If clarification is needed, evaluators must contact the project lead; never the bidder. The project lead

will consult with Procurement to determine whether clarification is permitted under the solicitation.

- After individual evaluations are complete, Procurement facilitates a consensus meeting. Evaluators review and finalize scores. If an evaluator does not attend, their scores may be excluded or the consensus meeting must be rescheduled.
- During consensus, Procurement will flag and review any unbalanced scoring—such as significant discrepancies between evaluators’ assessments of the same bid.
- Evaluators must explain the rationale behind each score and reference specific content in the bid. Scores may be adjusted during consensus based on new context, but evaluators are not required to change scores if their original assessment is well supported.
- Final scores for each bidder are calculated by averaging or taking the median of the evaluators’ scores for each criterion, as specified in the evaluation plan.
- Once non-price evaluations are complete, Procurement opens the pricing for bids that met the minimum threshold, if required, and applies the pricing formula disclosed in the solicitation.
- The bidder with the highest combined score (technical + pricing) is identified as the preferred bidder and may proceed to contract award.
- If the solicitation includes a negotiated process, shortlisted bidders will follow the negotiation steps outlined in the solicitation, including best and final offer (BAFO) if applicable.

8.5 Interviews / Presentations - The evaluation process may include interviews, presentations, product demonstrations, site tours, and clinical trials. These activities are typically limited to shortlisted bidders. The solicitation must clearly outline the rules, format, and evaluation process for each activity.

Bidders must make products available for testing or training at a specified time and location. Failure to do so may result in disqualification. All bidders receive the same time and format to ensure fairness.

These sessions are not opportunities to revise or enhance bids. Bidders may not introduce new information that was not included in their original submission. Technical scores may be adjusted slightly if the session fails to confirm or clarify elements of the original bid.

Evaluators must document their assessments. Procurement will facilitate consensus scoring.

8.6 Negotiation - If the solicitation allows for negotiation (NRFP), Procurement will lead the process unless delegated authority has been granted to the department or NSH by the Chief Procurement Officer.

Procurement prepares a negotiation agenda based on evaluation outcomes and shares it with the preferred bidder in advance. The bidder may also propose items for negotiation. Even if the department or NSH has no items to negotiate, the bidder must be given the opportunity to raise theirs.

Negotiation must not materially alter the original scope of the solicitation. If a bidder requests changes to indemnity clauses, Procurement must consult legal services. If both parties agree not to negotiate, they may proceed directly to award, and this decision must be documented.

8.7 Selection of Preferred Bidder(s) - The preferred bidder is selected based on the evaluation results and in accordance with the solicitation document.

For single-award competitions, the evaluation team submits a recommendation to Procurement for approval and retention in SAP Ariba, the following:

- Signed Conflict of Interest forms as well as Confidentiality declarations for each evaluator
- Individual and summary score sheets
- All evaluation-related correspondence and documentation

For two-stage processes (RFSQ), the evaluation team submits a recommendation to prequalify selected bidders. Procurement then notifies all bidders of the outcome.

8.8 Agreement Execution - Procurement coordinates the execution of contracts and/or the issuance of purchase orders (POs), where applicable. NSH and government contract templates, along with Procurement's PO terms and conditions, form part of the solicitation documents. The final agreement incorporates both the solicitation and the successful bidder's proposal by reference, with the order of precedence clearly stated in the contract.

If the competition results in an open (government-wide) standing offer or supply arrangement, Procurement is responsible for implementing the agreement and enabling access for departments and NSH. For entity-specific standing offers or supply arrangements, the solicitation must include language (i.e., "Other Public Entities" clause) that permits access by other Public Sector Entities. The process for enabling access must follow the guidance outlined in procurement protocols.

Agreements must be signed by the supplier before services begin, construction starts, or goods are delivered. Procurement must post the award of a competitive procurement on the Procurement Portal in accordance with the timelines as described within the applicable trade agreements.

