

CANADIAN MUSEUM FOR HUMAN RIGHTS

# Contracting Policy

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This Policy is in effect as at September 16, 2009

# CONTRACTING POLICY

## 1. PREAMBLE

The Canadian Museum for Human Rights became a Crown corporation on August 10, 2008, by proclamation of amendments to the Museums Act. Under the \_\_\_\_\_, the Board of Trustees is responsible to Parliament, through the Minister of Canadian Heritage, for all contracting activities of the Museum. With the exception of contracts where the annual expenditure exceeds \$250,000, the Board of Trustees has delegated responsibility for those activities to the Director/CEO of the Museum.

Subsection 41(2) of the \_\_\_\_\_ states that the Government Contracts Regulations do not apply to federal Crown corporations. Nonetheless, the Museum complies with the spirit of those Regulations.

## 2. PURPOSE

The purpose of the Contracting Policy is to:

- Delineate the responsibilities of the Board and Museum Management as they relate to contracting activities;
- Establish the general principles that will guide the Museum's contracting activities; and
- Describe the specific principles that will govern the Museum's contracting activities.

## 3. APPLICATION

This Policy applies to all contracts between the Canadian Museum for Human Rights and individuals and/or firms that perform work, supply goods and/or render services to the Museum including for work that may be conducted at the Museum's temporary office space during the period of time prior to the opening of the Museum's permanent facility.

Notwithstanding the foregoing, this Policy does not apply to the awarding of contracts to the design architect, the architect of record, the construction manager and the exhibit designer for the proposed museum facility in Winnipeg.



The Museum will also report quarterly on anticipated future contracts of a value over \$100,000.

The Museum will not split contracts or contract amendments in order to avoid obtaining the appropriate level of approval.

## 7. PROCEDURES

The Museum will acquire goods and services through the most appropriate method available amongst the following alternatives: competitive tenders, requests for proposals, negotiation, call-up against standing offers, and sole source purchases.

Sole source purchases of goods and services will be undertaken only when fully justified in writing on the basis of one or more of:

- The estimated expenditure does not exceed \$30,000 before taxes;

- Unforeseen operational deadlines preclude a competitive process;

- The need is one of pressing emergency in which delay would be injurious to the public interest; or

- Only one person or firm is capable of performing the contract because of patent or copyright requirements, technical compatibility, knowledge or technical expertise.

The Museum will solicit bids, quotations or proposals, giving equitable opportunities to qualified suppliers seeking CMHR business whenever practical.

The Museum will establish and maintain source lists of competent and qualified suppliers for the purpose of inviting quotations or calling tenders.

## 9. EFFECTIVE DATE

This Policy is in effect as of September 3, 2008.