

A summary of all formal quotations received shall be kept and filed by Procurement Services.

Formal quotations shall be requested by way of invitation and/or advertising, as determined by Procurement Services, in conjunction with the end user.

An appropriate contract/agreement will be issued at the conclusion of the formal quotation process. The contract/agreement must be signed by an authorized Board signing authority.

Formal quotations will be advertised, issued, received, opened and awarded by Procurement Services, in accordance with this policy and the administrative regulations.

1.3 Tenders

Tenders refer to a written offer, in a specified form, in response to an open bid invitation. Tenders are to be issued by Procurement Services, in consultation with the end user based on defined specifications and requirements of the goods, services or construction requested.

An appropriate contract/agreement will be issued at the conclusion of the tendering process. The agreement/contract must be signed by an authorized Board signing authority.

A summary of all tender responses obtained shall be kept and filed by Procurement Services.

Tenders will be advertised, issued, received, opened and awarded by Procurement Services, in accordance with Board Policy BA-5.1, Procurement Procedures and the associated administrative regulations.

1.4 Request for Proposal (RFP)

A Request for Proposal (RFP) shall be used for the solicitation of competitive bids when the requirement for goods and/or services cannot be definitively specified and/or innovative solutions are sought. RFPs will be requested through Procurement Services, in consultation with the end user. The end user will be required to provide as much detailed information as possible to create a Scope of Work, and a formal evaluation process will be conducted. The process may involve consecutive negotiations subsequent to the submission of proposals in order to complete an acceptable.

Procurement Services may provide suggested evaluation criteria for assistance in formulating an evaluation scoring matrix. Standards used will include factors such as price, qualification and experience, strategy and/or approach, scheduling, past performance and/or references, facilities and equipment as appropriate. Maximum justifiable weighting must be allocated to the price/cost component of the evaluation criteria. The end user will identify appropriate criteria. The criteria and weighting shall be included in the RFP document. An evaluation team will be established for all RFPs and will consist of not less than three members of Board staff. Procurement Services will facilitate the process.

Where alternative strategies or solutions are to be considered, they must be explicitly requested in the bid document and criteria must be established to evaluate the alternatives prior to commencement of the competitive procurement process. Alternative strategies or solutions must not be considered unless they are explicitly requested in the competitive procurement process.

1.5 Information Gathering

Information gathering requests will be used for situations where the Board has incomplete information about either the goods, services and/or construction that is required, or the capabilities of the market to deliver. Information gathered during these processes is intended to help in the planning of a fair and cost effective procurement process, define the requirements for procurement documents, and identify whether there are interested and capable suppliers available.

No agreement/contract shall be issued as a result of the information gathering process.

All information gathering requests will be issued by Procurement Services, in consultation with the end user.

1.5.1 Request for Information (RFI)

A Request for Information (RFI) will be used to gather general supplier or product information. An RFI may be used when the Board is researching a contemplated procurement and has not yet determined what characteristics the ideal solution may have. An RFI may also be used to gather supplier interest in a potential competitive bid opportunity and/or supplier capabilities and qualifications.

1.5.2 Request for Expression of Interest (RFEI)

A Request for Expression of Interest (RFEI) may be used to gather information about supplier interest in an opportunity or information about supplier capabilities and qualifications. An RFEI may be used to clarify

the ability of the supplier community to provide the necessary services or solutions.

1.5.3 Request for Supplier Qualification (RFSQ)

A Request for Supplier Qualification (RFSQ) will be used to gather information on vendor capabilities and qualifications, with the intention of creating a list of pre-qualified vendors.

Procurement Services may provide a list of suggested evaluation criteria for assistance in formulating an evaluation scoring matrix. Standards used will include factors such as price, qualification and experience, strategy and/or approach, scheduling, past performance and/or references, facilities and equipment as appropriate. The end user shall identify appropriate criteria and weighting from the list but are not limited to the standard criteria. The criteria and weighting shall be included in the RFSQ document. An evaluation team shall be established for all RFSQs and will consist of not less than three members of Board staff. Procurement Services will facilitate the process.

The use of an RFSQ may result in a pre-qualified vendor of record list.

The pre-qualified vendors list may be used as the first stage in a two stage process to identify potential respondents, whereby only pre-qualified vendors will be invited to respond to a current or future competitive bid opportunity.

No agreement/contract shall be issued as a result of an RFSQ process. The Board will not be obligated to actually call on any vendor as a result of pre-qualification.

2. Advertising Competitive Opportunities

Procurement Services will co-ordinate advertising of all competitive opportunities through an electronic tendering system that is equally accessible to all suppliers.