8.9 Agreement /Contract Amendments - Before engaging a vendor for an amendment, change order, or contract request, an Ariba Contract Request must be submitted and reviewed by Procurement. Procurement will support the process by:

- Ensuring that contract amendments do not materially alter the solicitations' original scope or intent. If materially altered an ALTP will be required.
- Selecting the appropriate amending agreement template or working with legal services and the client to prepare a customized version when needed.
- Following the change management process outlined in the original agreement, which may involve using a change order document instead of a formal amendment, as specified.

For detailed instructions, refer to the [Ariba Sourcing & Contract Requests Guide](#).

8.10 Standing Offer / Supply Arrangement Contractual Commitments - For standing offers with fixed

pricing, the commitment is formed when a department or NSH issues a PO referencing the standing offer. No further competition is required.

For supply arrangements, which do not include fixed pricing, departments and NSH must follow the call-up procedures as indicated in the solicitation documents.

8.11 Adding Suppliers to a Standing offer or Supply Arrangement - The process for adding suppliers depends on the type of agreement. Some standing offers and supply arrangements allow suppliers to join at any time, while others accept new suppliers only at set intervals.

The solicitation document must specify the onboarding method. For open rosters, existing suppliers remain on the list and do not need to requalify. Each new RFSQ must apply the same qualification criteria and evaluation process used in the original solicitation.

9. LOW VALUE LIMITED COMPETITION

9.1 Purpose and Scope – Low value limited competition is a procurement method that is not a public tender, whereby selected suppliers are invited to respond to a procurement process. Low value limited competition applies to purchases of goods, services, or construction valued from \$10,000 to less than the CFTA thresholds.

Departments conduct their own low value limited competition processes independently of Procurement.

9.2 Governance and Accountability - Departments must adhere to specific governance and accountability requirements when conducting low value limited competitions. These include:

- Senior Administrative Officers are responsible and accountable for all low value procurement decisions and transactions for their respective department.
- All participants, including evaluation team members, subject matter experts, and any individual influencing the outcome, must comply with the Province’s Conflict of Interest policies.
- Departments must maintain records of the entire purchasing process for audit, legal, and accountability purposes.

9.3 Approvals - Before initiating any procurement activity, departments must consult the [Low Value Procurement](#) SharePoint site to determine the appropriate approval requirements.

9.4 Procurement Process Steps - Departments must adhere to the following steps to ensure a compliant and effective low value limited competition procurement process:

- Check for Existing Standing Offers - Determine if a government-wide standing offer matches the purchasing requirement. Refer to section 2.4 – Standing Offers.

- Determine Procurement Threshold - If no applicable standing offer exists, departments must estimate the total cost over the life of the purchase. This estimation should include:
 - Acquisition, training, delivery, installation, licensing, contract extensions, repair, maintenance, and disposal.
 - If the requirement is valued between \$10,000 and less than high value thresholds (excluding taxes), a limited competition process may be used.
 - If quote responses exceed low value thresholds, initiate a high value competitive procurement (public tender).
 - If a new standing offer or supply arrangement is needed, regardless of value, initiate a public tender.
 - If unexpected costs increase the contract value beyond low value thresholds, consult Procurement and a high value ALTP process may be required.

- Planning - Departments must understand the purchase requirements before proceeding. This may include:
 - Functional and non-functional requirements
 - Technical specifications
 - Quality standards
 - Performance criteria
 - Material-product specifications
 - Timeframe for delivery or completion

- Prepare Solicitation Documents - When preparing solicitation documents, departments must ensure the process is open, fair, and transparent. Key elements to include are:
 - Use of a solicitation document or RFQ template for detailed or complex specifications
 - Specifications may be included in an email for simple purchases
 - Requirements, price quote instructions, bid preparation and submission details
 - Evaluation criteria, sustainability, social, and accessibility considerations
 - Disclosure of any contract amendments or extensions; amendments cannot increase the contract value beyond low value thresholds

- Identify and Invite Qualified Bidders - Departments must identify and invite qualified suppliers to participate in the procurement process. The following practices apply:
 - Identify at least three qualified suppliers to invite for bid submission.
 - Where possible, support Nova Scotia suppliers and businesses owned by under-represented and under-served communities.
 - Apply preferences for Nova Scotia suppliers as per applicable directives.

