



"Accepting the Challenge"

Finance Committee Minutes

Monday, November 21, 2011, 1:30 p.m.
Board Room, Administration Office

Present: M. Snelling (Chairperson) P. Bartlette (entered at 1:45 p.m.),
M. Sefton, L. Ross (alternate),
Dr. D. Michaels (exited at 3:10 p.m.), G. Barnes, D. Labossiere
Regrets: K. Zabowski

1. CALL TO ORDER:

The Finance Committee Meeting was called to order at 1:30 p.m. by the Chairperson, Trustee Snelling.

2. APPROVAL OF AGENDA

The Finance Committee Agenda was approved as circulated.

3. COMMITTEE GOVERNANCE GOAL ITEMS

A) 2012/2013 Proposed Budget Discussions

The Committee reviewed the various stakeholders meeting minutes regarding the 2012-2013 Budget. Senior Administration was asked to provide background information and provide clarification regarding several of the items proposed by stakeholders. Senior Administration was provided direction regarding items to be brought forward for budget deliberations.

The Committee also reviewed individual trustee requests for program enhancement needs brought forward as follows:

- Trustee Murray: \$150,000 for professional development;
- Trustee Sefton : Approximately \$71,000 for the Brandon Schools Instrumental Music Association to cover the cost of band registration fees and half of the instrument rental fee;
- Trustee Sefton and Snelling: Bussing support for Home Economics and Industrial Arts programming.

Senior Administration was directed to bring the individual trustee program enhancement requests forward for budget deliberations.

4. OTHER COMMITTEE GOVERNANCE GOAL ITEMS

A) Confirm Payments of Account (October)

The payments of account for October were accepted as circulated.

B) Review Monthly Reports (September)

The monthly financial report for October was accepted.

C) Policy 3011

The Secretary-Treasurer, Mr. Barnes, spoke to the proposed revisions to Policy 3011 – "Purchasing Authority". He cautioned the Committee about putting out a tender call and then purchasing an item elsewhere, such as the internet. He felt this could put Division staff at risk. Mr. Barnes also reviewed the legal opinion of the Division solicitor regarding the proposed draft tendering policy. He noted the solicitor advised against including a clause regarding local preference. As the school division is a public body they are not permitted to give preference on the basis of geographic location under the Agreement for Internal Trade. The Committee reviewed the proposed policy and the legal opinion of the solicitor. The Committee agreed to the proposed policy and procedures, but requested the third paragraph on page 2 of the policy be replaced with the wording provided by the Division's solicitor. It was agreed to recommend the proposed policy and procedures to the Board of Trustees with the changes discussed at the Committee meeting. (Appendix "A" and "B")

Recommendation:

That Policy 3011 – "Purchasing Authority" be rescinded and replaced with Policy and Procedures 3011 – "Purchasing Authority".

D) Costs for "upper deck" at Neelin High School Off-Campus

Secretary-Treasurer, Mr. Barnes, reviewed the proposed costs for equipment required to start the program on the second floor of the Neelin High School Off-Campus. Mr. Barnes recommended providing \$25,000 as an over expenditure in order to meet these start-up costs.

Recommendation:

That the sum of \$25,000 be allocated to the second floor of Neelin High School Off-Campus for start-up costs for programming mandated by Bill 13 for 16 to 18 year olds; and that the funds be approved as an over-expenditure.

E) Tender – Paper Supplies

The paper tenders were reviewed by the Committee and it was agreed to accept the low tender for Photocopy Paper from Christie's Office Plus.

Recommendation:

That the low tender for Photocopy Paper for the Spring 2012 term in the amount of \$26,840 (plus PST & GST) from Christie's Office Plus F.O.B. Brandon, be accepted.

F) Audit Tender

Secretary-Treasurer, Mr. Barnes, spoke to the request for proposal for auditing services. He noted the Brandon School Division, as a public entity, generally put forth a request for proposal for auditing services approximately every five years. The Committee directed Senior Administration to send out the request for proposal for auditing services.

G) December Finance Committee Meeting

It was agreed that a Special Finance Committee meeting would be held on December 7, 2011 on the understanding that the monthly accounts and monthly report for November would not be part of the December 7th agenda but would be considered at the December 19th Regular Finance Committee meeting.

