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Subject: Restrictions on the use of Contract Awards Methods and Tendering Possibilities

AUTHORITY

The present Directive is issued under the authority assigned to Procurement Services by the Procurement Policy.

PART I – PURPOSE AND SCOPE

An *Act respecting contracting by public bodies* and its Regulations allow a vast combination of contract award methods and competitive tendering possibilities. Not all of these are appropriate for any contract and maintaining their theoretical availability for use at McGill University creates a problematic landscape for drafting and delivering template contractual and tendering documents.

To ensure the efficient and effective implementation of template contractual and tendering documents that support the preferred contract award methods and competitive tendering possibilities, Procurement Services hereby issues this **Directive**, effective as of the date hereof.

PART II - INSTRUCTIONS

- 2.1. McGill University will not use the “Minimum Quality, Lowest Price” as a method of evaluation employed during any stage of “2-stage” Calls for Tenders or award method for any public Call for Tenders / Tender by Invitation.
- 2.2. For emphasizing quality when all quality requirements cannot be adequately incorporated into the Statement of Needs, “Lowest Adjusted Price”, “Highest Quality”^{*} or “2-Stage” Calls for Tenders (including Calls for Tenders involving a competitive dialogue) award methods may be used.
- 2.3. McGill University will not conduct negotiations, Tenders by Invitation or public Calls for Tenders with the purpose to enter into Delivery Order Contracts with multiple Contractors unless the process described by section 18 of the *Regulation respecting certain supply contracts of public bodies* or section 43 of the *Regulation respecting contracting by public bodies in the field of information technologies* (whereby McGill University can purchase the goods from all Suppliers under contract, provided their submitted price is within 10% of the lowest price) will be utilized.



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- 2.4. Delivery Order Contracts may only be awarded through “Mutual Agreement” or “Lowest Compliant Tender” award methods. As an exceptional alternative and with the prior written authorization of the Director (Procurement Services), the “2-Stage” Call for Tenders award method (where the second stage of the “2-Stage” Call for Tenders employs the “Lowest Compliant Tender” method) may be used.
- 2.5. McGill University will not conduct negotiations, Tender by Invitation or Calls for Tenders with the purpose to enter into Task Order Contracts with multiple Contractors without the prior written authorization of the Director (Procurement Services).
- 2.6. A Task Order Contract with a single Contractor may be awarded through “Mutual Agreement”, “Lowest Compliant Tender”, “Lowest Adjusted Price” or “Highest Quality”^{*} award methods. As an exceptional alternative and with the prior written authorization of the Director (Procurement Services), the “2-Stage” Call for Tenders (including a Call for Tenders involving a competitive dialogue) award method may be used.
- 2.7. Task Order Contracts with multiple Contractors may be awarded through “Mutual Agreement” or “Lowest Compliant Tender” award methods. As an exceptional alternative and with the prior written authorization of the Director (Procurement Services), the “2-Stage” Call for Tenders award method (where the second stage of the “2-Stage” Call for Tenders employs the “Lowest Compliant Tender” method) may be used.

^{*}Where permitted by the Regulatory Framework.