

**New West Partnership Trade Agreement (NWPTA)
Excluded Procurements**

The Trade Agreements require that all MASH sector entities must provide open and non-discriminatory access to suppliers for procurement of goods and services over \$75,000 or \$200,000 for construction where the procurement is not otherwise excluded. The following procurements are excluded from the Trade Agreements.

Excluded Procurements:

- a) from philanthropic institutions, prison labour or persons with disabilities;
- b) from a public body or a non-profit organization;
- c) of goods purchased for representational or promotional purposes, and services or construction purchased for representational or promotional purposes outside the territory of the City;
- d) of health services and social services;
- e) on behalf of an entity not covered by the NWPTA procurement provisions;
- f) by entities which operate sporting or convention facilities, in order to respect a commercial agreement containing provisions incompatible with the NWPTA procurement provisions;
- g) where it can be demonstrated that only one supplier is able to meet the requirements of a procurement;
- h) where an unforeseeable situation of urgency exists and the goods, services or construction could not be obtained in time by means of open procurement procedures;
- i) when the acquisition is of a confidential or privileged nature and disclosure through an open bidding process could reasonably be expected to compromise government confidentiality, cause economic disruption or be contrary to the public interest;
- j) of services provided by lawyers and notaries;
- k) of goods intended for resale to the public; or
- l) in the absence of a receipt of any bids in response to a call for tenders.

In addition, the NWPTA also excludes the following:

- a) of water, and services and investments pertaining to water;
- b) for the management or conservation of forests, fish or wildlife;
- c) to promote renewable and alternative energy; or
- d) for the management or conservation of energy or mineral resources, provided that the procurement is conducted in a non-discriminatory manner