



COMPETITIVE PROCUREMENT

Approved by: Academic Coordinating Committee

Authorizer: Chief Financial Officer

Reference Code: P1 V3

Effective Date: 4/14/2010

PROCEDURE STATEMENT:

The purpose of this procedure is to outline the Competitive Procurement process at Conestoga College.

SCOPE:

This Procedure applies to all departments and authorized employees of Conestoga that are required to engage in competitive procurement to obtain goods, equipment and services as part of their job function.

DEFINITIONS:

“Broader Public Sector Procurement Directive” is a directive that all Broader Public Sector (BPS) organizations must follow and is based on principles that allow public organizations to achieve value for money while following procurement processes that are fair and transparent to all stakeholders.

“Competitive Procurement” means the process of implementing a supply solution through a controlled bidding or proposal process that is fair and open. The competitive process involves many mandatory steps such as information-gathering, RFP and tendering, evaluation, selection and contract issuance.

“Invitation to Bid” means the process of inviting qualified or prequalified vendors to submit offers, bids, quotations, or proposals for specified goods or services within the terms and conditions of the competitive document.

“Request for Information” or “RFI” means a general market research tool to determine which products and services are available, scope out business requirements, and/or estimate project costs which may be used prior to issuing another type of competitive bid.

“Request for Proposal” or “RFP” means a competitive bidding process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective vendors to propose solutions or methods to arrive at the desired result.

“Request for Quotation” or “RFQ” means a competitive bidding process that describes exactly what needs to be purchased and the evaluation is based primarily on price.

“Request for Vendor Qualifications” or RFSQ” means a request for qualifications from vendors who have an interest in providing services to Conestoga, typically through a two-stage process.

“Request for Tender” or “RFT” means a request for sealed bids which contain an offer in writing to execute specified services or to supply specific goods at a specific price.

RESPONSIBILITIES:

The Purchasing Services department must be the Lead in all competitive procurement functions at Conestoga unless otherwise authorized.

COMPETITIVE PROCUREMENT:

Broad Public Sector Directive

As a designated broader public sector organization, Conestoga adheres to the BPS Directive set out by the Broader Public Sector Accountability Act, 2010. The BPS Directive provides consistent procurement practices for BPS organizations to:

- Improve accountability and transparency for procurement decisions and processes, and
- Maximize the value that BPS organizations receive from the use of public funds

In line with the BPS Directive, the open competitive bid procedure must be used when the value of goods or services is equal to or greater than \$100,000 and is recommended for procurement valued at over \$25,000 to obtain best value through competition.

The following documents are examples of competitive procurement documents used at Conestoga:

Invitation to Bid

An Invitation to Bid is prepared by Purchasing Services and issued to qualified or pre-qualified vendors. The Invitation to Bid is usually issued when the value of goods or services is equal or greater than \$25,000 and less than \$100,000 but may be issued at any time to obtain best value. Purchasing Services will lead the Invitation to Bid process that may be issued using a RFP, RFQ, RFSQ or RFT document as described below.

Request for Information (RFI)

A Request for Information is prepared by Purchasing Services and issued to gather market capabilities and vendor interest. It is used when more information from vendors is needed. Gathering information through the RFI is not a competition and does not result in an award for work. The information is generally used however in developing a competitive document such as a RFP. The information gathering document should not request proprietary information from vendors and must not influence their chances of being the successful vendor at any subsequent opportunity.

Request for Proposal (RFP)

The Request for Proposal is prepared by Purchasing Services and issued to prospective vendors for higher value and/or more complex solutions. It is used when there is a need but we are not sure what the best solution would be. The RFP invites commercial offers from a number of vendors in order to secure competition and to gather information about the vendor solutions and capabilities. It is a process that uses predefined evaluation criteria where price is not the only factor.

Request for Quotation (RFQ)

The Request for Quotation is prepared by Purchasing Services and issued for the supply of goods or services based on stated delivery requirements, performance specifications, terms and conditions. It is used when what is needed is known but further information is needed on how vendors would meet requirements and/or what it would cost. An RFQ typically focuses evaluation criteria predominantly on price where supply conditions have been met.

