



**Carleton**  
UNIVERSITY



**PROCUREMENT SERVICES**  
CARLETON UNIVERSITY

# Limited Tendering Exception Codes

<b>Definitions</b>	
Limited Tendering Exceptions under CFTA Article 513, CETA Article 19.12, OQTCA 9.14	Limited Tendering means a procurement method whereby the procuring entity contacts a vendor or vendors of its choice, provided it does not use this provision for the purpose of avoiding competition among vendors or in a manner that discriminates against vendors of any other Party or protects its own vendors. A procuring entity may use limited tendering under any of the circumstances described in TABLE 1. Limited Tendering now includes Sole or Single Source as defined below.
Sole Source	Non-competitive process used to acquire goods or services from a specific vendor because there are no other vendors available or capable of providing the required goods or services.
Single Source	Non-competitive process used to acquire goods or services from a specific vendor, even though there may be more than one vendor capable of delivering the same goods or services.
Non-Application Provisions under CFTA, CETA and OQTCA	<p>Non-Application Provisions are provisions that exempt a given procurement from the application of the government procurement chapter obligations of the applicable agreement (CFTA*, CETA** or OQTCA***) These are described in TABLE 2.</p> <p>* CFTA requirements are effective at \$100,000 for Goods &amp; Services and \$250,000 for Construction and Renovations.</p> <p>** CETA requirements are effective at \$365,000 for Goods &amp; Services and \$9,000,000 for Construction and Renovations.</p> <p>*** OQTCA requirements are effective at \$100,000 for Goods, Services and Construction.</p>
Tender	Submission from a vendor in a response to a tender notice for a procurement valued at or greater than \$100,000.
Quotation	Submission from a vendor in response to an "Invitation to Quote" for a procurement valued at or greater than \$10,000 but less than \$100,000.

**TABLE 1: Limited Tendering Exception Codes (Single Source & Sole Source)**

SS-1	1.1 If no tenders or quotations were submitted or no vendors requested participation; 1.2 If no tenders or quotations that conform to the essential requirements of the tender or quotation documentation were submitted; 1.3 If no vendors satisfied the conditions for participation (Contact Procurement Services for guidance); In any of the above cases, the exception is only available provided the requirements of the tender documentation are not substantially modified.
SS-2	If the goods or services can be supplied only by a particular vendor and no reasonable alternative or substitute goods or services exist for any of the following reasons: 2.1 the requirement is for a work of art; 2.2 the protection of patents, copyrights, or other exclusive rights; 2.3 due to an absence of competition for technical reasons; 2.4 the supply of goods or services is controlled by a vendor that is a statutory monopoly (Not available under CETA or the OQTCA. Contact Procurement Services for guidance); 2.5 to ensure compatibility with existing goods or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative (Not available under CETA or the OQTCA. Contact Procurement Services for guidance); 2.6 work is to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original (Not available under CETA or the OQTCA. Contact Procurement Services for guidance); 2.7 work is to be performed on a leased building or related property, or portions thereof, that may be performed only by the lessor (Not available under CETA or the OQTCA. Contact Procurement Services for guidance); 2.8 the procurement is for subscriptions to newspapers, magazines, or other periodicals (Not available under CETA or the OQTCA. Contact Procurement Services for guidance);
SS-3	For additional deliveries by the original vendor of goods or services that were not included in the initial procurement, if a change of vendor for such additional goods or services: (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement; and (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity (Both (i) and (ii) must apply);
SS-4	If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering (A failure to plan and allow sufficient time for a competitive procurement does not constitute an unforeseeable situation or urgency);
SS-5	For goods purchased on a commodity market;
SS-6	If a procuring entity procures a prototype or a first good or service that is developed in the course of, and for, a particular contract for research, experiment, study, or original development. Original development of a first good or service may include limited production or supply in order to incorporate the results of field testing and to demonstrate that the good or service is suitable for production or supply in quantity to acceptable quality standards, but does not include quantity production or supply to establish commercial viability or to recover research and development costs;
SS-7	For purchases made under exceptionally advantageous conditions that only arise in the very short term in the case of unusual disposals such as those arising from liquidation, receivership, or bankruptcy, but not for routine purchases from regular vendors;
SS-8	If a contract is awarded to a winner of a design contest provided that: (i) the contest has been organized in a manner that is consistent with the principles of this Chapter, in particular relating to the publication of a tender notice; and (ii) the participants are judged by an independent jury with a view to a design contract being awarded to a winner (Contact Procurement Services for guidance);
SS-9	If goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise government confidentiality, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to the public interest (Not available under CETA. It is a non-application provision under OQTCA. Contact Procurement Services for guidance).