- Circulate Solicitation Document - Departments must ensure the solicitation document is distributed appropriately. This involves:
 - Sending the solicitation document or statement of work to all identified suppliers.
 - Ensuring identical information and method of delivery for all invited suppliers.

- Communication and Receipt of Bids - Effective communication and proper handling of bid responses are essential.

9.5 Bid Evaluation and Award - Departments must evaluate bids and award contracts in accordance with established protocols. The evaluation process includes:

- Reviewing bid responses for compliance with the solicitation document.
- Opening bids as per solicitation instructions.
- Confirming all mandatory submission and qualification criteria are met (e.g., submission forms, pricing forms, licenses, certificates).
- Evaluating each bid equally and according to the disclosed criteria.
- Selecting the awarded proponent based on evaluation results; the lowest bid does not automatically win unless price is the sole evaluation factor.

9.6 Contract Award and Contract Management - Departments must follow specific procedures for awarding and managing contracts. These include:

- Contracting - Departments must ensure appropriate contracting practices are followed. This involves:
 - Ensuring a written agreement is in place for higher-value purchases.
 - Using the GNS Purchase Order Terms and Conditions for one-time purchases.
 - Administering a standard services contract and providing a signed copy to the supplier, if applicable.
 - Using the appropriate standard agreement for longer-term procurements.
- Contract Management - Departments must monitor contract performance to ensure supplier adherence. Key tasks include:
 - Monitoring contract performance to ensure supplier adherence to terms and obligations.
 - Consistent monitoring to identify issues early and ensure contract requirements are met.

10. ALTERNATIVE PROCUREMENTS AND PERMANENT EXEMPTIONS

10.1 High Value Alternative Procurement (HVALTP) - The use of High Value Alternative Procurement (HVALTP) for non-competitive procurements is permitted when the value exceeds trade agreement thresholds. This process is governed by the [Public Procurement Policy](#) and applicable trade agreements. HVALTP is intended for exceptional circumstances where open competition is not feasible or practical; not to bypass competition or favour specific suppliers.

Procurement reviews all HVALTP requests. Departments and NSH must demonstrate that the request meets one of the ALTP circumstances. Refer to the [ALTP Circumstance Guide](#) for detailed criteria.

10.2 Submitting a HVALTP Form - To initiate a HVALTP, departments and NSH must adhere to the following steps:

1. Identify and Justify the Need - Determine if the procurement must proceed as an ALTP due to a specific, justifiable circumstance (e.g., emergency, absence of competition, compatibility, confidentiality).

- Obtain the High Value ALTP form from the [ALTP Practices](#) SharePoint site.
- Complete Section One – Administrative:
 - Provide a description of the purchase and its purpose.
 - Explain why the procurement must use an ALTP.
 - The rationale must align with a specific ALTP circumstance and demonstrate why standard competitive procurement is not feasible or appropriate.

2. Obtain Approvals - All purchases must receive internal budget approval in accordance with department procedures.

- Ministerial Approval (MA) or CEO Approval is required for all operational spending exceeding \$10,000 (excluding taxes).
- Some departments / NSH may have additional approval requirements.

3. Submit for Formal Review - To initiate a HVALTP, departments and NSH must submit an Ariba intake (sourcing request or contract request) and a completed HVALTP form. Procurement will review the submission before any engagement with a supplier begins. Emergency procurements are exempt from pre-submission.

Refer to the [SOP for GOV - High Value ALTPs](#) or [SOP for NSH – High Value ALTPs](#) for information on how to submit this form and applicable policies. Refer to the [Ariba Sourcing & Contract Requests Guide](#) for information on how to submit a Sourcing Request or Contract Request.

4. Address Deficiencies - If Procurement identifies deficiencies (e.g., incomplete form, missing documentation), correct and re-submit the Ariba intake and supporting documents. Only complete and properly substantiated ALTP submissions will proceed to formal review.

5. Procurement Review - Procurement will assess submissions to determine if they are in accordance with:

- Procurement Policy: Internal government rules and protocols for procurement.
- Trade Agreements: External legal obligations (e.g., CFTA, international treaties) requiring open, fair, and transparent competition.

