



Contracting Policy Notice: 2014-3 – Updates to the Treasury Board Contracting Policy

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Contracting Policy Notice 2014-3: Updates to the Treasury Board Contracting Policy

Date: July 18, 2014

To: Functional Heads, Finance and Administration of all Departments and Agencies

Subject: Updates to the Treasury Board *Contracting Policy*

Summary

The Treasury Board *Contracting Policy* has been updated to reflect changes previously approved by the Treasury Board, and to make a number of technical corrections.

These updates include:

- A new exceptional contracting limit for Public Works and Government Services Canada;
- A new exceptional contracting limit for Shared Services Canada;
- Removal of time-limited/expired exceptional limits; and,
- Corrections to names of policy instruments, names of departments and other typographical errors.

A description of each is provided in Annex A.

Enquiries

For questions on this policy notice, please contact [TBS Public Enquiries](#).

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Distribution: TB06, TB07, TB21, TB22, TB23, TB24, T161

Annex A

Former <i>Contracting Policy</i> Text	Amended <i>Contracting Policy</i> Text	Comments
4.2.16 The Treasury Board Travel Directive applies to travel costs incurred by contractors when these costs are a specific element of the contract.	4.2.16 <u>The National Joint Council Travel Directive</u> applies to travel costs incurred by contractors when these costs are a specific element of the contract.	The <i>Travel Directive</i> is now hosted on the National Joint Council site.
10.6.15 Where applicable, bidders should make provision for appropriate travel and living expenses related to the proposed contract. These travel and living expenses should follow the contractor's established policy. However, as stated in article 4.2, Related requirements, under no circumstances may the amounts paid exceed the maximum permitted in the Treasury Board Travel Policy. Travel and living expenses are part of the total cost of the contract.	10.6.15 Where applicable, bidders should make provision for appropriate travel and living expenses related to the proposed contract. These travel and living expenses should follow the contractor's established policy. However, as stated in article 4.2, Related requirements, under no circumstances may the amounts paid exceed the maximum permitted in the <u>The National Joint Council Travel Directive</u> . Travel and living expenses are part of the total cost of the contract.	The Treasury Board <i>Travel Policy</i> was superseded by the Treasury Board <i>Travel Directive</i> . The <i>Travel Directive</i> is now hosted on the National Joint Council site.

