
SECTION 13

**CONTRACT SERVICES,
CONDITIONAL GRANTS
AND FUNDING AGREEMENTS**

13.05 CONTRACT APPROVAL PROCESS

AUTHORITY: DEPARTMENT OF FINANCE
TREASURY BOARD SECRETARIAT

ADMINISTRATION: DEPARTMENT OF FINANCE
TREASURY BOARD SECRETARIAT

EFFECTIVE DATE: JUNE 2024

13.05 CONTRACT APPROVAL PROCESS

(1) LEVELS OF AUTHORITY

See Section 13.02(3).

(2) APPLICATION

The application of this policy is referenced to the schedules of the *Financial Administration Act* (FAA) and applies as follows:

- Schedule “A” - Departments except the Legislative Assembly
- Schedule “B” - Crown corporations
- Schedule “C” - Education Authorities
- Schedule “D” - Commissions

except to the extent that their enabling legislation may incorporate alternate requirements such as Ministerial or Board Authority.

While this policy **does not apply** to the Legislative Assembly or to Reporting Entities subject to alternate legislation, the **spirit and intent** of the policy should serve as a **guideline** for these entities in developing their own policies. Reporting Entities that develop policies differing from Treasury Board policy require approval of Treasury Board.

(3) POLICY

All submissions to Treasury Board for approval of contracts/agreements must conform to the guidelines contained in the Section 3.02 - Submissions to Treasury Board of the Manual. Notwithstanding requirements contained in Section 3.02, the following information and documents need to be included in the submission:

- (a) selection method utilized and if a non-competitive method is chosen, the reasons for that choice;
- (b) the names and addresses of companies and/or individuals requested to submit proposals;
- (c) the names of individuals and the departments they represent which are appointed to the evaluation and selection committee;
- (d) a copy of the evaluation rating grid accompanied by sufficient narrative explanation to clearly enunciate the reasons for the recommended contractor selected; and
- (e) the following documents are to be available to Treasury Board, if requested:
 - a copy of the Request for Proposal (RFP) supplied to prospective contractors;
 - copies of proposals received from prospective contractors;
 - a copy of the proposed contract, including all schedules to the Contract; and
 - a copy of the solicitor’s comments, if appropriate.

(4) PROCEDURES

- (a) The contract is not dated until the final signatory to the contract is affixed.
- (b) All schedules are to be initialled and dated by all signatories to the contract unless using a Treasury Board approved digital signature.
- (c) The signatories of all contracts are to be witnessed using a Treasury Board approved digital signature. Contracts using a digital signature must be signed by the individual with the designated approval or signing authority, as well as a contract coordinator, who is a departmental designate that has prepared or coordinated the contract signature. The digitally signed contract, including signature summary with digital security intact, must be maintained under the applicable records retention schedule.
- (d) Contracts that are entered into by departments within their level of authority, but later in the process exceed the level of authority, as set out in Section 13.02(3) of the Manual, are to be submitted to Treasury Board for approval as soon as the excess is known.
- (e) Contracts approved by Treasury Board, which departments wish to materially revise for any purpose, including contract price, content, or work to be performed, are required to be re-submitted to Treasury Board for approval.
- (f) In situations where Treasury Board authority is not required for a department to enter into a contract or agreement, it is intended that the other procedures included in this policy related to selection, approval and contract management be followed.

(5) INTERPRETATION

In cases where an interpretation is required, such should be referred to the Secretary to Treasury Board, or their delegated officer, who will make the interpretation or refer the matter to Treasury Board, if a Board decision is deemed necessary.