CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO

2755 Highway 43, Kemptville, Ontario K0G 1J0
phone: 613-258-7757 toll free: 1-800-443-4562
www.cdsbeo.on.ca

Appendix C - Open and Competitive Procurement Process

This appendix outlines the various methods for open and competitive procurement processes that may be used by the Board. The Board may utilize one of the following open and competitive methods of procurement according to Appendix A:

- Request for Information (RFI) & Request for Expression of Interest (RFEI)
- Invitational Competitive Procurement
- Request for Supplier Qualification (RFSQ)
- Vendor of Record (VOR)
- Open Competitive Procurement

1. **Request for Information (RFI) & Request for Expression of Interest (RFEI)**

1.1. The Board may at the beginning of an open competitive procurement process issue an RFI or RFEI to gather information.

1.2. An RFI is a method to gather general supplier and product information. An RFI may contribute to the final version of a subsequent Request for Proposal (RFP).

1.3. An RFEI assists in gathering information about supplier interest in an opportunity or information on supplier capabilities and qualifications. This mechanism may be used to clarify the ability of the supplier community to provide the services or solutions needed.

1.4. An RFI or RFEI must not:

- Be used to pre-qualify a potential supplier.
- Influence the chances of the participating suppliers from becoming successful proponents in any subsequent opportunity.
- Contain means of evaluating or comparing the collected information.

- Result in the award of work.
- Result in a legal contract with a proponent; and
- Require suppliers to provide proprietary information.

2. Invitational Competitive Procurement

2.1. The Board must conduct invitational competitive procurement according to the "Procurement Process & Requirements" set out in Section 8.0.

2.2. The Board must invite a minimum of three (3) suppliers to submit a written bid/quote. This documentation must be maintained as per Section 7.0. In instances when less than three (3) bids are received, the Board may proceed to procure goods and services based on those received.

3. Request for Supplier Qualification (RFSQ)

3.1. The purpose of an RFSQ is to gather information about supplier capabilities and qualifications in order to narrow the field of potential suppliers for an immediate goods or services need or identify qualified suppliers in advance of expected future competitions.

3.2. An RFSQ may be used for the purpose of a single procurement as the first pre-qualifying stage in a two-stage competitive procurement process (followed by an RFP, RFT, or RFQ), where only qualified suppliers are invited to participate in the second stage. As a result of this process, a pre-qualified supplier list is created.

3.3. An RSFQ must specify the following:

- Type and specifications of goods or services to be provided with a necessary level of detail;
- Upper limits of the value of future awards (i.e., ceiling price);
- The method(s) and time intervals by which additional suppliers can be placed on the list;

- That any supplier who does not participate in the pre-qualification or does not appear on the list may be excluded from opportunities; and
- Additional language that disclaims any obligation of the Board to call on any supplier to provide goods and services as a result of the pre-qualification.

3.4. An RFSQ may also be used to pre-qualify suppliers who are interested in supplying goods and services to the Board during a specified time period in the future. An RFSQ used for this purpose must contain detailed specifications of goods or services to be supplied. A Vendor of Record arrangement is created as a result of this process.

4. **Vendor of Record (VOR)**

4.1. BPS organizations must use existing VOR arrangements whenever possible and appropriate, regardless of the value of the procurement. A Vendor of Record arrangement could be an Enterprise Vendor of Record arrangement managed by MGCS, or any other arrangement available to the organization.

4.2. VOR arrangements must be established through an open competitive procurement process for individual procurements that do not exceed the ceiling price of the VOR arrangement. The ceiling price is the amount over which the Board must conduct procurement using a new open competitive process instead of the VOR arrangement and is determined based on the requirements of each VOR arrangement.

4.3. Approval must be obtained from an appropriate authority within the Board based on the total estimated value of procurement over the life of the VOR arrangement, including possible extensions (as per Section 9.0) before establishing the VOR arrangement.

4.4. Under VOR arrangements the Board must conduct a second stage of the selection process. The second stage selection process represents the invitational competitive procurement process where suppliers from the VOR are invited to submit a written bid. The minimum number of suppliers to be invited to submit

bids is based on the estimated dollar value of procurement (including possible extensions) and is outlined in the schedule below.