Former <i>Contracting Policy</i> Text	Amended <i>Contracting Policy</i> Text	Comments
<p>13.3.10 The mediator's fees are to be agreed upon before appointment. Any agreement should provide for reimbursement of travel expenses in accordance with the Treasury Board <i>Travel Policy</i>, and of other reasonable costs incurred during mediation. Provision may also be made for the mediator to obtain expert assistance with the approval of the parties to the contract.</p>	<p>13.3.10 The mediator's fees are to be agreed upon before appointment. Any agreement should provide for reimbursement of travel expenses in accordance with the <u>The National Joint Council <i>Travel Directive</i></u>, and of other reasonable costs incurred during mediation. Provision may also be made for the mediator to obtain expert assistance with the approval of the parties to the contract.</p>	<p>The Treasury Board <i>Travel Policy</i> was superseded by the Treasury Board <i>Travel Directive</i>. The <i>Travel Directive</i> is now hosted on the National Joint Council site.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p data-bbox="37 96 370 138">Part II, Appendix C</p> <p data-bbox="37 174 574 321">4. The Minister responsible for Foreign Affairs, Trade and Development may...</p> <p data-bbox="37 357 623 783">l) for contracts that are let before March 31, 1994, under an international development assistance project that was approved by the Petro-Canada International Assistance Corporation's Board of Directors prior to February 26, 1991,</p> <ul data-bbox="74 819 654 1239" style="list-style-type: none"> <li data-bbox="74 819 654 966">• enter into a competitive goods contract if the amount does not exceed \$4,000,000; and <li data-bbox="74 976 654 1239">• enter into a non-competitive goods contract or a non-competitive service contract if the amount does not exceed \$1,000,000. 	<p data-bbox="675 96 997 138">Part ii, Appendix C</p> <p data-bbox="675 174 1268 268">4. The Minister responsible for International Development may...</p> <p data-bbox="675 304 857 346">l) Deleted.</p>	<p data-bbox="1341 96 1576 1014">The amending of the Minister's title addresses the merger of the Department of Foreign Affairs and International Trade with the Canadian International Development Agency.</p> <p data-bbox="1341 1050 1568 1633">The amending of subsection 4(l) removes this exceptional contracting limit due to its expiry on March 31, 1994.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p>Part II, Appendix C</p> <p>14. The Minister responsible for Fisheries and Oceans may, for the purpose of pursuing the Fisheries Resource Conservation Council, for a period of five years, starting August 1997, enter into or amend a non-competitive service contract if the total amount including all amendments does not exceed \$350,000 for the appointment of the Chairman of the Council and \$200,000 for the appointment of a member of the Council.</p>	<p>Part II, Appendix C</p> <p>14. Deleted</p>	<p>This amendment removes the exceptional contracting limit in section 14 of Part II, Appendix C, which expired on August 1, 2002.</p>
<p>Part II, Appendix C</p> <p>15. The Minister responsible for Canada Customs and Revenue Agency may enter into competitive goods contracts for printing, using electronic bidding methodology, up to \$2,000,000 and amend those contracts up to \$1,000,000.</p>	<p>Part II, Appendix C</p> <p>15. Deleted.</p>	<p>This amendment removes the exceptional contracting limit in section 15 of Part II, Appendix C.</p>
<p>Part II, Appendix C</p> <p>18. The Minister responsible for Public Works and Government Services may:</p> <ul style="list-style-type: none"> a. ...; b. ...; c. ... <p>Note: Between April 1, 2009 and March 31, 2011 the Minister responsible for Public Works and</p>	<p>Part II, Appendix C</p> <p>18. The Minister responsible for Public Works and Government Services may:</p> <ul style="list-style-type: none"> a. ...; b. ...; c. ... 	<p>This amendment removes the note and its subsections (a) to (c), which follow section 18(c) of Part II, Appendix C. The note contains</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p>Government Services could, without Treasury Board approval:</p> <ul style="list-style-type: none"> a. enter into a contract for the acquisition of architectural and engineering services if the amount does not exceed \$5,000,000 for competitive contracts, or \$250,000 for non-competitive contracts; b. increase the approved amount for a competitive architectural and engineering services contract by: \$2,500,000; and for a non-competitive architectural and engineering services contract, \$250,000; c. where the approved amount for an architectural and engineering services contract has been increased with the approval of Treasury Board, increase the approved amount of a competitive architectural and engineering services contract by: \$1,250,000; and for a non-competitive architectural and engineering services contract, \$250,000. 		<p>exceptional contracting limits, which expired on March 31, 2011.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p data-bbox="38 96 370 140">Part II, Appendix C</p> <p data-bbox="38 174 656 270">19. Any Contracting Authority, until March 7, 2002, may:</p> <ul style="list-style-type: none"> <li data-bbox="74 306 618 562">a. enter into a non-competitive contract for printing and related services provided by CCG Inc. if the amount does not exceed \$100,000; <li data-bbox="74 577 626 726">b. increase the amount payable under such a contract by a total not exceeding \$50,000. 	<p data-bbox="677 96 1008 140">Part II, Appendix C</p> <p data-bbox="677 174 886 218">19. Deleted.</p>	<p data-bbox="1343 96 1575 789">This amendment removes the exceptional contracting limit in section 19 of Part II, Appendix C, which expired on March 7, 2002.</p>
