

# BID APPROVAL NOTE

<b>Bid #</b>	N/A		
<b>Bid Name</b>	Microsoft Enterprise Agreement		
<b>Department</b>	Finance & Administration	<b>Division</b>	Corporate Info. Services
<b>Budget Code</b>	1272-52533		
<b>Source of Funding</b>	<input checked="" type="radio"/> Operating <input type="radio"/> Capital <input type="radio"/> Multiyear Capital		
<b>Purpose</b>	We currently use Microsoft Office 365 for our email and Office productivity suite of tools.		
<b>Results</b>	<input type="radio"/> As attached <input checked="" type="radio"/> As noted below		
	<b>Vendor Name</b>		<b>Bid Amount</b>
	Microsoft Canada		\$884,412.72
<b>Expected Value</b>	<input checked="" type="radio"/> As above <input type="radio"/> Value shown is an estimate only for a    year period. The City does not guarantee to buy any specific quantities or dollar value.		
<b>Contract Duration</b>	36 Months		
<b>Bid Exception</b>	<input type="radio"/> None <input checked="" type="radio"/> Contract Award Without Open Call <input type="radio"/> Professional Services		
<b>Recommendation</b>	It is recommended to extend the existing contract for Microsoft Enterprise Agreement, under the Public Tender Act as the contract commenced prior to the Public Procurement Act, for \$884,412.72 (HST not included).		
<b>Supply Chain Buyer</b>	Sherri Higgins		
<b>Supply Chain Manager</b>	<b>Rick Squires</b> <small>Digitally signed by Rick Squires            Date: 2020.03.17 12:51:17            -02'30'</small>	<b>Date</b>	2020/03/17
<b>Deputy City Manager*</b>		<b>Date</b>	

\*Only required for a bid exception (contract award without open call or professional services).



**TO: Government of Newfoundland and Labrador, Public Procurement Agency**

**Report to Chief Procurement Officer, Public Procurement Agency  
(Pursuant to Section 32 or *The Public Procurement Regulations*)  
Version 1 – 2018-03-24**

**FROM: Government Funded Body  
City of St. John's, P.O. Box 908, St. John's, NL A1C5M2**

**Contract Description:**

Microsoft Enterprise Agreement - This is a 36 month term renewal from our existing contract Microsoft Enterprise Agreement # 8804130. Original agreement signed March 2017. Total contract price is \$884,412.72 at \$294,804.23 a year.

**Contractor, Supplier or Lessor:**

Name: Microsoft Canada

Address: PO Box 9433, Postal Station A, Toronto, ON Country: Canada

Contract Price  
(exclusive of HST): \$ 884,412.72

Contract # or PO #: Requisition # 94142 Date of Award: 03/13/2020

**Relevant Exception Clause (select only one):**

6(a)(v) Only Available Source

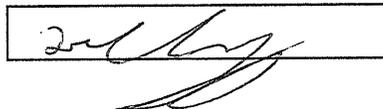
**Reason(s) Why an Open Call for Bids Was Not Invited:**

This is not going to Tender because all pricing and invoicing are direct through Microsoft Canada.

Prepared by: Keith Barrett

Date: 03/13/2020

Head of Public Body:  
(City Manager)



Date: 03/13/2020

## Contract Award Without an Open Call for Bids

### Relevant Exemption Clauses:

- 6(a)(ii): The commodity is of the nature that an open call for bids could reasonably be expected to compromise security
- 6(a)(iii): The commodity is available from a public body
- 6(a)(iv): An emergency or a situation or urgency exists and the acquisition of the commodity cannot reasonably be made in time by an open call for bids
- 6(a)(v): There is only one source reasonably available for the commodity
- 6(a)(vi): A list of pre-qualified suppliers has been established using a request for qualifications and the public body is requesting quotations from all pre-qualified suppliers on the list
- 6(a)(vii): An acquisition of a commodity is for the purpose of resale or for incorporation into a product or resale
- 6(b): Set rates have been established by the Public Utilities Boards acting under the *Public Utilities Act* or another Act
- 19:
  - (1) The acquisition of a commodity is exempt from the requirements of the framework where the following requirements are satisfied:
    - (a) the minister responsible for economic development has recommended the exemption on the basis that the acquisition of the commodity is for the purpose of economic development;
    - (b) the exemption has been approved by the Lieutenant-Governor in Council; and
    - (c) the exemption is not precluded by an intergovernmental trade agreement.
  - (2) Where a public body acquires a commodity that is exempted under subsection (1), the public body shall report the acquisition to the chief procurement officer.