Second-Stage Selection Process Schedule	
Procurement Value	Minimum Number of Suppliers to be Invited to Second-Stage Selection
$0 - $24,999	1
$25,000 - $99,999	3
$100,000 - $249,999	5
$250,000 up to VOR Ceiling	7
More than VOR Ceiling	Open Competitive Procurement

4.5. Where there are fewer members on the VOR list than in the schedule, all suppliers on the list must be invited to participate.

5. **Open Competitive Procurement**

5.1. In an open procurement a Request for Tender (RFT) or Request for Proposal (RFP) must be issued through the use of a national electronic tendering process. The Board uses Biddingo.com.

5.2. All individuals involved in conducting an open competitive procurement and performing procurement analysis must complete a "Non-Disclosure Agreement" form (Appendix F) and "Evaluation Team Conflict of Interest Disclosure" form (Appendix E).

5.3. An RFT or RFP must include the following information:

- A brief description of the needed goods, services, or construction in generic and/or functional terms specific to the business needs.

- The terms of the agreement and any options to extend. Approval must be obtained before executing any modifications to the term agreement.
- Bid submission date and closing time. The closing date is set on a normal working day, Monday to Friday.
- A clause stating that submissions delivered/submitted after closing time will not be considered.
- A period of irrevocability where bids cannot be withdrawn for a number of days after the closure of the competitive bid.
- A reference number must be contained in the bid document, and this reference number must be kept on file.
- Full disclosure of the evaluation criteria, process, and methodology to be used in assessing submissions, including the method of resolving a tie score. The evaluation criteria are to be altered only by means of addendum to the competitive procurement documents.
- Statement indicating that submissions that do not meet the mandatory criteria will be disqualified.
- Notice that any confidential information supplied may be disclosed by the Board where it is obliged to do so under FIPPA (Freedom of Information and Protection of Privacy Act) or otherwise required by a court of law.
- Notice of bidder or proponent entitlement to a post-award debriefing within 60 days of contract award notification.
- Bid dispute resolution procedures to ensure that any dispute is handled in an ethical, fair, reasonable, and timely manner. Bid dispute resolution procedures must comply with bid protest or dispute resolution procedures set out in the applicable trade agreements.
- Cancellation or termination clauses. Consider contract clauses that permit cancellation or termination at critical stages.

5.4. Bid response time must be a minimum of fifteen (15) calendar days.

5.5. All addenda will be issued at least seven (7) days prior to the closing date; if this is not possible, the closing date should be extended accordingly.

5.6. Bids that are requested to be submitted in written form will be rejected if received after the submission deadline and will be returned to the supplier unopened. Bids that are requested to be submitted electronically through a national electronic tendering system will not be able to submit a bid after the posted deadline.

5.7. Competitive procurement processes require an evaluation team responsible for reviewing and rating the compliant bids. The following are responsibilities and requirements for the evaluation process.

- Evaluation team members must be made aware of the restrictions related to utilization and distribution of confidential and commercially sensitive information collected through the competitive procurement process and refrain from engaging in activities that may create or appear to create a conflict of interest.
- During the evaluation period, evaluation team members must not communicate with suppliers on matters related to the procurement process unless it is to seek clarification of a bid or to notify the successful supplier.
- Evaluation criteria must be developed, reviewed, and approved by an appropriate authority (per Section 9.0) prior to commencement of the competitive procurement process. Mandatory criteria should be kept to a minimum to ensure that no bid is unnecessarily disqualified.
- Evaluation team members must complete a “Non-disclosure Agreement” form (Appendix F) and “Evaluation Team Conflict of Interest Disclosure” form (Appendix E).
- Evaluation team members must complete and sign an evaluation matrix rating each of the proponents.
- Ensure evaluation team members do not communicate or provide information to bidders from the time the bids are submitted to the date the procurement is awarded (blackout period).

- Everything discussed or documented must be fair, factual, fully defensible, and may be subject to public scrutiny. Evaluations must not discriminate against or exercise preferential treatment.
- Selection of the successful proponent must be from the highest evaluation score and meet all mandatory requirements. Alternative solutions will not be evaluated unless asked for in the procurement documents.

5.8. The name of the successful proponent, agreement start/end dates and extension options must be posted electronically in the same manner as the procurement documents were posted.

5.9. The contract must be finalized using the form of agreement that was released with the procurement documents. A written contract signed by both parties must be in place before any goods or services are provided. If required, a letter of intent, memorandum of agreement or 'interim' purchase order may be used while negotiations towards finalizing the contract are taking place.