Request for Supplier Qualification (RFSQ)

The Request for Supplier Qualification is prepared by Purchasing Services to gather information on vendor capabilities and qualifications. The information gathered is then used to:

- Create a list of pre-qualified vendors as the first stage of a two stage process where only pre-qualified vendors are invited to the competitive process (RFP, RFT, RFQ)
- Pre-qualify vendors who are interested in supplying materials or services in the future, on an 'as' and/or 'when required' basis. (i.e. Vendor of Record)

Request for Tender (RFT)

A Request for Tender is a market enquiry prepared by Purchasing Services and issued to prospective Vendors for higher value and/or more complex solutions. The RFT is used for construction projects with a clearly defined scope of work and specifications.

Competitive Procurement Process

The Competitive Procurement Process involves many mandatory steps and can take several months to complete from start to finish. The following information outlines steps that may be taken during a competitive process:

Preparation

Purchasing Services requires at least two weeks to prepare and to post a competitive document. The requisitioning department will be required to work with the Procurement Lead to develop the needed documents. The competitive document will include information such as:

- A description of the required goods or services in generic and/or functional terms specific to the business needs
- Technical specifications
- Site meeting information
- Communication protocol during the process
- Submission instructions such as where and when to submit a bid
- Submission requirements such as a full description of the product offering and pricing
- Evaluation criteria and process to be used in assessing submissions
- General terms and conditions of the proposal
- A draft copy of the contract to be signed in the event of an award of the procurement, and/or reference to the agreement type
- Notice that any confidential information supplied to the organization may be disclosed by the organization where it is obliged to do so under the Freedom of Information and Protection of Privacy Act (FIPPA)
- Debrief information for vendors unsuccessful through the procurement process
- Any other information as required by Conestoga

Posting Competitive Documents

In line with the Broader Public Sector Directives, all competitive bids with an estimated value of over \$100,000 are posted publically on the Merx Canadian Public Tenders system. Merx is a secure online service used by both public and private sector business to post business opportunities in Canada. The following link leads to more information on MERX: [MERX Website Hyperlink](#).

Competitive bids that are construction related may be posted on SCAN 247. SCAN 247 is a secure online service that is endorsed and used by Construction Associations throughout Ontario including Grand Valley Construction Association (GVCA). The following link leads to information on SCAN 247: [SCAN 247 Website Hyperlink](#).

Response Time and Submission

Conestoga will consider the time required for bidders to prepare a response to the competitive process. To this, a minimum of 15 calendar days for bids estimated at over \$100,000 will be provided. Extra time may be provided for complex bid documents or to allow for public holidays.

Instruction for bid submission will vary depending on the requirement and competitive document used. Bids must be received at the proper time and location as indicated on the bid document. Bids may be accepted in-person, through mail or courier, by email, or through Bonfire, an online submission and evaluation tool for competitive projects. The following link leads to more information on the Bonfire system: [Bonfire Website Hyperlink](#).

Evaluation Process

The evaluation methodology and process to be used in assessing a vendor's submission will be disclosed in the competitive document. The process may involve many mandatory steps such as individual evaluation by evaluation team members, a team evaluation, oral presentation, facility tour and reference check.

The evaluation process may be conducted using excel spreadsheets or the Bonfire online evaluation tool where evaluators are required to score vendor submissions online. The following information outlines some principles during the competitive evaluation process:

Evaluation Team

The competitive process requires an evaluation team who will be responsible for reviewing and individually scoring the compliant bids. Conestoga shall issue terms of reference documents for team members prior to the evaluation process. The evaluation team will adhere to the following guidelines:

- The evaluation of bids will require the examination of confidential information. All information received through the evaluation process must be kept confidential
- Conestoga shall require team members to sign confidentiality, nondisclosure, and/or conflict of interest agreements prior to the evaluation of bid documents
- Evaluators should be aware that everything they say or document must be fair, based on fact, and fully defensible and may be subject to subpoena

Evaluation Criteria

Evaluation criteria are used in an RFP process to fairly and objectively evaluate proposals. All RFP documents should clearly outline mandatory, rated and other criteria that will be used to evaluate submissions, including the weight of each criterion. In addition to the price, the evaluation matrix may take into consideration quality, quantity, delivery, service, experience, capacity of the vendor, partnering, value add, and any other criteria related to the procurement. Evaluation categories cannot be changed once the competitive process begins.