5. OPERATIONS INFORMATION

- The Administrative Update Report Memorandum dated October 31, 2011 was received as information.
- In-Camera discussions were held regarding the City of Brandon invoices for school bus operations.
- The email of Mr. Brent Ewasiuk, Director of MIST requesting approval to spend the remaining funds in the 2011/2012 Computer Reserve Account budget allocation for the purpose of cabling additional K-8 schools before the end of the 2011/2012 school year was reviewed. It was agreed the Director of MIST be authorized to use the remaining funds for cabling K-8 schools.

6. NEXT REGULAR MEETING: Wednesday, December 7, 2011, 3:00 p.m., Board Room

The meeting adjourned at 3:20 p.m.

Respectfully submitted,

M. Snelling (Chairperson)

P. Bartlette

M. Sefton

L. Ross (Alternate)

Appendix A



BRANDON SCHOOL DIVISION POLICY

POLICY 3011

PURCHASING AUTHORITY

Adopted: Motion 30/2008; February 25, 2008

The function of the purchasing office is to serve the educational program by providing the necessary supplies, equipment and services. The Board of Trustees declares its intention to seek maximum educational value for each dollar expended.

Opportunity shall be provided to all responsible suppliers to do business with the Brandon School Division. In this regard, the Division shall take into consideration the past performance of a company as it pertains to such areas as the procurement of goods, the quality of goods provided and the satisfaction of service.

PURCHASING AUTHORITY

Purchasing, on behalf of the Division, shall be carried out in accordance with the policy as it is hereinafter stated, under the direction of the Secretary-Treasurer, by the Division Purchasing Agent or Designate or by one to whom this responsibility has been delegated.

The Purchasing Agent or Designate may delegate authority to schools or departments to make necessary day-to-day small purchases. These purchases shall be made on Brandon School Division purchase orders, contain an appropriate authorizing signature and be in accordance with the Division procedures and practices.

Purchases must be within the limits of the current budget or have the prior approval of the Board.

TENDERS

Subject to Section 70 of The Public Schools Act, all expenditures for provision of goods and/or services exceeding \$20,000 shall be made by public tender. Furthermore, tenders for goods and/or services regardless of dollar value may be made when, in the opinion of the Purchasing Agent or Designate, it is of advantage to the Division to do so and when one or more of the following exceptions do not apply:

1. where goods and services are available only from one or two sources;
2. where goods must be compatible with existing equipment;
3. when emergency situations requiring immediate availability of goods or services.

Tenders shall be made according to accepted tendering procedures which shall include:

1. appropriate advertising sufficiently in advance of closing dates;
2. definitely stated closing dates and adherence to those dates;
3. detailed specifications for goods and/or services required;
4. written tenders to be received by the office of the Secretary-Treasurer.

Summaries and recommendations on all tenders shall be made for presentation to the Board at a regular or special meeting for final acceptance.

Tenders meeting specifications will generally be awarded to the lowest bidder but general conditions of the tender must include the words "*lowest/highest or any tender not necessarily accepted*".

NON-TENDERED PURCHASES

When necessitated by the exceptions to tendering stated above, non-tendering procedures shall be as follows:

- Proposals – Requests for proposals for goods and services shall be allowed when the Division cannot provide its own specifications and because of this is required to request a proposal from suppliers.
- Quotations – Requests for quotations for supplies and services shall be utilized when there are few identifiable sources able to meet the request or when there are a number of individual items of low value pertaining to one project.

Items commonly used in various schools and departments shall be standardized whenever consistent with educational goals and in the interests of economy and efficiency.

At all times these purchases must be within the approved budget and take into consideration an equal opportunity for all suppliers.

All goods and services purchased by the Division shall be standardized whenever consistent with the educational goals of the Division and in the interests of economy and efficiency. The Purchasing Agent or Designate will monitor purchase orders for adherence to established purchasing procedures.



BRANDON SCHOOL DIVISION POLICY

Draft

POLICY 3011

Appendix B

PURCHASING AUTHORITY

The Board of Trustees declares its belief to seek maximum educational value for each dollar expended. The purpose of the purchasing procedures is to serve the educational program by providing the necessary supplies, equipment and services. The purchasing functions shall take place under the authority and responsibility of the Secretary-Treasurer in accordance with this policy and the requirements of The Public Schools Act.