Possible Outcomes:

- a) In Accordance with Procurement Policy and Trade Agreements:
Procurement completes Section Two – Procurement Review, signs the form, and returns it with next steps and required documentation.
- b) In Accordance with Procurement Policy but NOT in Accordance with Trade Agreements:
Procurement notes that the submission is not in accordance with trade agreements.
This may occur if:
 - The rationale provided does not align with the ALTP circumstance selected.
 - The rationale does not sufficiently justify bypassing open competition under trade agreements.
- c) NOT in Accordance with Procurement Policy (ALTP10):
Procurement determines the submission does not follow established internal rules and protocols.

Examples of not in accordance with procurement policy:

1. Skipping required tendering or established contracts.
2. Unauthorized purchases without pre-approval or exceeding budget.
3. Failure to obtain required quotes.
4. Bypassing procurement processes (e.g., no PO issued, no consultation).
5. Retroactive invoice approval.
6. Accepting terms that legally bind the Province without proper approvals.

Key Differences: “Not in Accordance with Procurement Policy” vs. “Not in Accordance with Trade Agreements”

Category	Not in Accordance with Procurement Policy	Not in Accordance with Trade Agreements
Definition	Internal rules or protocols are not followed (e.g., skipping required steps, unauthorized purchases, improper approvals).	The procurement does not meet external legal requirements for open competition or valid exemptions under trade agreements.
Examples	No competitive process when required, no PO, retroactive approvals, rationale does not match ALTP circumstance.	In reviewing the appropriateness of the ALTP, Procurement noted that the rationale does not align with the ALTP circumstance selected.
Result	Marked as ALTP10; may require alternate action, resubmission, or competitive process.	May require alternate ALTP circumstance, additional justification, or reverting to a competitive process.

6. Client Decision and Confirmation - Upon return of the ALTP form (whether Procurement has determined that the procurement is in accordance with procurement policy or not), clients must decide:

- If proceeding: Obtain all required signatures (Section 3) and budgetary/funding approvals.
- If following alternate advice: Follow Procurement’s recommendations (e.g., initiate RFX).
- If not proceeding: Notify Procurement to cancel the Ariba task.

7. Contracting and Documentation - Do not contact vendors until the ALTP form and approvals are signed.

- For services/projects, use the GOV Standard Services Contract Non-RFX; for one-time goods/construction, a Purchase Order referencing the PO Terms and Conditions may suffice.
- If unsure about contract requirements, consult Procurement.
- Upload all signed documents to Ariba and notify Procurement.

8. Posting and Recordkeeping - Except for certain ALTP circumstances, contract award information will be posted publicly as required by the CFTA. Procurement will post the supplier name, award value, and ALTP circumstance (unless the circumstance directs otherwise). Retain all records for audit and accountability.

10.3 Authorization and Approval - The HVALTP process applies to entities that receive procurement services from Procurement (departments and NSH). Procurement does not manage HVALTPs for entities that operate under their own procurement authority, such as crown corporations, school boards, municipalities, universities and colleges. These entities are responsible for managing their own ALTP processes in accordance with their own internal policies and applicable legislation.

For departments and NSH, Procurement review is required on all HVALTPs. The following steps are

required for review:

- The Senior Administrative Officer (SAO) has final approval responsibility for all HVALTPs. The SAO may delegate signing authority to an acting SAO.
- Upon receiving the Ariba intake and completed HVALTP form, Procurement completes Section 2, signs it, and returns it to the department or NSH for finalization.
- If there is uncertainty about whether a request qualifies for an ALTP, the Chief Procurement Officer and the SAO will jointly review the case.
- The SAO is responsible for any decision to approve a procurement process that has not been reviewed by Procurement or determined to not be in accordance with procurement policies.

10.4 Amendments, Extensions, and Renewals - If unforeseen changes to an ALTP are required, use the Amendment section of the ALTP form (e.g., adding additional work within scope).

- Amendments cannot be used to extend or renew an ALTP. For renewals/extensions, a new ALTP form is required unless the contract includes optional extensions already accounted for in the original ALTP.
- Scope changes that affect the ALTP Circumstance may require a new form.

