

## P0001 – Goods and Services: Limited Tender & Emergency Procurement Certification

**Attach this form to purchase requisition in acQuire**

The [Queen's University Procurement Policy](#) applies to the purchase of all products & services and reflects all federal and provincial laws that govern public sector procurement, including competitive market practices. The Procurement Policy and related procedures apply to expenditures from all funds: operating, research, ancillary, capital and special purpose. Compliance with the Policy is mandatory. In addition, the [Queen's University Procurement Code of Ethics](#) applies to all staff and students engaged in the supply chain.

**It is required through the Canadian Free Trade Agreement (CFTA), Article 516 to publically publish a list of contracts valued over \$100,000 that pertain to the chapter and have been awarded through Limited Tender processes. As well, this information is reported annually to the province.**

### Definitions:

**Limited Tender:** A procurement method by which the selection of suppliers is limited in accordance with the Canadian European Trade Agreement, Article 19.12 and Canadian Free Trade Agreement, Article 513.

**Emergency:** A circumstance in which an immediate purchase or procurement decision is necessary to prevent a serious delay which could result in a danger to life, damage to property, or suspension of the provision of an essential service. Failure to plan and allow sufficient time for a competitive procurement process does not constitute an unforeseeable situation of urgency.

### Authority:

In keeping with the Provincial, Broader Public Sector Procurement Directive, this purchase is authorized at one level above the level required by the Queen's University contract signing authority matrix for a competitive procurement.

If quotations or competitive proposals are not solicited for the reasons indicated on this form, this certification along with the back-up documentation must be attached to the purchase requisition (PR) entered in acQuire. The PR is to be submitted electronically where it will follow the appropriate approval workflow before it gets forwarded to Strategic Procurement Services for Director approval. This must be done **prior to making a commitment to the supplier**. The University will not recognize the procurement of products & services that have not followed the proper approval chain.

Proof of fair market value (FMV) must be demonstrated via written confirmation from the supplier of the manufacturer's list price, any educational discounts and the net price. Attach this documentation. **All attempts should be made to obtain maximum value for money.**

### Conflict of interest and/or commitment – to be signed by requester:

**I can confirm that I have read, understood and will abide by the Queen's University Procurement Policy and Queen's University Procurement Code of Ethics as they apply to conflict of interest and/or commitment.**

**Name:** \_\_\_\_\_ **Position:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**A competitive process cannot be completed for this acquisition for the reason(s) noted on the following page and is supported by the rationale provided in the space below.**

Check ONE box below that best describes the reason for a Single/Sole Source or Emergency

<b>Limited Tenders</b>	
<p>Where only one supplier or limited suppliers are able to meet the requirements of a procurement, organizations may conduct non-competitive procurement in the circumstances listed below provided that they do not do so for the purposes of avoiding competition between suppliers or in order to discriminate against suppliers.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> CFTA 513 (b)(i) For the procurement of original works of art</li> <li><input type="checkbox"/> CFTA 513(b)(ii) To protect patents, copyrights, or other exclusive rights</li> <li><input type="checkbox"/> CFTA 513 (b)(iii) Where there is an absence of competition for technical reasons</li> <li><input type="checkbox"/> CFTA 513 (b)(iv) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly</li> <li><input type="checkbox"/> CFTA 513 (b)(v) To ensure compatibility with existing products, or to maintain specialized products that must be maintained by the manufacturer or its representative</li> <li><input type="checkbox"/> CFTA 513 (b)(vi) For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work</li> <li><input type="checkbox"/> CFTA 513 (b)(vii) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor</li> <li><input type="checkbox"/> CFTA 513 (b)(viii) For the procurement of subscriptions to newspapers, magazines or other periodicals</li> <li><input type="checkbox"/> CFTA 513 (c) For additional deliveries by the original supplier of goods or services not included in original procurement, if change of supplier cannot be made for economic or technical reasons, or if change would cause significant, documented inconvenience or substantial duplication of costs, if changed</li> <li><input type="checkbox"/> CFTA 513 (e) For the purchase of goods on a commodity market</li> <li><input type="checkbox"/> CFTA 513 (f) For the procurement of a prototype of a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> CFTA 513 (g) For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases</li> <li><input type="checkbox"/> CFTA 513 (h) For a contract to be awarded to the winner of a design contest</li> <li><input type="checkbox"/> CFTA 513 (i) Where goods or services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise government confidentiality, cause economic disruption or otherwise be contrary to the public interest</li> <li><input type="checkbox"/> CFTA 504 11 (e) For the procurement of real property</li> <li><input type="checkbox"/> CFTA 504 11 (d) Where a contract is to be awarded under a cooperation agreement that is financed, in whole or in part, by an international cooperation organization, only to the extent that the agreement between the entity and the organization includes rules for awarding contracts that differ from the obligations set out in the Directive</li> <li><input type="checkbox"/> CFTA 303 Where compliance with the open tendering provisions set out in the Directive would interfere with the entities' ability to maintain security or order or to protect human, animal or plant life or health</li> <li><input type="checkbox"/> CFTA 513 (a) In the absence of a receipt of any bids in response to a call for proposals or tenders made in accordance with the Directive or no tenders conform to essential requirements or were collusive</li> </ul> <p style="text-align: center;"><b>EMERGENCY</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> CFTA 513 (d) Where an unforeseeable situation of urgency exists and the goods or services cannot be obtained in time by means of open procurement procedures;</li> </ul> <p><b>Failure to plan and allow sufficient time for a competitive procurement process does not constitute an unforeseeable situation of urgency.</b></p>

This acquisition is intended for the following:

**Product or Service  
description:**

**Recommended  
Supplier Name:**

**Rationale:** Explain why the Supplier requested is the only one that can satisfy the requirements, as well as why alternatives are unacceptable. Attach additional pages if necessary.

By submitting this form, I understand and accept the Queen's University Procurement Code of Ethics and that the Queen's University Procurement Policy requires competitive quotations for products or services valued between \$10,000 and \$99,999 and formal competitive proposal calls for products or services valued over \$100,000. I, the requester, also acknowledge that the order has NOT been placed with the supplier and will not be placed until authorized to do so by the Director, Strategic Procurement Services.

Note: the Requester in acQuire cannot approve the PR