BRANDON SCHOOL DIVISION POLICY

Draft

POLICY 3011

PURCHASING AUTHORITY

Opportunity shall be provided to all responsible suppliers to do business with the Brandon School Division. In this regard, the Division may take into consideration the past performance of a company as it pertains to such areas as the procurement of goods, the quality of goods provided and the satisfaction of service.

PURCHASING AUTHORITY

Purchasing, on behalf of the Division, shall be carried out in accordance with the policy, under the direction of the Secretary-Treasurer, by the Division Purchasing Agent or by one to whom this responsibility has been delegated (Designate).

The Purchasing Agent or Designate may delegate authority to schools or departments to make necessary day-to-day small purchases. These purchases shall be made on Brandon School Division purchase orders, contain an appropriate authorizing signature and be in accordance with the Division procedures and practices.

Purchases must be within the limits of the current budget or have the prior approval of the Board.

TENDERS/REQUEST FOR PROPOSALS

Subject to Section 70 of The Public Schools Act, all expenditures for provision of goods and/or services exceeding \$50,000 shall be made by public tender. Furthermore, tenders for goods and/or services regardless of dollar value may be made when, in the opinion of the Purchasing Agent or Designate, it is of advantage to the Division to do so and when one or more of the following exceptions do not apply:

1. where goods and services are available only from one or two sources;
2. where goods must be compatible with existing equipment;
3. when emergency situations require immediate availability of goods or services.

Tenders shall be made according to accepted tendering procedures which shall include:

1. appropriate advertising sufficiently in advance of closing dates;
2. definitely stated closing dates and adherence to those dates;
3. detailed specifications for goods and/or services required;
4. written tenders to be received by the office of the Secretary-Treasurer.

Summaries and recommendations on all tenders exceeding \$50,000 shall be presented to the Finance Committee for approval of recommendation to the Board of Trustees.

Tenders meeting specifications will generally be awarded to the lowest compliant bidder. All general conditions of the tender must include a privilege clause which includes the words "lowest/highest or any tender not necessarily accepted." The Division may wish to seek legal counsel for an appropriate privilege clause depending on the nature of the tender.

All goods and services purchased by the Division shall be standardized whenever possible to be consistent with the educational goals of the Division and in the interests of economy and efficiency. The Purchasing Agent or Designate will monitor purchase orders for adherence to established purchasing procedures.

At all times these purchases must be within the approved budget.

NON-TENDERED PURCHASES

When necessitated by the exceptions to tendering stated above, non-tendering procedures shall be as follows:

- Proposals – Requests for proposals for goods and services shall be allowed when the Division cannot provide its own specifications and because of this is required to request a proposal from suppliers.
- Quotations – Requests for quotations for supplies and services shall be utilized when there are few identifiable sources able to meet the request or when there are a number of individual items of low value pertaining to one project.

All goods and services purchased by the Division shall be standardized whenever possible to be consistent with the educational goals of the Division and in the interests of economy and efficiency. The Purchasing Agent or Designate will monitor purchase orders for adherence to established purchasing procedures.

At all times these purchases must be within the approved budget.

1. **Definitions:**

"Advertisement for Tender": means a solicitation advertised with a newspaper or other publication on the Division website, and/or on the Merx Site, seeking proposals for providing products or services to the Division, or for purchasing assets of the Division.

"Tender Documents": means any documents including, without limitation, plans, reports, specifications, requirements, or other information made available to all potential Bidders on request and not forming part of the Request for Proposal or Advertisement for Tender, but being incorporated by reference into the Request for Proposal or Advertisement for Tender.

"Request for Proposal (RFP)": means a request for proposals published with a newspaper or other publication on the Division website, and/or on the Merx Site, seeking

proposals from bidders for providing products or services to the Division, or for purchasing assets of the Division.

“Tender”: means that portion of the Tender Documents which must be completed or provided by the Bidder and delivered by the time and date set out for receipt of Tenders, to constitute a compliant Tender and include the Tender Form, Bid Security, Consent of Surety and any additional documents that may be requested.

“Quotations”: means a request for supplies, services or purchasing assets for the Division when there are few identifiable sources able to meet the request or where there are a number of individual items of low value.

“Bid”: means a proposal submitted to the Division in reply to a Request for Proposal (RFP) or Advertisement for Tender initiated by the Division.