Advertisements for all bid opportunities shall be provided in a standardized format.

3. Timelines for Posting Competitive Opportunities

A minimum of 15 calendar days must be allowed for advertising of all competitive processes or a minimum of 30 calendar days must be allowed for competitive processes of high complexity, risk and/or dollar value. Appropriate timelines will be determined by Procurement Services to ensure alignment with the BPS Directive and relevant legislation. Closing dates must be set on a regular working day (Monday to Friday),

excluding provincial and national holidays. Submissions received after the closing date and time will not be considered.

Addenda must be issued at least 7 calendar days prior to the closing date of the competitive bid. If an addendum is issued requiring substantial changes to the bid process, the closing date must be extended accordingly.

4. Communications During Competition

Procurement Services shall be responsible for managing all communication with vendors throughout the competitive bid process. Procurement Services will co-ordinate all clarification and/or modification requirements, with the department issuing the bid. Information will be provided to vendors through addenda, in a specified form.

5. Site Meetings

Site meetings shall be held a minimum of 10 calendar days prior to closing of the competitive bid. All information at the meeting that is considered a change to the original requirements must be recorded and will be provided in the form of an addendum, to all potential bidders. A site meeting must be planned prior to and included in advertising of the bid opportunity. Date, time, location, and whether the meeting is deemed mandatory will be published with the competitive bid advertisement. If the site meeting is deemed to be mandatory, only the potential bidders that attend the meeting will be eligible to bid. Attendance must be recorded at all site meetings.

6. Bid Receipt for Competitive Bid Processes

Bid responses must be received as specified in the bid document. Bid submission date and closing times must be clearly stated in the bid process documents. The closing date must be set on a regular working day (Monday to Friday excluding provincial and national holidays).

6.1 Bid Opening

6.1.1 Bids shall only be opened after the closing time specified in the competitive documents has lapsed. There shall be at least one witness to view the bid openings; when opening the bids, the process outlined in the competitive documents will be followed.

6.1.2 Procurement Services will be responsible for maintaining an appropriate bid opening summary.

6.1.3 The bid opening summary will be kept on file and will provide the following information: the bid number and name, the date and time of the bid closing and the names of all bidders and the bids submitted.

7. Evaluation Process

Competitive processes will be subject to evaluation after bids have been determined to be compliant (bids do not contain major irregularities). Procurement Services will facilitate the establishment of the team, criteria and the evaluation process prior to the process. Bids will be evaluated by the pre-selected evaluation team according to criteria established with appropriate weighting and posted in the bid document. Each member of the evaluation team is responsible for reviewing and scoring each compliant bid on their own, based on the evaluation criteria in order to determine a recommendation for award. Documentation of evaluation by each member of the team and the final recommendation score will be kept with original bid documents.

7.1 Evaluation Team

Evaluation teams will be comprised of stakeholders and others as necessary and established prior to advertising. Evaluation team members should be involved in the establishment of evaluation criteria and weighting, which must be included in the bid document. A Services team member will act as a bid co-ordinator for each evaluated competitive process. Procurement Services team members may participate in the evaluation where the department is involved in contract management or as necessary to provide expertise for other bid processes.

Evaluation team members must be aware of the restrictions related to confidential information shared through the competitive process and refrain from engaging in activities that may create or appear to create a conflict of interest. Team members will be required to sign a conflict of interest declaration and non-disclosure agreement. Where a conflict of interest arises, it must be evaluated, and an appropriate mitigating action must be taken.

7.2 Evaluation Criteria

Evaluation criteria will be provided and used by the evaluation team to evaluate the applicable competitive processes. The team will make the decision as to which bid should be selected from the competitive process for recommendation of award based on the total of the weighting factors provided for all criteria evaluated for each bidder. All evaluation criteria must be relevant and non-discriminatory and developed, reviewed and approved prior to the commencement of the competitive bid process. The evaluation criteria and relative weighting must be fully disclosed in the competitive bid documents and must be clearly outlined as mandatory, rated or other. Maximum justifiable weighting must be allocated to the price/cost component of the criteria.

Evaluation criteria can only be changed or altered once the competitive bid process has begun by issuance of an addendum.

7.3 Evaluation Matrix

Each member of the evaluation team must complete an evaluation matrix rating based on the evaluation criteria for each bid response. These matrices will be used to determine a final award based on the overall best score for each proponent. The evaluation matrix must be auditable and filed and retained with the bid file.

7.4 Tie Score Process

Where a competitive process has evaluated criteria used to determine the award, in the event of a tie, the selected vendor will be the vendor with the highest score on the (non-price) rated criteria.