10.5 High Value Alternative Procurement Award Notification - Provided the ALTP circumstance selected is one that requires posting, once the agreement is finalized, Procurement will post the following information on the Procurement Portal:

- Supplier name
- Award value
- ALTP circumstance, unless the ALTP circumstance directs otherwise

10.6 Low Value Alternative Procurement (LVALTP) - LVALTP applies to procurements below the high-value CFTA thresholds where limited competition is not feasible. This process is not subject to Procurement review and is managed entirely by the department or NSH.

Key distinctions of LVALTP:

- LVALTPs use a locally created and controlled form and do not require an Ariba sourcing request.
- The circumstances available for the LVALTP are the same as those available for HVALTPS.
- Ministerial approval for departments is still required for purchases over \$10,000.
- All LVALTP documentation must be retained for audit purposes.
- LV ALTPs are NOT posted on the Procurement Portal.

LVALTP Steps:

- Complete a LV ALTP Form, providing a detailed rationale and justification for the ALTP, and ensure conflict-of-interest questions are completed.
- LVALTPs do not need to be entered in SAP Ariba. SNS Procurement review is NOT required, but departments should consult SNS Procurement if uncertain about the ALTP circumstance.
- LVALTP forms require approval sign-off from a person with signing authority for the business area.

- Exception – Emergency (ALTP Circumstance 01): Departments may proceed with a low value emergency purchase prior to completing the LVALTP form.

10.7 Permanent Exemptions – Permanent exemptions apply to specific goods or services that are not subject to public tender under trade agreements or the Public Procurement Policy. Procurement maintains the list of permanent exemptions. If a sourcing request qualifies, Procurement will notify the department and return the request. For a list of existing permanent exemptions refer to the: [Procurement Exemption Guide](#).

Departments/NSH are responsible for ensuring all steps are followed, all approvals are in place, and all documentation is retained. Failure to comply may result in delays, audit findings, or non-compliance with policy and trade agreements.

10.8 ALTP Justifications - Alternative Procurement Practices may be used under the following circumstances:

1. Emergency - If strictly necessary, an urgent, serious, unexpected, and often dangerous situation requiring immediate action.
2. Ability to Maintain Security / Life / Health - Compliance with the competitive process requirements would interfere with the Province's ability to maintain security or order or to protect human, animal, or plant life or health. Non-urgent emergency.
3. Absence of competition
 - a. Technical - Due to an absence of competition for technical reasons.
 - b. Monopoly - For the procurement of goods or services where the supply is controlled by a supplier that is a monopoly.
 - c. Prototype - For a prototype or first good or service that is developed in the course of, and for a particular contract for research, experiment, study or original development.
 - d. Advantageous Circumstances - Purchases made under exceptionally advantageous conditions that only arise in short term cases of unusual disposals.
 - e. Additional Deliveries – Additional Deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods or services cannot be made for economic or technical reasons.
4. Compatibility - To ensure compatibility with existing products, or to ensure the protection of patents, copyrights, warranties or other exclusive rights.
5. Confidentiality - Where goods or services regarding confidential matters are to be purchased and the disclosure through an open tendering process could be expected to compromise government confidentiality, cause economic disruption, or be contrary to public interest.
6. No Suppliers Satisfied the Conditions - No bids were submitted or no suppliers requested participation; no bids that conform to requirements of solicitation were submitted; no suppliers

satisfied the conditions for participation.

7. Sustainability - To support businesses owned by members of underrepresented and underserved communities, as well as philanthropic institutions and non-profit organizations.
8. Health and Social Services - For vital public services that prioritize public health and welfare.
9. Procurement Financed By Donations - For the procurement of goods and services financed primarily from donations that are subject to conditions that are inconsistent with this Policy.

11. PIGGYBACKING CONTRACTS

Piggybacking allows both Public Sector Entities and departments, including NSH, to access existing contracts they were not originally part of, under the same terms and conditions, regardless of who initially initiated the procurement. This mutual access promotes cost-efficiency and operational convenience across the public sector. Piggybacking is not a joint procurement.

