

## Strategic Procurement Limited Tendering Approval Form

To be compliant with the applicable laws, regulations, public policy and McMaster University's [Strategic Procurement Policy SP-01](#), all acquisitions must be subject to competitive bidding. In rare, specific or exceptional circumstances, only one supplier or consultant may be able, or capable, of providing the required goods or services. The Strategic Procurement Policy and related procedures apply to expenditures from all funding sources including operating, research, ancillary, capital and trust. An overview of the University's Strategic Procurement Policies and Processes can be found in the [Strategic Procurement Brochure](#).

A duly signed copy of this form along with supporting documentation must be included with the purchase requisition  
**prior to making a commitment to the supplier.**

Purchase Details	
<b>Recommended Supplier</b>	
<b>Good or Service Description</b>	
<b>Estimated Total Value</b>	\$ _____ (after discounts, before taxes, and over contract term)
<b>For Change Orders:</b>	
<b>Original Value of PO</b>	\$ _____ <b>Added Value</b> \$ _____
<b>Funding Source</b>	<input type="checkbox"/> CFI <input type="checkbox"/> NSERC <input type="checkbox"/> FEDDEV <input type="checkbox"/> Operating <input type="checkbox"/> Other _____
<b>In-Kind Contribution</b>	\$ _____ (if applicable)
<b>NOTE: A Fair Market Value (FMV) Assessment is required for all research-funded purchases valued at \$50,000 or greater, particularly those that are CFI-funded. This is done to demonstrate value-for-money, which is typically shown through a competitive procurement process. Please attach the appropriate FMV supporting documentation which is described in the <a href="#">Fair Market Value Brochure</a>.</b>	

Limited Tendering		CFTA	CETA
<b>Please mark (X) the most appropriate reason listed in this table as per the Canadian Free Trade Agreement (CFTA) and Canada-European Union Comprehensive Economic and Trade Agreement (CETA)</b>		Acceptable Exceptions	
	the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons: (i) the requirement is for a work of art; (ii) the protection of patents, copyrights or other exclusive rights; or (iii) due to an absence of competition for technical reasons	✓	✓
	to ensure compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative	✓	
	for additional deliveries by the original supplier of goods or services that were not included in the initial procurement if a change of supplier for such additional goods or services: (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; AND (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity	✓	✓
	no tenders were submitted or no suppliers requested participation	✓	✓
	no tenders that conform to the essential requirements of the tender documentation were submitted	✓	✓
	work is 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	✓	
	if a procuring entity procures a prototype or a first good or service that is developed in the course of, and for, a particular contract for research, experiment, study, or original development. Original development of a first good or service may include limited production or supply in order to incorporate the results of field testing and to demonstrate that the good or service is suitable for production or supply in quantity to acceptable quality standards, but does not include quantity production or supply to establish commercial viability or to recover research and development costs	✓	✓
	work is to be performed on a leased building or related property, or portions thereof, that may be performed only by the lessor	✓	
	if goods or consulting 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, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to the public interest	✓	
	if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering (CFTA & CETA) or selective tendering (CETA only)	✓	✓
<b>DEFINITIONS</b> <u><b>Single Source:</b></u> A non-competitive procurement process whereby the purchaser approaches only one supplier for goods or services, even though there may be other capable suppliers. <u><b>Sole Source:</b></u> A non-competitive procurement process used when it is widely accepted by industry standards that there is ONLY one supplier capable of providing the required goods or services.			

## Justification

Explain in detail why you are requesting a non-competitive procurement. If the Recommended Supplier is the only one that can satisfy the minimum requirements, please elaborate how the supplier is uniquely qualified and why this uniqueness is important (Attach additional pages if necessary).

## Acknowledgement and Approval

1. I have read and understand the University's **Strategic Procurement Policy SP-01**. The Strategic Procurement Policy is structured to meet all Federal and Provincial laws (i.e. trade agreements) that govern competitive bidding practices in Canada; and to protect both the University and the individual purchaser from liability that could result from a challenge to a contract award. Therefore, if the minimum number of required competitive written quotations are not solicited, a duly signed **Limited Tendering Approval Form** must be completed and forwarded to Strategic Procurement as part of the supporting documentation for the purchase requisition. I have attached the required documentation in support of the selected non-competitive condition(s).
2. I abide by the University's **Conflict of Interest Policy for Employees** as it relates to this procurement.

Please complete for all 3 Signing Authorities or 2 Signing Authorities if the Requestor and Account Holder are the same.

Signing Authority	Requestor (required)	Account Holder (required)	Chair/Dept Head or one higher than Account Holder (required)	Assistant Vice-President (Administration) & CFO
Printed Name				APPROVAL GRANTED IN MOSAIC (SIGNATURE NOT REQUIRED)
Signature				
Date				

### Consulting Services Only:

Where the above transaction is for "Consulting" services defined by the Broader Public Sector as "a person or entity that under an agreement, other than an employment agreement, provides expert or strategic advice and related services for consideration and decision-making". The following signatures are required in addition to those above:

- \$0 up to but not including \$1,000,000: President Signature required: \_\_\_\_\_
- \$1,000,000 or greater: President Signature and Board of Directors Approval required: \_\_\_\_\_