“Substantial Compliance”: means that the Bid meets the requirements set out in the RFP or Advertisement for Tender and as set out in the Compliance Checklist and any irregularities are not of material significance, or fall within any exceptions provided for in the RFP, the Advertisement for Tender or the Tender Documents.

“Non-Compliant”: means that the Bid fails to meet the requirements as set out in the RFP or Advertisement for Tender or Tender Documents as set out in the Compliance Checklist in a material way that cannot be excused by any exceptions in the RFP, the Advertisement for Tender or the Tender Documents.

2. Process

The process for evaluating Bids shall include the following steps:

- i. Receipt of the Bid on or before the deadline as set in the Tender or RFP;
- ii. Assessment for Compliance;
- iii. Evaluation of the Bid;
- iv. Award or Rejection of Bids.

Receipt of the Bid on or before the deadline as set in the Tender or RFP

- a) All Bids shall be received by the time and on the date specified in the RFP or Tender in order to be considered.
- b) Upon receipt of each and every Bid, the Bid envelope or package shall be date stamped and the time of receipt marked on the envelope to the minute.
- c) Any bid received after the Bid Deadline shall be returned to the proponent unopened but with the receipted time clearly marked on the package.

Opening of Tenders

Tenders will be opened by the Purchasing Officer/Designate and appropriate supervisor or Assistant Secretary-Treasurer and read publicly on the date of and at the time specified for receipt of tenders. The amount read aloud is unverified and subject to review and verification by the Division.

Assessment for Compliance

- a) The Assistant Secretary Treasurer shall prepare a Compliance Checklist for each Tender or RFP in advance of the Bid Deadline. The Checklist shall include all items which the Division has mandated in its Tender Documents, RFP or Advertisement for Tender, as being required for a Compliant Bid.
- b) The Purchasing Officer/Designate and the appropriate supervisor or Assistant-Secretary-Treasurer who will be evaluating the Bids, shall at a mutually convenient time in advance of the meeting where the Bids will be considered will meet to open each sealed Bid and check each Bid for compliance using the Compliance Checklist. Any Bid which is non-compliant shall be rejected and clearly marked "Non-Compliant".
- c) Any Bid which substantially complies shall be accepted and any irregularities deemed immaterial noted on the checklist.
- d) The Compliance Checklist shall be attached to each and every Bid whether compliant or not, and shall be initialed by the Purchasing Officer/Designate and the supervisor or Assistant Secretary-Treasurer.
- e) Compliant Bids shall be reproduced in sufficient quantity for each member of the committee evaluating the Bids.
- f) In the event that the Bids are not being reviewed by a committee or the consideration of the Bids falls within the discretion of the Secretary-Treasurer and/or Superintendent, the Bids shall be opened in the presence of the Purchasing Officer/Designate and the Assistant Secretary-Treasurer.

Evaluation of the Bid at the meeting of the Committee

- a) The persons who will be evaluating the Bids shall meet and each member of the committee shall be furnished with a package containing complete copies of each Bid.
- b) The packages may be distributed in advance of the meeting provided that all packages are marked "Confidential".
- c) The persons opening the bids shall evaluate each Bid using the criteria or matrix established at the time that the Tenders/RFP was prepared.
- d) Upon completion of the evaluation process the persons which have evaluated the Bids may make the following recommendations to the Finance Committee:
 - i. To accept a particular Bid; or
 - ii. Provided a privative clause was included in the Tender or the RFP, a recommendation that all Bids be rejected.
- e) The Purchasing Officer/Designate shall prepare a report to the Finance Committee for all tenders/RFP of \$50,000 or more which sets out in summary a description of each Bid and the basis for the recommendation.
- f) The Secretary Treasurer shall forward the Finance Committee recommendation to the Board of Trustees for consideration at their next meeting.

Award or Rejection of Bids

- a) The Board of Trustees shall consider the recommendation of the Finance Committee and may choose from the following options, subject to the terms of the Tender, RFP or Advertisement for Tender:
 - i. To accept the recommendation of the committee and award the contract to the successful Bidder; or
 - ii. To reject the recommendation of the committee and ask that the committee reconsider the proposals; or
 - iii. To reject any or all Bids; or
- b) Once a determination has been made by the Board of Trustees, the Assistant Secretary Treasurer shall notify each Bidder as to the outcome in writing.