The Public Sector Entities clause in the RFX template specifies that if a proponent signs an agreement with the Province, the specified goods or services will be made available to those listed on the [Public sector entity piggyback list](#).

The department or NSH must notify Procurement if other entities wish to piggyback on a contract. Procurement will confirm whether those entities are eligible and update the clause accordingly.

11.1 Eligibility of Additional Entities - Use the [Public sector entity piggyback list](#) to verify eligibility. If an entity is not listed the clause may be edited to include them before the solicitation is published.

Before adding entities not listed or not defined under Section 3(a), (b), or (c) of the *Public Procurement Act*, the department or NSH must assess whether inclusion is appropriate. Expanding access may affect supplier capacity and could lead to rejection of the piggyback request. The department or NSH must sign off on any additions.

11.2 Editing the Public Sector Entities clause - Review the clause in the RFX template to ensure it accurately reflects eligible entities. Any proposed changes must be reviewed and approved by Procurement and legal services. Reference Section 1.8 of the [Public Sector Entity Piggyback Guideline](#).

Once approved, incorporate the revised clause into the RFX. Each new entity must sign its own agreement and follow the terms outlined in the clause. The Province is not a party to any subsequent contract and assumes no liability for obligations under those agreements.

11.3 Steps for Requesting Piggyback Access – Departments and NSH must first contact Procurement for guidance on accessing or piggybacking on existing agreements. To initiate the piggyback process:

- Obtain written supplier approval - The original supplier must approve the release of contract documents. The department or NSH must provide Procurement with confirmation from the supplier.
- Provide documentation to the requesting department or NSH - Once approved, Procurement provides the requesting department or NSH with:
 - A copy of the executed contract and attachments
 - The original solicitation document (if not already included)
 - The supplier's proposal and pricing
- Confidentiality requirements - The piggybacking department or NSH may need to sign confidentiality declarations with the originating department or NSH and/or the supplier.
- Award posting - If the piggyback contract exceeds trade agreement thresholds, the department or NSH must post the award on the Procurement Portal using the public tenders application.
- For departments - Submit an Ariba contract request and SAP purchase requisition. Procurement will amend the agreement and create an outline agreement.
- For Public Sector Entities - Follow the [PSE Piggyback Guideline](#) and sign a separate contract.

11.4 Contract Type and Piggybacking - There are two types of agreements that support piggybacking:

- Open Agreements: Signed under the authority of the Chief Procurement Officer. Available to all departments and NSH without amendment.
- Assessable Contracts: Tendered by Procurement but signed by a department or NSH. Access may be restricted depending on the agreement's terms.

12. UNSOLICITED PROPOSALS

Unsolicited proposals are market-initiated submissions from suppliers seeking to contract with the Province for a new or innovative product, service, or concept that has not been requested through a public procurement process.

These proposals are intended to:

- Present innovative solutions to government challenges
- Offer unique technical, economic, or social value
- Protect the proponent's proprietary interest while enabling government review

They are not intended to:

- Justify sole-source contracts or bypass competitive procurement
- Serve as a mechanism for grants or subsidies
- Transfer government responsibilities to the private sector
- Acquire ideas or methods without permission or compensation

To be considered, unsolicited proposals must address significant government needs or offer substantial

improvements in service delivery or technology. All proposals must align with an ALTP circumstance or permanent exemption and be reviewed and supported by the Chief Procurement Officer.

12.1 Procedures for Receiving an Unsolicited Proposal - When a department or NSH receives an unsolicited proposal, they must:

1. Conduct an initial review to determine if the proposal:
 - Is unique
 - Addresses a significant issue or need
 - Has sufficient merit for further consideration

2. If the proposal meets these criteria, the department or NSH must:
 - Recommend it for further review
 - Forward it to Procurement for assessment
 - Obtain support from the Chief Procurement Officer
 - Secure approval from the departments and NSH Senior Administrative Officer (SAO)

3. If the proposal does not meet the criteria, the department or NSH must:
 - Notify the proponent that the proposal will not be considered
 - Provide reasons for the decision

Departments and NSH may reject unsolicited proposals if:

- The goods or services are readily available through existing sources
- The proposal duplicates an upcoming competitive procurement
- The concept lacks innovation or sufficient value
- The cost exceeds the departments or NSH available budget

A favorable department or NSH review does not imply intent to award a contract without competition. Any further consideration must follow the ALTP process and be justified under the applicable circumstances.

