

 <p>Winnipeg Regional Health Authority Office régional de la santé de Winnipeg Caring for Health À l'écoute de notre santé</p> <p style="text-align: center;">POLICY</p>	<p>REGIONAL</p> <p>Applicable to all WRHA governed and funded sites / facilities / hospitals / personal care homes, unless specifically excluded</p>		<p>Level:</p> <p style="text-align: center;">1</p>
	<p>Policy Name:</p> <p style="text-align: center;">Contract Compliance (Regional Contracting, Logistics Services)</p>	<p>Policy Number:</p> <p style="text-align: center;">40.00.030</p>	<p>Page</p> <p style="text-align: center;">1 of 3</p>
	<p>Approval Signature:</p> <p style="text-align: center;"><i>Original signed by B. Postl</i></p>	<p>Section:</p> <p style="text-align: center;">LOGISTICS SERVICES</p>	
	<p>Date:</p> <p style="text-align: center;">January 2008</p>	<p>Supercedes:</p> <p style="text-align: center;">January 2003</p>	

1.0 PURPOSE:

- 1.1 To provide direction to WRHA facilities and WRHA funded facilities regarding their compliance with existing WRHA Logistics Services contracts.
- 1.2 To ensure that all contractual obligations entered into with suppliers through Logistics Services are met.

2.0 DEFINITIONS:

- 2.1 Product Review Evaluation Standardization (PRES) Committee - Stakeholders who have the responsibility to represent their WRHA clinical and clinical support program or facility at committee meetings and participate in the contract development process.
- 2.2 Letter of Commitment - Logistics Services document identifying the contract commitment and requirements of the site/program, providing clear and unequivocal direction for Logistics Services to commit the site/program to the contract.

3.0 POLICY:

- 3.1 A Letter of Commitment shall be signed by the participating site/program prior to the competitive bid document being released.
- 3.2 Once the Letter of Commitment is signed, the site and program participation in honoring the contract award is mandatory.
- 3.3 Site or Programs wanting to participate in a contract post award shall sign a Letter of Commitment prior to being added to the contract.
- 3.4 Logistics Services, through the PRES Committees, site Materiel Management and the WRHA Senior Management, will facilitate the monitoring and resolution process and ensure system-wide compliance to awarded contracts.
- 3.5 Where a PRES Committee was not responsible for the award decision the responsibility of facilitating the monitoring and resolution process falls to the respective WRHA Program or site Materiel Management.

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- 3.6 Procurement of product/equipment/service outside the contract will not be permitted unless:
- a) prior written approval is granted in accordance with the process set out in the Complaint Monitoring and Resolution Policy No. 40.00.050 or
 - b) otherwise detailed in a site service purchase/operating agreement allowing the site to contract outside of the Logistics Services process.
- 3.7 Where procurement of product/equipment/service has occurred outside the contract and it is not in accordance with 3.6, the following procedure must be followed.

4.0 **PROCEDURE:**

- 4.1 The site, program or vendor shall notify Logistics Services of non-compliance to a contract.
- 4.2 Logistics Services reviews the issues and concerns regarding the non-compliance as identified and gathers relevant information in an effort to resolve the non-compliance issue at a site/program level.
- 4.3.1 If resolution is achieved and site becomes compliant and the issue is resolved.
- 4.3.2 If resolution is not achieved the process continues.
- 4.3 Relevant information is presented to the respective PRES Committee(s) who then confirms that the contracted product/equipment/service is acceptable or unacceptable:
- 4.3.1 If determined **unacceptable** by the PRES Committee, due to unforeseen, irreconcilable, extenuating circumstances at the subject site/program (e.g., Proprietary equipment not compatible with existing contracted supply item).
- a) PRES Committee recommends that the site/program is eligible for an exemption.
 - b) Logistics Services staff advises the Regional Manager, Contracting Services.
 - c) Logistics Services forwards this information to WRHA Senior Management for information.
- 4.3.2 If determined **unacceptable** due to risk to patient or staff:
- a) The use of the product/equipment/service throughout all sites and programs will be terminated immediately pending review.
 - b) If risk is validated at other sites/programs, all product/equipment/service will be removed from use immediately and an alternate contract will be pursued if appropriate.
 - c) Logistics Services staff advises the vendor and Health Canada via the complaint process.
 - d) Logistics Services staff advises the Regional Manager, Contracting Services.
- 4.3.3 If determined **acceptable** and the site/program remains **unable to comply**:
- a) Logistics Services staff notifies the Regional Manager, Contracting Services.

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- b) Documentation is prepared by Logistics Services in consultation with Chair/Site/Program.
- c) Regional Manager, Contracting Services provides all documentation to WRHA Senior Management.
- d) WRHA Senior Management writes the CEO/COO of the subject site or Program Administrative Director inviting them to make a written submission and/or send a delegate of their choosing to the next WRHA Senior Management meeting. The site/program is provided 14 days from the date of notice to respond to raise concerns about:
 - Product/Equipment/Service or
 - Contract process development integrity.
- e) WRHA Senior Management hears the issues and makes a decision regarding acceptability/process integrity.
- f) WRHA Senior Management communicates their decision, in writing, to Regional Manager, Contracting Services and the CEO/COO of the subject site or Program Administrative Director either granting the exemption or requiring compliance.

5.0 **REFERENCES:**

5.1 PRES Policy # 40.00.070

5.2 Complaint Monitoring and Resolution Policy # 40.00.050

(These WRHA Policies are available on INSITE - <http://home.wrha.mb.ca/corp/policy/policy.php>)

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