<p data-bbox="38 827 370 871">Part II, Appendix C</p> <p data-bbox="38 905 597 1161">35. The Minister responsible for Environment may, for the purposes of the Meteorological Service of Canada, may, until March 31, 2012:</p> <ul style="list-style-type: none"> <li data-bbox="74 1197 651 1514">a. enter into a competitive service contract awarded through the electronic bidding process if the amount of the contract does not exceed \$4,000,000; and <li data-bbox="74 1528 634 1845">b. increase the amount payable under a service contract awarded through the electronic bidding process by a total amount not exceed \$2,000,000. 	<p data-bbox="677 827 1008 871">Part II, Appendix C</p> <p data-bbox="677 905 886 949">35. Deleted.</p>	<p data-bbox="1343 827 1575 1520">This amendment removes the exceptional contracting limit in section 35 of Part II, Appendix C, which expired on March 31, 2012.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p data-bbox="37 96 370 138">Part II, Appendix C</p> <p data-bbox="37 174 654 594">43. The Minister responsible for Transport may, until March 31, 1999, enter into or amend a competitive service contract for the Eastern Arctic Sealift if the total under the contract, including any amendments thereto, does not exceed \$10,000,000.</p>	<p data-bbox="675 96 1003 138">Part II, Appendix C</p> <p data-bbox="675 174 883 216">43. Deleted.</p>	<p data-bbox="1341 96 1573 789">This amendment removes the exceptional contracting limit in section 43 of Part II, Appendix C, which expired on March 31, 1999.</p>
<p data-bbox="37 831 370 873">Part II, Appendix C</p> <p data-bbox="37 909 654 1749">58. The Minister responsible for National Defence may enter into competitive and non-competitive contracts for services and construction with local Afghan contractors in support of operations in Afghanistan, and Provincial Reconstruction Team-approved Projects aimed at rebuilding the Afghan society, up to a contract value of \$1,000,000 including any amendments thereto; this authority limit expires on the termination of the Department of National Defence's mission in Afghanistan.</p>	<p data-bbox="675 831 1003 873">Part II, Appendix C</p> <p data-bbox="675 909 883 951">58. Deleted.</p>	<p data-bbox="1341 831 1573 1839">This amendment removes the exceptional contracting limit in section 58 of Part II, Appendix C, which expired on the termination of the Department of National Defence's mission in Afghanistan.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p data-bbox="38 96 370 138">Part II, Appendix C</p> <p data-bbox="38 174 597 268">60. The Minister responsible for Fisheries and Oceans has:</p> <ul style="list-style-type: none"> <li data-bbox="77 306 646 835">a. approval of an increase in the competitive construction contract approval authority of the Minister of Fisheries and Oceans from \$400,000 award and \$200,000 amendment to \$1,500,000 award with a contract amendment of \$500,000 for fiscal years 2011-2012 and 2012-2013. <li data-bbox="77 852 659 1272">b. approval to add competitive architectural and engineering contract approval authority for the Minister of Fisheries and Oceans of \$250,000 award with a contract amendment of \$100,000 for fiscal years 2011-2012 and 2012-2013. <li data-bbox="77 1289 639 1440">c. the increased contracting authorities apply to the Small Craft Harbours Program only. 	<p data-bbox="678 96 1010 138">Part II, Appendix C</p> <p data-bbox="678 174 886 216">60. Deleted.</p>	<p data-bbox="1344 96 1575 789">This amendment removes the exceptional contracting limit in section 60 of Part II, Appendix C, which expired on March 31, 2013.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
<p>Part II, Appendix C</p> <p>...</p>	<p>Part II, Appendix C</p> <p>66. The Minister responsible for Shared Services Canada may, until March 2016, enter into and amend a non-competitive contract for hardware and software licensing, maintenance and support services for the purpose of maintaining current information technology (IT) operations of the Government of Canada where intellectual property of the supplier prevents the service from being competed up to a total cumulative value of \$22.5 million for a maximum contract period of three years on the condition that:</p> <ul style="list-style-type: none"> a. Entry level approval limit to a maximum of \$15 million including option years; b. Amendment approval limit to a maximum of \$7.5 million. 	<p>This amendment reflects Treasury Board approval of an exceptional contracting limit.</p>
<p>Part II, Appendix C</p> <p>...</p>	<p>Part II, Appendix C</p> <p>67. The Minister responsible for Public Works and Government Services, may until September 30, 2017, enter into call-ups, with the existing domestic supplier of expendable sonar systems, up to \$6 million including amendments.</p>	<p>This amendment reflects Treasury Board approval of an exceptional contracting limit.</p>

