

Part: **Financial Management and Administration**
 Section: **Treasury Board's General Management Policies**
 Subsection: **Supplies and Services**
 Policy: **Purchases of Supplies and Services**

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Purchases of Supplies and Services

Objective	<i>The objective is to outline the key policies and directives for the procurement of supplies and services.</i>
Authority	<i>The Financial Administration Act, 1993, clause 5(a) and subsection 10(2)</i>
Applicability	<p>This policy applies to ministries.</p> <p>This section does not apply to construction services that are covered by specific legislation such as <i>The Highways and Transportation Act, 1997</i> or <i>The Public Works and Services Act</i>.</p>
Background	<p><u>The Purchasing Act, 2004</u> (<i>Act</i>) provides for the Director of Purchasing (Director), who is the Chief Procurement Officer at the Ministry of SaskBuilds and Procurement. The Act requires supplies to be acquired by the Director in accordance with <u>The Purchasing Regulations</u> (<i>Regulations</i>) and the principles set out in the Act.</p> <p>The Act also permits the Director to establish policies and procedures respecting the purchases of services by <u>public agencies</u> (as defined in that Act).</p>
Supplies	<p>The Regulations, section 13, provide that the following supplies are exempt from the requirements of the Act:</p> <ul style="list-style-type: none"> • supplies required by construction contracts that are authorized by another Act; • print procurement supplies purchased by <u>public agencies</u> through the Office of the Executive Council. <p>Refer to the Ministry of SaskBuilds and Procurement's <u>Guide to Delegation</u> for the authority and processes for the procurement of supplies including procurement through standing offers, delegation, public tender or other competitive procurement processes conducted by the Single Procurement Service.</p>
Services	The Regulations provides for standing offer and bid solicitation for services by the Director.
Supplies and Services	Refer to the Ministry of SaskBuilds and Procurement's <u>Procurement Guide</u> and <u>Procurement Quick Reference Guide</u> for procurement procedures for supplies and services, including emergency purchases.

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The [Procurement Quick Reference Guide](#) states that prior to undertaking any type of procurement, employees should ensure that they have the appropriate authority to make the purchase and are following any internal procedures established.

- Treasury Board Policy**
- .01 In accordance with [The Purchasing Act, 2004](#), the Director of Purchasing shall acquire supplies required by [public agencies](#) (as defined in that Act).
- .02 Ministries are responsible for contract management and for letting contracts only in accordance with relevant legislation, regulations and Treasury Board policy.
- Provincial Comptroller Directives**
- .03 Ministries are required to ensure all purchases comply with
- Applicable legislation (e.g., [The Purchasing Act, 2004](#), [The Purchasing Regulations](#) and contract law;
 - Ministry of SaskBuilds and Procurement's purchasing policies and procedures;
 - trade obligations (where appropriate);
 - applicable Treasury Board policy and related Provincial Comptroller directives; and,
 - internal purchasing policies and procedures.
- .04 Ministries must ensure they follow Executive Council's [Communications Procurement Policy](#) for communications, print, and promotional purchases ([Section 4525 Communications/ Advertising](#)), including Communications Services' requirements for processing procurements on the central financial system. Requirements for personal service contracts ([Section 4210 Personal Service Contracts](#)) must be also followed.
- .05 Ministries are responsible to ensure that applicable trade agreements are complied with for purchases of supplies and for service contracts at or above specified thresholds. For details, including thresholds and exceptions to the thresholds, visit the following websites:
- [New West Partnership Trade Agreement](#)
 - [Canadian Free Trade Agreement](#)
 - [Canada-European Union Comprehensive Economic and Trade Agreement](#)

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- [World Trade Organization Agreement on Government Procurement](#)

- .06 Ministries are responsible for adequately documenting their purchasing decisions.
- .07 Ministries are to ensure that supplies ordered, services received and invoices are in agreement with the relevant supporting purchase documents.
- .08 Ministries are not to reduce or divide the single procurement into multiple procurements in order to avoid the thresholds.
- .09 Refer to [Section 3101 GRF Payment Responsibilities](#) for payment requirements and other details regarding supplier payments.
- .10 Ministries must follow the conflict of interest policy (see the Ministry of SaskBuilds and Procurement's [Procurement Guide](#)).
- .11 For further information regarding the procurement of supplies and services, contact the Single Procurement Service, Ministry of SaskBuilds and Procurement.

Supplies

- .12 An electronic record of the ministry's current acquisition hierarchy (i.e., requisitions, purchase orders and standing offer releases) is maintained by the Financial Systems Branch (FSB), Provincial Comptroller's Office, Ministry of Finance. Changes to a ministry's acquisition hierarchy may be sent electronically to FSB.
- .13 When ministries use purchase cards to acquire supplies, [Section 3154 Purchase Cards](#) must be followed.
- .14 Ministries may make purchases of supplies of \$50 (exclusive of taxes) or less from a petty cash fund where a purchase card is not practical. Refer to [Section 3110 Petty Cash and Cash Register Floats](#) for petty cash procedures.

Services

- .15 Contracting for private legal services by ministries must be done in consultation with the Ministry of Justice and Attorney General.

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- .16 The agreement between the ministry and the successful supplier should be formally defined in a signed written contract based on the terms and conditions or on the form agreement attached to the competition document and accepted bid response. See [Section 4510 Contracts for Services](#) and the Ministry of SaskBuilds and Procurement's [Procurement Guide](#) for further guidance.
- .17 Under the Canadian Free Trade Agreement, Article 516.3, ministries are required to report annually on services procurements completed. This information is requested annually by Executive Council, Intergovernmental Affairs.

References

[3101 GRF Payment Responsibilities](#)
[3110 Petty Cash and Cash Register Floats](#)
[3154 Purchase Cards](#)
[4125 Insurance](#)
[4210 Personal Service Contracts](#)
[4500 Supplies and Services](#)
[4510 Contracts for Services](#)
[4525 Communications \(Advertising\)](#)
[4530 Transportation of Goods](#)
[4535 Rent of an Aircraft](#)
[4540 Primary Research](#)

[Procurement Guide](#)
[Procurement Quick Reference Guide](#)
[Communications Procurement Policy](#)
[Guide to Delegation](#)
[Guidelines to the Procurement Obligations of Domestic and International Trade Agreements](#)

[The Executive Government Administration Act](#) and
[The Executive Government Administration Exemption Regulations](#)
[The Public Works and Service Act](#)
[The Purchasing Act, 2004 and The Purchasing Regulations](#)
[The Workers' Compensation Act, 2013](#)

Websites:
[SaskBuilds](#)

New West Partnership:
<http://www.newwestpartnershiptrade.ca/>

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Canadian Free Trade Agreement:

<https://www.cfta-alec.ca/wp-content/uploads/2017/06/CFTA-Consolidated-Text-Final-Print-Text-English.pdf>

Canada-European Union Comprehensive Economic and Trade Agreement:

<https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/index.aspx?lang=eng>

World Trade Organization Agreement on Government Procurement:

https://www.wto.org/english/docs_e/legal_e/gpr-94_01_e.htm#articleI

SaskTenders:

<https://sasktenders.ca/Content/Public/Search.aspx>

Standing Offers:

<http://www.standingoffers.gov.sk.ca/buyers/index.html>