Where a competitive process is awarded based on lowest price, in the event of a tie, the selected vendor will be determined by way of a coin toss. The coin toss will be conducted by assigning “heads” to the vendor whose company name is alphabetically first and “tails” to the other vendor. The coin must be flipped to land on the floor and the vendor whose side is up will be awarded the contract/purchase.

8. Selection Process and Contract Award

Where a competitive process is awarded based on lowest price and the bid has been deemed to be compliant with all mandatory requirements the bidder providing the lowest cost will be selected.

Where a competitive process is based on evaluated criteria used to determine the award, upon the completion of the evaluation process, the highest ranked compliant bid shall be selected.

Bidders whose submissions were not selected through the evaluation process will be notified of the final award in writing only after the agreement between the successful bidder and the Board has been executed.

9. Release of Bid Information

With the exception of any pricing that was made publicly available at the time of the opening, all submission evaluation details must be kept confidential. Wherever possible, information will be released as a total contract cost.

10. Non-discrimination

The Board shall refrain from discrimination or preferred treatment of any sort in awarding of contracts. The Board will only consider the evaluation criteria as identified

in the bid documents and shall not impose or consider criteria that are designed to favor particular suppliers.

11. Establishing and Executing the Contract

The agreement between the Board and a successful vendor must be defined formally in the form of written and executed contracts before the provisions of the goods, services or construction commences.

In situations where an immediate need exists and a contract has not yet been signed, an interim purchase order may be used. Justification of such decision must be documented and approved by the appropriate authority.

12. Termination and Cancellation Clauses

All contracts must include appropriate cancellation or termination clauses either with notice as stated in the bid document or at critical project life cycle stages.

13. Contract Extensions/Renewals

Term of agreements and options to extend the initial term must be disclosed in the competitive bid documents. Extending the term of agreement beyond that set out in the competitive procurement document amounts to non-competitive procurement where the extension affects the value and/or stated deliverables of procurement. Guidelines for exemptions from competitive procurement process can be found in Appendix B.

14. Notification of Award

Upon execution of contracts \$100,000 or greater with a successful bidder, Procurement Services shall notify, by way of posting electronically on the website used for posting of opportunities, the name(s) of the successful bidders. The notification of the contract award will include the agreement start and end dates including any options for extensions and the total agreement value. Procurement Services will notify all bidders that the contract was awarded and that the competitive process is complete.

15. Vendor Debriefing Notification and Protocol

For all procurement of goods and services valued at \$100,000 or more, all unsuccessful participants in the competitive bid process will be entitled to a debriefing. Bidders may request a debriefing within 60 calendar days following award notification. Questions unrelated to the procurement process must not be responded to during the debriefing.

16. Procurement Documents and Records Retention

All procurement documents, as well as any other pertinent information for reporting and auditing purposes, must be maintained for a period of seven years and be in recoverable form if requested.

17. Dispute Protest Procedure

During the procurement process of goods, services and construction projects, if a vendor feels that they have been unfairly prejudiced by a decision made by the Board, they may register a complaint to the Manager of Procurement and Central Services and the following steps will be taken to resolve the complaint:

17.1 All complaints will be forwarded to the Manager of Procurement and Central Services

17.2 The Manager of Procurement and Central Services shall investigate the nature of the complaint by reviewing the information with the appropriate staff and the vendor to determine the grounds and alternatives for a resolution. The Manager of Procurement and Central Services will then attempt to resolve the dispute. Successful resolutions shall be documented in writing and sent to all parties concerned.

17.3 If the Manager of Procurement and Central Services is unable to resolve the dispute to the satisfaction of the participants, all documentation concerning the dispute will be forwarded to the Superintendent of Business and Corporate Services.

18. Contract Management

All Board-related acquisitions must be managed responsibly and effectively. Payments must be made in accordance with receipt of product and/or with provisions of contracts. Any overpayments must be recovered in a timely manner. Supplier performance must be managed and documented as per Appendix E.

For services, clear terms of reference for the assignment must be established including objectives, background, scope, constraints, staff responsibilities, tangible deliverables, timing, progress reporting, approval requirements and knowledge transfer requirements. Expense claims and reimbursement must be explicitly provided for in the contract for services. Reimbursement for allowable expenses can be claimed and reimbursed only when the contract specifically provides for it.

Under no circumstances can hospitality, incidental or food expenses be considered allowable expenses for consultants and contractors under the rules or in any contract between an organization and a consultant or contractor.

19. Unsolicited Proposals

Any unsolicited proposals received by the Board will not be considered for the purchase of goods, services or construction. All unsolicited offers will be reviewed by Procurement Services for the opportunity to conduct a full and open competition for the goods, services or construction in question.