Former Contracting Policy Text	Amended Contracting Policy Text	Comments
Appendix S 	Appendix S 	Dashes, periods and lines were replaced with 'insert text'.
Schedule 1, Part I Appendix C – See former schedule below.	Schedule 1, Part I Appendix C – See amended schedule below.	This amendment removes the note, which follows Schedule 1. The note contains exceptional contracting limits, which expired on March 31, 2011.

Former Contracting Policy Text – Schedule 1 Construction Contracts (\$000s)

	Contracting Authority For	Electronic Bidding		Competitive		Non-Competitive	
Item	Col I	Col II Entry	Col III Amendments	Col IV Entry	Col V Amendments	Col VI Entry	Col VII Amendments
1.	All Programs not specifically named herein	400	200	400	200	40	40
2.	Public Works and Government Services Canada	40,000	20,000	10,000	5,000	500	500

Note: Between April 1, 2009 and March 31, 2011 the limits on Public Works and Government Services Canada were as follows: column II: \$40,000; column III: \$20,000; column IV: \$20,000; column V: \$10,000; column VI: \$1,000; and column VII: \$1,000.

**Amended *Contracting Policy* Text – Schedule 1 Construction Contracts
(\$000s)**

	Contracting Authority For	Electronic Bidding		Competitive		Non-Competitive	
Item	Col I	Col II Entry	Col III Amendments	Col IV Entry	Col V Amendments	Col VI Entry	Col VII Amendments
1.	All Programs not specifically named herein	400	200	400	200	40	40
2.	Public Works and Government Services Canada	40,000	20,000	10,000	5,000	500	500

Former <i>Contracting Policy</i> Text	Amended <i>Contracting Policy</i> Text	Comments
Schedule 2, Part I Appendix C – See former schedule below.	Schedule 2, Part I Appendix C – See amended schedule below.	This schedule was amended to replace dashes in Columns II and III with thresholds of \$400K and \$200K.

Former *Contracting Policy* Text – Schedule 2 - Goods contracts (Subject to delegation from Minister of Public Works and Government Services when required) (\$000s)

	Contracting Authority For	Electronic Bidding		Competitive		Non-Competitive	
Item	Col I	Col II Entry	Col III Amendments	Col IV Entry	Col V Amendments	Col VI Entry	Col VII Amendments
1.	All Programs not specifically named herein	-	-	400	200	40	40
2.	Public Works and Government Services Canada	40,000	20,000	10,000	5,000	2,000	1,000
3.	Shared Services Canada	40,000	20,000	10,000	5,000	2,000	1,000

Amended *Contracting Policy* Text – Schedule 2 - Goods contracts (Subject to delegation from Minister of Public Works and Government Services when required) (\$000s)

	Contracting Authority For	Electronic Bidding		Competitive		Non-Competitive	
Item	Col I	Col II Entry	Col III Amendments	Col IV Entry	Col V Amendments	Col VI Entry	Col VII Amendments

	Contracting Authority For	Electronic Bidding		Competitive		Non-Competitive	
1.	All Programs not specifically named herein	400	200	400	200	40	40
2.	Public Works and Government Services Canada	40,000	20,000	10,000	5,000	2,000	1,000
3.	Shared Services Canada	40,000	20,000	10,000	5,000	2,000	1,000

Date modified:

2014-08-01