

UNIVERSITY OF MANITOBA POLICY

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| Policy: | EXCLUSIVE SUPPLIERS AND ADMINISTRATIVE SYSTEMS |
| Effective Date: | March 20, 2012 |
| Revised Date: | February 4, 2014 |
| Review Date: | March 20, 2022 |
| Approving Body: | Board of Governors |
| Authority: | <i>The University of Manitoba Act</i> Section 16(1) |
| Responsible Executive Officer: | Vice-President (Administration) |
| Delegate: | Comptroller |
| Contact: | Comptroller |
| Application: | Board of Governors members; Senate members; Faculty/School Councils; Students; All External Parties; All Employees |

Part I Reason for Policy

- 1.1 The University is a public body and wishes to encourage efficient administrative practices and responsible use of its funding. It is recognized that better value (in terms of price, quality, sustainability and other considerations) may be obtained from vendors of goods and services in exchange for an exclusive or preferred vendor relationship.
- 1.2 It is further recognized that better coordinated, higher quality, more timely and more efficient administrative services can be provided to faculty, staff, students and others by requiring administrative and academic units to use the same, or compatible, administrative systems.

Part II Policy Content

Exclusive Supplier Relationships

- 2.1 The University, through its Vice-President (Administration), may enter into relationships with vendors which:
- (a) result in the vendor being the exclusive supplier of a specified good or service to all or part of the University; or
 - (b) result in the vendor being the preferred supplier of a specified good or service to all or part of the University.
- (hereafter referred to as "exclusive supplier relationships").
- 2.2 The Vice-President (Administration) will only enter into an exclusive supplier relationship:
- (a) after a public tender, if required by the University's Policy on Purchasing or the Agreement on Internal Trade; and
 - (b) which does not imply an endorsement of the vendor by the University.
- 2.3 No Signing Authority (as defined in the Policy Signing of Agreements), nor any other person, may bind the University into an exclusive supplier relationship without the consent of the Vice-President (Administration).
- 2.4 The Vice-President (Administration) may require members of the University community to follow rules or guidelines which support an exclusive supplier relationship, including but not limited to:
- (a) Requiring that specific goods and services are sourced only from a particular vendor; and
 - (b) Providing exceptions to exclusive supplier relationships whereby goods and services can be sourced outside of that relationship.
- 2.5 The Vice-President (Administration) will cause reasonable steps to be taken to ensure the University community is advised of all exclusive supplier relationships, and the rules or guidelines which support those relationships.
- 2.6 The University will take reasonable steps to ensure it meets its contractual responsibilities under exclusive supplier relationships. Should any person violate this Policy, or fail or refuse to follow the rules or guidelines supporting an exclusive supplier relationship, the University may:

- (a) Where an expense is incurred by an individual, refuse to reimburse an expense which would otherwise be eligible for reimbursement;
- (b) Where an expense is incurred in the name of the University, deduct up to triple the expense amount from the budget of the unit incurring the expense;
- (c) Where the University incurs a penalty or charge, or must pay damages as a result, pay that charge from the budget of the unit causing the expense; and/or
- (d) Refuse to integrate electronic goods with University servers, networks or other systems.

Coordination of Administrative Systems

- 2.7 Any Vice-President may implement an administrative system or process related to their portfolio, for the purpose of providing better coordinated, higher quality, more timely and more efficient administrative services, and make such administrative system or process mandatory for use by some or all of the University community.
- 2.8 Administrative systems and processes which are implemented may include, but are not limited to:
 - (a) Electronic systems supporting financial services, including purchasing, tendering, expense claims, banking, construction management and budget management;
 - (b) Electronic system supporting human resource services, including recruitment, employee records, payroll, and benefits;
 - (c) Systems supporting information technology, including data storage, email, calendar, office software, collaboration and document management, and technical support;
 - (d) Electronic systems supporting teaching activities, including course management systems, library catalogues, and classroom scheduling;
 - (e) Electronic system supporting students, including recruitment, admissions, and student records; and
 - (f) Electronic systems related to external affairs, including supporting philanthropy, alumni and other relationships.
- 2.9 The relevant Vice-President (or designate):

- (a) May make exceptions to the mandatory use of an administrative system or processes;
 - (b) May require that alternative administrative systems meet specified compatibility requirements;
 - (c) May implement rules or guidelines which support the use of mandatory administrative systems or processes; and
 - (d) Will cause reasonable steps to be taken to ensure the University community is advised of mandatory administrative systems and processes, and the rules or guidelines which support those systems.
- 2.10 The University will take reasonable steps to ensure it provides coordinated administrative systems processes. Should any person violate this Policy, or fail or refuse to implement or use mandatory administrative systems or processes, the University may:
- (a) Where an expense is incurred by an individual for an alternative administrative system, refuse to reimburse an expense which would otherwise be eligible for reimbursement;
 - (b) Where an expense is incurred in the name of the University for an alternative administrative system, deduct up to triple the expense amount from the budget of the unit incurring the expense; and /or
 - (c) Refuse to integrate an alternative electronic administrative system with University servers, networks or other systems.

Part III Accountability

- 3.1 The Office of Legal Counsel is responsible for advising the Vice-President (Administration) that a formal review of this Policy is required.
- 3.2 The Comptroller is responsible for the implementation, administration and review of this Policy.
- 3.3 Board of Governors members, Senate members, Faculty/School Councils, Students, External Parties and all Employees are responsible for complying with this Policy.

Part IV
Authority to Approve Procedures

- 4.1 The Vice-President (Administration) may approve Procedures, if applicable, which are secondary to and comply with this Policy.

Part V
Review

- 5.1 Governing Document reviews shall be conducted every ten (10) years. The next scheduled review date for this Policy is March 20, 2022.
- 5.2 In the interim, this Policy may be revised or repealed if:
- (a) the Vice-President (Administration) or the Approving Body deems it necessary or desirable to do so;
 - (b) the Policy is no longer legislatively or statutorily compliant; and/or
 - (c) the Policy is now in conflict with another Governing Document.
- 5.3 If this Policy is revised or repealed all Secondary Documents, if applicable, shall be reviewed as soon as possible in order that they:
- (a) comply with the revised Policy; or
 - (b) are in turn repealed.

Part VI
Effect on Previous Statements

- 6.1 This Policy supersedes all of the following:
- (a) all previous Board of Governors/Senate Governing Documents on the subject matter contained herein; and
 - (b) all previous Administration Governing Documents on the subject matter contained herein.

Part VII
Cross References

- 7.1 This Policy should be cross referenced to the following relevant Governing Documents, legislation and/or forms:
- (a) [Purchasing Policy](#)

(b) [Signing of Agreements Policy](#)