

Buy Ontario Act

Frequently Asked Questions

General

1. Have the thresholds in the Ontario Public Service (OPS) and the Broader Public Sector (BPS) Procurement Directives been updated?

Yes, the monetary thresholds in the OPS/BPS Procurement Directives have been updated to align with applicable trade agreements thresholds. Please note that monetary thresholds in procurement directives will not always change when trade agreement thresholds change unless there are trade agreement compliance considerations.

Over time, monetary thresholds set out in procurement directives may be adjusted to reflect broader government priorities, risk considerations, and policy objectives, in addition to applicable trade obligations.

2. What changes were made to the Ontario Public Service (OPS) Procurement Directive and Broader Public Sector (BPS) Procurement Directive effective April 13?

The Building Ontario Businesses Initiative (BOBI) requirements that were in the OPS Procurement Directive are now contained in the Buy Ontario Procurement Directive. The only changes to these requirements was to update the monetary thresholds that were in the OPS Procurement Directive.

3. What does the Buy Ontario Act achieve?

The Buy Ontario Act (Public Sector Procurement), 2025 (BOA) establishes an enabling framework for regulating procurement within the public sector and authorizes Management Board of Cabinet to issue directives that give preference to Ontario/Canadian-made goods and services in procurements.

The Buy Ontario Procurement Directive and the Municipal Buy Ontario Procurement Directive support this by requiring government and the broader public sector to prioritize Ontario and Canadian made goods and services in procurements, including strategic categories (fleet vehicles and capital infrastructure).

The Buy Ontario Procurement Directive (for OPS and BPS entities) also incorporates related initiatives — the Building Ontario Businesses Initiative and the Procurement Restriction Policy — into a single directive.

Building Ontario Businesses Initiative

4. Has BOBIA been repealed?

Yes, the Building Ontario Businesses Initiative Act (BOBIA) has been repealed.

BOBIA supported one specific strategy of the Building Ontario Businesses Initiative (BOBI), which required public sector buyers covered by the Act to give preference to Ontario businesses in procurement with values below a specific threshold.

Although BOBIA itself has been repealed, BOBI continues as a strategic policy initiative and applies to the OPS, provincial agencies, and BPS entities.

The BOBI requirements, including the requirement to give preference to Ontario businesses and the other BOBI strategies, were previously set out in appendices to the OPS and BPS Procurement Directives. These requirements are now incorporated into the Buy Ontario Procurement Directive issued under the Buy Ontario Act (Public Sector Procurement), 2025. The Buy Ontario Procurement Directive for government and BPS entities currently includes four policies: 1) the Procurement Restriction Policy (PRP), 2) BOBI, 3) Capital Infrastructure, and 4) Fleet Vehicles.

BOBI is not included in the Municipal Buy Ontario Procurement Directive and thus does not apply to municipalities, local boards, or municipal services corporations.

Capital Infrastructure

5. How do we validate that Goods & Services were made in Ontario? Is there a mandatory attestation letter? What happens if a bidder misrepresents product origin, to win the bid, and we find out after?

Government and BPS entities may rely on a bidder's attestation that the information provided in the Domestic Supply Chain Plan is truthful and accurate at the time of the procurement. Buyers are not required to independently verify this information.

The submission of a Domestic Supply Chain Plan itself is not an attestation. Procurement documents should require each bidder to formally attest to the accuracy of the information contained in the Domestic Supply Chain Plan. Buyers should work with their legal counsel to develop and include appropriate attestation language in procurement documents.

As with any procurement, any misrepresentation by a bidder regarding the origin of goods or services may be addressed through contract management, in accordance with the terms of the procurement documents and/or contract.

6. What will be the criteria to determine major goods?

Buyers, as the subject matter experts for their capital infrastructure procurements, are responsible for identifying what constitutes major goods on a case-by-case basis, considering the nature, scope, and operational importance of the goods to the overall deliverable, and ensuring alignment with the definition set out in the directive. A definition is provided in both the BOA Procurement Directive (P. 15) and the Municipal Procurement Directive (P. 9):

"Major goods" means durable materials, systems or components that are essential to ensuring the operational readiness or performance of the deliverable, and include, but not limited to:

- Structural materials: Concrete, steel and other metals, lumber, stone, aggregates
- Building envelope components: Windows, glass, roofing systems, bricks
- Mechanical and electrical systems: HVAC units, generators, elevators

- Specialty items: Prefabricated panels, major fixtures
- Fixtures, furniture and equipment
- Transit fleet vehicles

7. Can an urgent Request for Tender that was planned before the April 13 Buy Ontario Act effective date proceed without a DSCP evaluation component when doing so would jeopardize the procurement timelines?

The requirements set out in the Buy Ontario Procurement Directive applies to all new procurements initiated after policy's effective date of April 13, 2026. For the purposes of the Capital infrastructure procurement requirement, a new procurement is defined as a procurement opportunity that has not yet been posted, such as on an electronic tendering system, or has not yet been issued to vendors to submit a response. Procurements that were still in the planning stage when the policy came into effect are therefore considered new procurements and must comply with the Buy Ontario Procurement Directive, including any applicable Domestic Supply Chain Plan evaluation requirements.

8. Does using Canadian Construction Documents Committee (CCDC) standard documents as the basis for a construction contract satisfy the Domestic Steel and Construction Products (DSCP) requirements for capital infrastructure projects?

If the CCDC specifies the Ontario-made and Canadian-made Major Goods and Services required for the construction, then you may not need the Domestic Supply Chain Plan as the requirements are stipulated in the CCDC. Additionally, buyers would need to illustrate that the specifications are based on their needs as well as what is available in the market.

Made-in-Ontario Fleet

9. What if a light duty vehicle type that is part of my organization's fleet requirements (such as a fully electric vehicle) is not a Made-in-Ontario vehicle, do I need to document the rationale for acquiring a vehicle by an Ontario Vehicle Producer?

Yes, if a light duty vehicle type that is part of organization's fleet requirements and it is not operational feasible to purchase/lease another Made-in-Ontario vehicle, a public sector entity must document the rationale and seek the appropriate approvals to acquire a vehicle from an Ontario Vehicle Producer.

10. How far into the procurement does this reach? Example site security and the contracted Ontario security company providing vehicles to their guards to perform their duties under the security contract. Do we need to insist that the 3rd party vehicles meet these requirements?

The fleet vehicles policy requirements apply to vehicles that a Public Sector Entity purchases or leases for its organization. It would not apply to vendors under contract to provide services for the Public Sector Entity.

11. Are municipal by-law vehicles considered as enforcement vehicles under the Fleet Vehicle Policy?

No, the policy does not apply to enforcement vehicles.

12. Where Supply Ontario has an existing Vendor of Record (VOR) for upfitter services, are municipalities required to use the VOR, or may they conduct their own competitive procurement for these services?

Municipalities are strongly encouraged to leverage Supply Ontario's Vendor of Record Arrangements where feasible. A centralized VOR approach leverages the province's buying power, driving greater value, efficiency, and consistency in procurement outcomes.