

Job Description

Job Title:	Procurement Specialist, Contracts
Department:	Procurement & Contract Services
Reports To:	Director, Procurement & Contract Services
Jobs Reporting:	None
Salary Grade:	USG 12
Effective Date:	July 2019

Primary Purpose

Responsible for the provision of advice and counsel, both within Procurement & Contract Services as well as to the wider University community, regarding contracts and agreements for the acquisition of goods and services for the campus community.

Negotiates and executes contracts and agreements with third parties, and monitors for contractual compliance and contractual risk, while ensuring that the University's interests and rights are understood and protected.

Key Accountabilities

Contract negotiation and execution

- Negotiate and execute (per Procedure 1) contracts including for complex, high value/risk acquisitions, including major acquisitions in excess of \$1 million;
- Review and interpret terms and conditions prior to recommending that the University be bound by a contract;
- Identify and recommend alterations to contracts, including providing/altering legal clauses and drafting amendments;
- Coordinate with University stakeholders and third parties to understand their goals and intent;
- Mediate to a mutually acceptable solution between parties when negotiations stall;
- Facilitate execution of contracts through multiple levels of signing authority;
- Identify opportunities for contract inclusion or consolidation throughout campus.

Problem solving and risk management

- Protect the University from academic, reputational and financial risk inherent in the process of contracting for goods and services;
- Be cognizant of and ensure appropriate covenants are in place to protect specific research interests, including IP rights;
- Assess contracts with risk awareness commensurate with the type of goods and/or activities being acquired under contract;
- Ensure appropriate insurance coverages are in place to protect against liability;
- Investigate and remedy claims related to contract breaches and violations;
- Source and reference case law and similar legal precedents;
- Conduct contract dispute resolution, up to and including managing vendor deficiencies and termination of contracts for breach;

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- Provide analysis of internal processes to Director and stakeholders to support strategic decision making (e.g. make recommendations for process improvements).

Contract Management

- Evolve and manage the department's contract management system, and provide functional guidance and direction to other staff & faculty members involved in these activities;
- Monitor performance and adherence to the terms and conditions of agreements;
- Independent file management of various types of files in a legal and procurement setting;
- Respond to questions regarding obligations during the life of contracts;
- Ensure the appropriate retention of documentation that is required, and ensure that audit requirements are satisfied.

Communication

- Negotiate contract terms to a mutually beneficial outcome;
- Clearly communicate and advise faculty or staff members of the implications and obligations implied by contract terms, and suggest alternatives when concerns are raised during negotiations;
- Create correspondence and documentation supporting the University's position in contracting for goods and services.

Leadership and teamwork abilities

- Provide legal recommendations to faculty, departments, senior administrators and partners regarding best practices in contracting;
- Guide requestors through the procurement process and all associated, relevant contact points along the way;
- Clearly communicate and advise faculty or staff members of the implications and obligations implied by contract terms, and suggest alternatives when concerns are raised during negotiations;
- Explain and manage the acquisitions and contracting process to stakeholders, ensuring that all participants clearly understand the objectives and their obligations;
- Develop relationships with suppliers to enable effective communication and facilitation when questions or concerns arise;
- Exhibit and model a highly ethical approach when engaging in University business;
- Mentoring of buying staff within the department.

Required Qualifications

Education

- Bachelor of Laws (LL.B.) or Juris Doctor (J.D.) or equivalent law degree, or, an equivalent combination of education, certification and experience;
- Experience mentoring and providing advice and guidance.

Experience

- At least seven (7) years of legal contracting experience, at least one (1) of which is in a publicly funded environment;
- Experience with real estate and leasing law; landlord & tenant law; insurance law; administrative law; contract law; copyright law; IP & trademark law; franchise law and litigation is preferred;
- Demonstrated experience drafting contracts and negotiating to a successful outcome.

Knowledge/Skills/Abilities

- Current knowledge of legal requirements regarding acquisitions, and risk management in a publicly funded institution;
- Basic knowledge of the requirements as set out in the Provincial Broader Public Sector (BPS) Procurement Directive;
- Excellent interpersonal skills in communication, relationship management, persuasion, exercising sound judgement, dealing with confidential information;
- Expert analytical, problem solving, negotiation, mediation and dispute resolution skills;
- Proactive, critical thinker, evaluator and problem solver, creative with approaches, processes, and technology;
- Leadership and mentoring skills;
- Proactive thinker and problem solver, creative with approaches, processes, and technology.

Nature and Scope

- **Contacts:** Interacts with various types of customers, peers and superiors throughout the University community. Particular involvement with faculty and senior administration throughout complex or major contracted acquisitions. Involvement with the supplier community for acquisitions and partnerships, as well as external partners and agencies.
- **Level of Responsibility:** Ability, experience and in-depth working knowledge and understanding of public procurement legislation. Responsible for proactively protecting the University from liability, financial and reputational risk. Ability to influence, lead and mentor members of the campus community, and to integrate due diligence into acquisitions and contracting.
- **Decision-Making Authority:** Knowledge and confidence to make and defend difficult decisions in a legally sensitive environment; responsibility for major acquisitions, including those in excess of \$1 million; signing authority under Procedure 1 of up to \$100,000.
- **Physical and Sensory Demands:** Minimal exposure to disagreeable conditions in the physical environment, typical of a professional working within an office or institutional environment; occasional travel required. Project activities are often in a fast-paced, timely and politically sensitive climate.
- **Working Environment:** Office based, with frequent visits to various work areas across campus, locally with partners (e.g. landlords), and occasional travel; some work outside of the normal operating hours of the institution is required at peak periods, for special projects, or to ensure appropriate coverage in the department.