



Carleton
UNIVERSITY



PROCUREMENT SERVICES
CARLETON UNIVERSITY

Non- Application Provision Codes

Definitions	
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 & Services and \$250,000 for Construction and Renovations.</p> <p>** CETA requirements are effective at \$365,000 for Goods & 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 2: Non-Application Provision Codes

NA-1	Public employment contracts (Contact Human Resources for guidance);
NA-2	Non-legally binding agreements (Contact Procurement Services for guidance);
NA-3	Any form of assistance such as grants, loans, equity infusions, guarantees, and fiscal incentives (“Grants” refers to granting of money by Carleton University. It does not refer to the spending of granting money - i.e. research grants);
NA-4	A contract awarded under a cooperation agreement between a Party and an international cooperation organization if the procurement is financed, in whole or in part, by the organization, only to the extent that the agreement includes rules for awarding contracts that differ from the obligations of this Chapter (Not available under CETA or OQTCA. Contact Procurement Services for guidance);
NA-5	Acquisition or rental of land, existing buildings, or other immovable property, or the rights thereon;
NA-6	Measures necessary to protect intellectual property, provided that the measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between the Parties where the same conditions prevail or are a disguised restriction on trade;
NA-7	Procurement or acquisition of: 7.1 fiscal agency or depository services (Not applicable for Carleton University); 7.2 liquidation and management services for regulated financial institutions (Not applicable for Carleton University); 7.3 services related to the sale, redemption, and distribution of public debt, including loans and government bonds, notes and other securities (Not applicable for Carleton University);
NA-8	Procurement of: 8.1 financial services respecting the management of government financial assets and liabilities (i.e., treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution (“Financial service” means any service or product of a financial nature and a service incidental or auxiliary to a service of financial nature, and includes: deposit taking; loan and investment services; insurance; estate, trust and agency services; securities; and all forms of financial or market intermediation including the distribution of financial products); 8.2 health services (Contact Procurement Services for guidance) or social services (“Social services” generally includes the following services to the extent that they are established or maintained for a public purpose: income security or insurance; social security or insurance; social welfare; public education; public training, health, and child care); 8.3 services that may, under applicable law, only be provided by licensed lawyers or notaries; 8.4 services of expert witnesses or factual witnesses used in court or legal proceedings (Not available under OQTCA. Contact Procurement Services for guidance);
NA-9	Procurement of goods or services: 9.1 financed primarily from donations that require the procurement to be conducted in a manner inconsistent with Chapter 5 of CFTA (Not available under CETA. Contact Procurement Services for guidance); 9.2 by a procuring entity on behalf of an entity not covered by Chapter 5 of CFTA/Chapter 19 of CETA/Chapter 9 of OQTCA (Contact Procurement Services for guidance); 9.3 between enterprises that are controlled by or affiliated with the same enterprise, or between one government body or enterprise and another government body or enterprise; 9.4 by non-governmental bodies that exercise governmental authority delegated to them (Not applicable for Carleton University); 9.5 from philanthropic institutions, non-profit organizations, prison labour, or natural persons with disabilities (Not available under CETA. Contact Procurement Services for guidance); 9.6 under a commercial agreement between a procuring entity which operates sporting or convention facilities and an entity not covered by Chapter 5 of CFTA that contains provisions inconsistent with Chapter 5 of CFTA (Not available under CETA or OQTCA. Contact Procurement Services for guidance); 9.7 conducted for the specific purpose of providing international assistance, including development aid, provided that the procuring entity does not discriminate on the basis of origin or location within Canada of goods, services, or vendors; or 9.8 Conducted: A) Under the particular procedure or condition of an international agreement relating to the stationing of troops or relating to the joint implementation by the signatory countries of a project (Not applicable for Carleton University); B) Under the particular procedure or condition of an international organization, or funded by international grants, loans, or other assistance, if the procedure or condition would be inconsistent with Chapter 5 of CFTA;
NA-10	Procurement with respect to Aboriginal peoples.