



Updating of the Treasury Board Contracting Policy - Contracting Policy Notice 1998-5 (Archived)

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FILE NO: 3800-048-003

DATE: May 11, 1998

TO: Functional Heads, Administration/Finance of all Departments and Agencies

SUBJECT: Updating of the *Treasury Board Contracting Policy*

SUMMARY

THE ELECTRONIC VERSION OF THE TREASURY BOARD'S CONTRACTING POLICY HAS BEEN UPDATED; SEVERAL CONTRACTING POLICY NOTICES ARE NOW CANCELLED, SEE ANNEX A TO THIS NOTICE.

Employee Takeover Policy

1. The electronic version of the *Treasury Board Contracting Policy* was updated to include the Government of Canada's obligations regarding the Employee Takeover Policy as approved by Treasury Board on February 29, 1996.

The Treasury Board approved the Employee Takeover Policy and authorised the related amendment to the Treasury Board Contracts Directive. These directives and related requirements have now been incorporated into the *Treasury Board Contracting Policy*.

You can find the text of the *Employee Takeover Policy*, March 12, 1996, at this Internet address:

http://www.tbs-sct.gc.ca/Pubs_pol/opepubs/TB_B4/POLI-eng.asp

Contract Entry Authorities

2. The contract entry authorities that appear in the *Treasury Board Contracting Policy* have been updated to reflect those stated in Contracting Policy Notice 1997-2 for all departments, and those approved by Treasury Board (TB 825428, TB 825143/144/145 and TB 825016) for various other departments and agencies, including the Department of Fisheries and Oceans, Transport Canada, Indian and Northern Affairs Canada, Canadian International Development Agency and the Canadian Food Inspection Agency.

Contracting for Printing and Related Services

3. Changes have been made to the *Treasury Board Contracting Policy*, to the Government Contracts Regulations and to the Treasury Board Contracts Directive in relation to the requirements set out in Contracting Policy Notice 1997-3: Contracting for Printing and Related Services. Contracting authorities may now enter into contracts, on an optional basis and within certain parameters, for printing and related services from the new owner of Canada Communication Group, namely Canada Communication Group Inc., on a non-competitive basis. These changes are in effect until March 7, 2002.

Contracting with Former Public Servants in Receipt of a Lump Sum Payment

4. As indicated in Contracting Policy Notice 1995-8, dated July 28, 1995, Treasury Board has approved certain limits to contracting with Former Public Servants in receipt of a lump sum payment. These contracting limits have been consolidated within the *Treasury Board Contracting Policy*. See paragraphs 4.1.9, 4.2.20, 16.8.1, and paragraph 16.8.1.1.

Letters of Credit

5. Contracting Policy Notice 1996-5, dated September 18, 1996, set out the contracting requirements related to using letters of credit as an optional form of security in government contracting. These requirements have been incorporated into the text of the *Treasury Board Contracting Policy* and a new Appendix R has been added and contains the text of the policy on the use of Letters of Credit.

Contracting with Crown Corporations

6. The *Treasury Board Contracting Policy* was amended to remove the requirement for departments and agencies to seek Treasury Board approval to enter into and/or amend contracts with federal or provincial Crown Corporations (TB 825016, February 13, 1997). See paragraph 12.10.1. of the *Treasury Board Contracting Policy*.

Canadian Dollar Threshold for the World Trade Organisation - Agreement on Government Procurement and the North American Free-Trade Agreement

7. The thresholds, in Canadian dollars, for procurement subject to the World Trade Organisation - Agreement on Government Procurement (WTO-AGP) and the North American Free-Trade Agreement (NAFTA) have been revised, effective January 1, 1998, to reflect changes in the exchange rate and inflation. See paragraphs 7.1 and 7.2 of Appendix U of the *Treasury Board Contracting Policy*. The threshold revision was amended in Contracting Policy Notice 1997-9.

Acceptable Bonding Companies

8. Changes have been made to the list of Acceptable Bonding Companies as it appears in Appendix L of the *Treasury Board Contracting Policy*.

Emergency Contracting

9. Editorial changes have been made to the emergency contracting requirements set out in Appendix C of the *Treasury Board Contracting Policy*.