Additional Considerations:

- Budget allocations are not set aside for unsolicited proposals. Departments and NSH must identify and secure funding if they wish to proceed.
- The process must be fair, transparent, and defensible, ensuring:
 - Alignment with government needs
 - Respect for intellectual property
 - Value for money
 - Compliance with ALTP or exemption criteria

13. DEBRIEFING

The purpose of a debriefing is to provide bidders with constructive feedback on their evaluated submission. Debriefings help suppliers understand the strengths and weaknesses of their proposals to improve future submissions. A debriefing is not a forum for challenging outcomes or filing complaints.

Procurement manages all debriefing sessions. Information about other bidders is confidential and must not be disclosed by Procurement or the departments and NSH. No debriefing information will be shared in advance of the scheduled session. Requests for early access to evaluation details will be denied.

13.1 Responsibility for Conducting a Debrief - Procurement leads all debriefings for limited competitions and competitive procurements and should be joined by at least one member of the evaluation team, usually the project lead. Procurement does not participate in debriefs for low value procurements.

If an evaluator cannot attend, Procurement may proceed alone but must offer the bidder the option to reschedule. If clarification is needed after the session, Procurement may follow up with the evaluator or schedule a second meeting.

The evaluation team representative must be familiar with the bid and evaluation process. If multiple departments and NSH are involved, additional representatives may attend.

13.2 Initiation and Scheduling of a Debrief - Bidders must request a debrief within 30 days of the award posting on the Procurement Portal. Requests submitted after this period may be declined. Upon receiving a request, Procurement will schedule a planning session with the evaluation team, review the debrief agenda and roles and use final consensus evaluation notes to prepare the debrief.

Debriefs must be scheduled within 30 days of the request and completed within 90 days. Sessions are typically limited to 30 minutes. The meeting invitation will include the purpose and format of the debrief, location or virtual link, rules of engagement and confirmation of attendees.

13.3 Conducting the Debrief - A typical debrief agenda includes:

- Introductions and purpose
- Overview of the evaluation process
- Review of the bidder's scores and feedback
- Suggestions for improvement
- Bidder feedback on the procurement process

Permitted discussion topics:

- Evaluation process overview
- Name and total awarded price of the successful bidder (no unit pricing)

- Evaluation criteria and bidder’s score
- Strengths and weaknesses of the bidder’s submission
- Bidder’s ranking (e.g., 3rd of 5)
- Publicly available information and bidder-specific questions

Prohibited topics:

- Legal representation or recording devices
- Individual evaluator scores
- Comparisons to other bids or disclosure of other bidders’ information
- Debating scores or unrelated issues
- Disrespectful conduct (grounds for ending the session)

13.4 Debrief Follow Up – Procurement will document the debrief in the project file, including date and attendees, summary of the discussion and any follow-up actions.

14. PROCUREMENT COMPLAINT PROCESS

If a bidder is dissatisfied with the outcome of a debrief, they may submit a complaint through the procurement complaint process. This process allows bidders to raise concerns and helps departments and NSH identify opportunities to improve procurement practices and policy application. Its purpose is to resolve issues where there is no significant disagreement over facts or interpretations. It does not settle disputes over facts, legal rights, or obligations, nor does it function as a formal adjudication mechanism.

To initiate a complaint, the bidder must first request and attend a debrief. The complaint process will not result in the cancellation or reversal of a contract award by the department or NSH. Bidders may not use this process to challenge procurements that are subject to legal proceedings against a department or NSH.

14.1 Procurement Complaint Submission Process - To file a complaint, the bidder must submit a written request to the Chief Procurement Officer (CPO) or designate within 60 days of receiving the contract award notification. The request must include:

- An identification of the procurement in question
- A description of the bidder’s concerns, including reasons for disagreeing with the process or outcome

Upon receiving the complaint, the CPO or designate and the department or NSH, if applicable—will:

- Review the complaint
- Within 10 business days, send the bidder a written acknowledgment and specify a date (within 25 business days of receipt) by which the bidder will receive a response

The CPO or designate will then forward the complaint and acknowledgment to the Procurement Review

Committee (PRC). The PRC consists of three Procurement representatives who were not involved in the procurement under review and who represent Procurement and the relevant department or NSH.