Partnering

At Conestoga we believe that Vendor partnerships are essential to both program and organization and development. We look to establish strong mutually beneficial relationships with strategic supply partners both in the community and abroad. To this, 10% of the total amount of evaluation points may be allocated to partnering arrangements on VOR and pre-qualifying competitive documents. Top evaluation points will be assigned to vendors that show multiple partnering efforts or have excelled in one or more partnering categories that may include support to college initiatives such as applied research, participation on PAC Committees, donations, hiring co-op and graduate students etc. Note that Conestoga will consider only those partnering arrangements that have occurred within five years of the competitive document issuance.

Value-Add

A value-add incentive is an offer by a vendor that is over and above the primary goods or services being purchased, with the intent to increase the total value received by the college. Value-Add may be considered in applicable competitive documents, up to 10% of the total allocated points, and are guided by the BPS principles as follows:

- All requests for value-add incentives will be disclosed in the competitive procurement document to ensure all vendors are given equal opportunity
- Value-add incentives will be directly relevant and transparently connected to the given procurement
- The weight assigned to value-add incentives will be stated in the competitive procurement document and should not be considered a major influencing factor
- All value added incentives must be requested by Purchasing Services to mitigate any real or perceived conflict of interest, breach of confidentiality or bid dispute
- Detailed descriptions will be provided of acceptable value-add incentives including but not limited to:
 - Charitable donations towards scholarships & bursaries or student awards
 - Donations or loans of college approved technology, equipment or software
 - College approved in-kind technical and/or support
 - Sponsorship or other co-operative opportunities

Vendor Selection

Vendor selection will follow the terms and conditions of the competitive procurement document and must be approved by Conestoga College.

Contract Administration

The award of a contract may be made by way of a contract agreement or a purchase order and shall include the following guidelines:

- The contract must be finalized using the form of agreement/contract that was noted or released with the competitive documents
- The term of the agreement and any options to extend the agreement must be set out in the document
- All contracts must include appropriate terms and conditions including a cancellation or termination clause

Award Notification

For all open competitive procurement methods, Conestoga shall post, in the same manner the procurement documents were posted, the name(s) of the successful vendors(s).

Contract award notification shall occur only after the agreement between the successful vendor and the organization has been signed or a letter of intent has been issued.

Conestoga may at its discretion write letters to the unsuccessful bidders upon short-list development and/or contract completion, communicating that a decision has been made and thanking them for their participation in the competitive process.

Vendor Debriefing

For procurements valued at \$100,000 or greater, vendors unsuccessful through the competitive process may request a debriefing from Purchasing Services. A written request for a debriefing should be submitted to the competitive document coordinator and be received no later than 60 days after the award notification has been issued. In conducting vendor debriefing meetings, Conestoga will:

- Provide a general overview of the evaluation process set out in the procurement document
- Discuss the strengths and weaknesses of the vendor's submission in relation to the specific evaluation criteria and the vendor's evaluated score
- Be open to feedback from the vendor on current procurement processes/practices and address specific questions and issues raised by the vendor in relation to their submission

Competitive Procurement Documents and Records Retention

Conestoga will retain the procurement documents as well as any other pertinent information for a period of no less than seven years. This includes such documents as:

- A copy of the procurement justification or the business case and evidence that all approvals were obtained
- Copies of all procurement documents used to qualify and select the vendor
- Information regarding all vendor debriefing and disputes or vendor complaints regarding the procurement including any agreement disputes

- Any other documentation as identified by the organization

Dispute Resolution

The dispute resolution process allows vendors to submit protests concerning any aspect of the procurement process. For disputes of any procurement process at Conestoga the process is:

- The vendor shall communicate concerns or complaints in writing to Purchasing Services
- Purchasing Services will meet with the vendor to resolve the dispute. If the dispute is not resolved, the CFO may meet with the vendor to resolve the dispute
- Where a vendor resolution cannot be reached negotiation, mediation and/or arbitration may take place

REFERENCES:

Competitive Procurement Exception Form
 Purchasing Policy and Code of Ethics
 Purchasing Procedure - General

REVISION LOG:

Revision Date	Summary of Changes
2010-04-01	Policy and Procedure Committee – Revised and Validated
2010-04-14	Academic Coordinating Committee - Approved
2013-01-30	Policy and Procedure Committee – Revised and Validated
2013-03-13	Academic Coordinating Committee - Approved

REVIEW LOG:

As owner of the Competitive Procurement Procedure, I certify that it is appropriate and provides an up-to-date framework in which decisions can be made and implemented.



 Laura Eaglesham, Chief Financial Officer
 Finance

February 11, 2016
 Date