Harmonised Sales Tax

10. The *Treasury Board Contracting Policy* has been amended to reflect the new contracting requirements related to the Harmonised Sales Tax. These obligations were set out in Contracting Policy Notice 1997-4, dated April 1, 1997. See paragraphs 4.2.11, 12.4.1 and 16.6.1 of the policy text, paragraph 1, part III of Appendix C and paragraph 6.7 of Appendix U of the *Treasury Board Contracting Policy*.

11. The following Contracting Policy Notices are now cancelled: Contracting Policy Notice 1995-2 dated March 1, 1995, 1995-8 dated July 28, 1995, 1996-5 dated September 18, 1996, 1997-2 dated February 20, 1997, 1997-3 dated February 25, 1997,

1997-4 dated April 1, 1997, 1997-5 dated April 18, 1997, 1997-7 dated September 25, 1997, 1997-9 dated December 29, 1997 and 1998-2 dated March 10, 1998.

The contracting requirements contained in these notices have been incorporated into the text of the *Treasury Board Contracting Policy*.

CONTRACTING POLICY

12. **Online access:** All TBS publications are now available online via the TBS home page on GENet, the federal government internal network. To access this site, type the following in the address section of your World Wide Web browser:

<http://publiservice.tbs-sct.gc.ca/>

The Government Telecommunications and Informatics Services (GTIS) manages GENet. For help in accessing it, please contact your Informatics Division or your departmental library.

The same publications are also available via the TBS home page on the Internet. The address is:

<http://www.tbs-sct.gc.ca>

You will be able to access this Contracting Policy Notice on the home page via the "Site Map" tab at the top of the home page. Once in the "Site Map", under "Policies and Publications", click on "Deputy Comptroller General". Then, click on "Financial Management and Contracting". In this page, click on "Contracting". Here, you will find a listing of links to various contracting related material, including to the list of all Contracting Policy Notices still in effect.

13. **Printed copy:** The "Contracting" volume of the *Treasury Board Manual* is no longer published in print format.

ENQUIRIES

14. For further information please contact the Contract Policy Group, Deputy Comptroller General Branch, Treasury Board Secretariat at (613) 957-3789, by fax at (613) 952-1381 or by Email at

Internet:

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Attachment

Distribution/Diffusion: TB06, TB07, TB010, T004, T009, T010, T022, T023, T024, T025, T036, T038, T041, T161

ANNEX A

Status of all Contracting Policy Notices

All cancelled Contracting Policy Notices have been incorporated into the Treasury Board Contracting Policy, except those notices which are temporary or which contain time-dated information.

Reference and Date	Title	Status
File 3800-001, February 11, 1992	Energy Management	Cancelled
1993-1, January 28, 1993	Expanded Use of Arbitration for Contract Dispute Resolution	Cancelled
1993-2, January 29, 1993	Revisions to the <i>Treasury Board Manual - Contracting</i> , Amendment 93-1	Cancelled

1993-3, January 29, 1993	Service Contracts and Revenue Canada	Cancelled
1993-4,		Cancelled
1993-5, June 21, 1993	Revision to the <i>Treasury Board Manual - Contracting Volume</i> - Amendment 93-2	Cancelled
1993-6,	Ontario Legislation Amendments to Federal Contracting Authorities	Cancelled
1993-7, September 27, 1993	Contracts and Other Arrangements with Companies that are Majority-owned by South-African Interest	Cancelled
1993-8, October 6, 1993	Reporting of Procurement Information for the NAFTA and Treasury Board	Cancelled
1993-9, October 22, 1993	Use of Claimant's Payment Bond in Construction Contracts	Cancelled
1993-10, December 21, 1993	Additional Information Related to the Reporting of Procurement for the NAFTA and the Treasury Board	Cancelled
1994-1, January 4, 1994	Status of Treasury Board Contracting Policy Letters and Notices	Cancelled
1994-2, February 28, 1994	Acceptable Bonding Companies	Cancelled
1994-3, April 14, 1994	Government Procurement and the North American Free Trade Agreement	Cancelled
1994-4, June 22, 1994	Lobbyists - Certification Contingency Fees	Cancelled

