

Nunatsiavut Executive Council
Policy Respecting Procurement of Engineering Services

BE IT RESOLVED THAT:

The following is the Policy of the Nunatsiavut Government for the procurement of Engineering Services under the *Procurement Act*, IL 2011-04 (the “Act”).

1. This Policy may be referred to as the *Engineering Services Procurement Policy*.
2. In this Policy, “Engineering Service” means any service provided by a professional engineer in relation to the planning, design, preparation or supervision of the construction of a work or structure and “Exempt Services” means legal, engineering, architectural, accounting, land surveying, banking, financial, insurance or other services that require the giving of an opinion, creativity, the preparation of a design, or technical expertise. All other terms have the meaning given to them in the Act.
3. The Nunatsiavut Government may use direct sourcing for the procurement of Exempt Services, which includes Engineering Services.
4. For all procurements it is always good governance to seek out proposals and ensure that the Nunatsiavut Government is receiving value-for-money and is making procurement decisions in an accountable and transparent manner.
5. The purpose of this policy is to establish the procedure that shall be followed where the Nunatsiavut Government procures Engineering Services.
6. There is hereby established a Nunatsiavut Government Committee called the Engineering Procurement Committee which shall be composed of the Controller, the Deputy Minister of the Department of Nunatsiavut Affairs and one other designate.
7. The Controller shall be the Chair of the Engineering Procurement Committee and, in addition to the usual powers of a Chair, has the following powers and functions:
 - (a) If there is any question or doubt about the make-up of the Engineering Procurement Committee for purposes of a specific procurement, the Controller shall make the final determination.
 - (b) In appropriate circumstances (such as a joint interdepartmental or intergovernmental procurement of an Engineering Service) the Controller may add one or more members to the Engineering Procurement Committee.
 - (c) The Controller may invite any other person to attend a meeting in order to provide advice to the Engineering Procurement Committee.
 - (d) If there is any question or doubt about the valuation of an Engineering Service for purposes of determining the procedure to be followed for

procurement of the Engineering Service, the matter shall be decided by the Controller whose decision is final.

8. The Engineering Procurement Committee is, subject to this Policy, the decision-maker with respect to the procurement of Engineering Services and is responsible to the Nunatsiavut Executive Council.

9. For procurements of Engineering Services greater than \$15,000 and less than \$100,000, the Engineering Procurement Committee must solicit fee proposals from at least three companies, including all Inuit Businesses that supply Engineering Services. The procedures set out in section 10 and 11 of the Act apply to all such procurements, as appropriate.

10. For procurements of Engineering Services greater than \$100,000, the Engineering Procurement Committee must proceed with an open tender as outlined in Section 9 of the Act.

11. All open tenders will be evaluated by the Engineering Procurement Committee which shall present its recommendation to the Nunatsiavut Executive Council for approval before the Engineering Procurement Committee makes its final decision.

12. For all procurements of Engineering Services less than \$15,000, the normal decision-maker, and not the Engineering Procurement Committee, must proceed with the procedures for direct sourcing as outlined in Section 14 of the Act.