Each PRC member must:

- Sign a Conflict of Interest and Confidentiality Undertaking document.
- Meet to review the complaint collectively, seeking clarification as needed.

After reviewing the complaint, the PRC will take one of the following actions:

- If the PRC finds the complaint lacks merit: It will notify the CPO or designate in writing. The CPO or designate will inform the bidder that the complaint has been reviewed and found to be without merit.
- If the PRC finds the complaint has merit: It will prepare a response outlining its findings and submit it to the CPO or designate. The CPO or designate will then respond to the bidder. All responses will be issued on a without prejudice basis unless otherwise agreed upon by legal services and Procurement.

15. SUPPLIER DISQUALIFICATION

Procurement may disqualify suppliers from participating in future procurement opportunities for any of the following reasons:

- Failure to honour a bid: A supplier submits a compliant bid in a Contract A procurement but withdraws before signing the resulting Contract B. This may constitute default and carry legal consequences.
- Failure to disclose a Conflict of Interest: A supplier does not declare a conflict that provides or appears to provide an unfair advantage.
- Unethical bidding practices: This includes price-fixing, market allocation, or bid rigging.
- False declarations: A supplier intentionally omits or misrepresents information, such as certifications, qualifications, or legal proceedings.
- Bankruptcy or insolvency.
- Failure to pay taxes.
- Poor performance: Documented, significant, or repeated deficiencies in meeting contractual obligations, as verified through the supplier performance measurement process.
- Final judgments for serious crimes or offences: Including fraud, collusion, or bid rigging.
- Professional misconduct: Any act or omission that undermines the supplier's commercial integrity.

When Procurement identifies grounds for disqualification, it must:

- Provide the supplier with written notice and a reasonable opportunity to respond.
- Issue a formal written decision outlining the reasons for disqualification.
- Obtain approval from the Chief Procurement Officer before finalizing the disqualification.

Disqualification may apply to the supplier, its owners, and principals. The disqualification period must not exceed five years.

16.SUPPLIER PERFORMANCE MANAGEMENT

The Province actively seeks suppliers who consistently deliver high-quality services to ensure best value in procurement. To support this goal, departments and NSH must measure supplier performance fairly and transparently. Supplier Performance Management (SPM) plays a critical role in contract management by identifying top-performing suppliers, holding underperformers accountable, and encouraging continuous improvement. This approach fosters a competitive environment that benefits the Province and suppliers.

The Supplier Performance Management Program will be launching in late 2026. For more information and updates see the following link: [Supplier Performance Management](#).

17.PROCUREMENT COMPLIANCE AND CONTROLS MONITORING

Procurement Compliance and Controls Monitoring is a risk-based quality management activity that promotes accountability through transparent procurement processes and strong internal controls. It aligns with the *Public Procurement Act*, government policies, and procedures to maintain public trust.

The objective is to collaborate with departments and NSH to drive continuous improvement through training, education, reporting, and reviews of policies, protocols, and systems. This process enhances transparency, reduces risk, and improves efficiency and compliance across procurement activities.

This function does not replace the responsibility of departments and NSH to establish and maintain adequate internal controls. All procurement activities remain subject to audit by the Office of the Auditor General and the Internal Audit Centre.

The Procurement Compliance and Controls Monitoring program will be launching in late 2026. For more information and updates refer to the following link: [Procurement Compliance & Controls Monitoring](#).

18.APPENDIX

[ETHICAL-PROCUREMENT-STANDARDS-EN.PDF](#) - Outlines the ethical procurement standards that government employees must follow when acquiring goods, services, or construction.

[HEALTH AND SOCIAL SERVICES PROCUREMENT EXCLUSION TOOL](#) - Developed to define when the healthcare and social services CFTA exemption is applicable.