1994-5, July 6, 1994	Contracting for Advertising and Public Opinion Research Services	Cancelled
1994-6, August 29, 1994	Reporting Format for Government Procurement for NAFTA and TBS	Cancelled
1994-7, September 21, 1994	Lobbyists and Contracting	Cancelled
1994-8, October 18, 1996	Contracting for the Services of Individuals	Cancelled
1994-9, December 22, 1994	Government Procurement - Reporting for NAFTA and TBS, and Several Developing Issues	Cancelled
1995-1, January 11, 1995	Construction Contract Costs	Cancelled
1995-2, March 1, 1995	Implementation of Contracting Obligations under the Comprehensive Land Claim Agreements	Cancelled Superseded by 1997-8.
1995-3, March 24, 1995	Acceptable Bonding Companies	Cancelled
1995-4, June 12, 1995	Contracting and Conflict of Interest and Post-Employment Code for Public Office Holders	Cancelled
1995-5, June 13, 1995	Federal Building Initiatives - Policy Changes	Cancelled
1995-6, June 15, 1995	Government Procurement and the Internal Trade Agreement	Cancelled
1995-7, June 15, 1995	Amendments 95-1 and 95-2, <i>Treasury Board Manual Contracting</i>	Cancelled

1995-8, July 28, 1995	Contracts with Former Public Servants	Cancelled
1995-9, August 4, 1995	Changes to the Contracting Policy	Cancelled
1995-10, September 6, 1996	Use of Dispute Resolution Clauses in Contracts	Cancelled
1995-11, December 29, 1996	Government Procurement and International Trade Agreements	Cancelled
1996-1, March 7, 1996	Government Procurement - Reporting Relating to Trade Agreements and Treasury Board Requirements	Cancelled
1996-2, March 27, 1996	Aboriginal Business Procurement Policy and Incentives	Retained
1996-3, June 7, 1996	Implementation of Ontario Labour Legislation Amendments to Federal Contracting Authorities	Cancelled
1996-4, August 27, 1996	Emergency Contracting	Cancelled
1996-5, September 18, 1996	Letters of Credit	Cancelled
1996-6, September 19, 1996	Aboriginal Business Procurement Policy Performance Objectives	Retained
1996-7, October 17, 1996	Contracting with Former Public Servants in Receipt of a Pension	Cancelled

1996-8, November 5, 1996	Contracting with Former Public Servants in Receipt of a Pension (Correction)	Cancelled
1996-9, November 7, 1996	Amendments to the Government Contracts Regulations	Cancelled
1996-10, December 19, 1996	Aboriginal Business Procurement Policy	Retained
1997-1, January, 1997	Binder on Procurement Reporting	Cancelled
1997-1a, January 24, 1997	Binder on Procurement Reporting	Cancelled
1997-2, February 20, 1997	Increased Contracting Authority	Cancelled
1997-3, February 25, 1997	Contracting for Printing and Related Services	Cancelled
1997-4, April 1, 1997	Harmonized Sales Tax (HST)	Cancelled
1997-5, April 28, 1997	Acceptable Bonding Companies	Cancelled
1997-6, August 15, 1997	Procurement Strategy for Aboriginal Businesses: Guidelines for Buyers/Government Officials	Retained
1997-7, September 25, 1997	Updating of the Treasury Board -Contracting Policy	Cancelled

1997-8, December 10 , 1997	Amendments and Additions to the Implementation of Contracting Obligations under Comprehensive Land Claims Agreements, National Park Agreements, and DND Co-operation Agreements.	Retained
1997-9, December 29, 1997	Change in threshold calculation for the World Trade Organization - Agreement on Government Procurement and the North American Free Trade Agreement	Cancelled
1998-1a, January 15, 1998	Revised Guidelines on Procurement Reporting	Retained
1998-1, March 9 1998	Revised Guidelines on Procurement Reporting	Retained
1998-2, March 10, 1998	Acceptable Bonding Companies	Cancelled
1998-3, March 11, 1998	Exceptional Contracting Authorities for Year 2000 Repairs Resulting from Electronic Bidding	Retained
1998-4, April 30, 1998	Preparation of T4-A Supplementary Slips for Contracts for Services	Retained
1998-5, May 11, 1998	Updating of the Treasury Board -Contracting Policy	Retained

Date modified: