

Ontario Good Roads, Road Authority Web Portal

Date: August 27, 2020

To: General Government and Licensing Committee

From: Chief Procurement Officer

Wards: All

SUMMARY

The purpose of this report is to discuss the merits of using the Ontario Good Roads Authority, Road Authority web portal online catalogue (the TRA Web Portal) for pre-vetted products needed for all infrastructure projects.

The TRA Web Portal is designed to consolidate information about products, services and technical solutions and acts as a product catalogue for various materials and products used in various road construction. While products may be approved and in the TRA Web Portal, there is no significant or rigorous testing by any unbiased group, therefore there is no assurance that products are more preferable, i.e. of higher quality or safety standards and/or priced competitively to other products which do not appear on the list, simply put the portal does not contain all available products from all vendors, or all vendors' products or contain prices of the products that are on the website.

Municipalities may, at their discretion, chose to use the Road Authority web portal to provide a list of pre-qualified items that, as part of either their procurement process or part of their contract, can direct bidders to consult the list when they are preparing their bid submission or in how they approach the work under a contract.

Staff's view is that the City should not use the TRA Web Portal, as the sole process for qualifying products in the TRA Web Portal is not rigorous, the City does not have an extensive prequalified list of products and there is additional costs for vendors to use the TRA Web Portal. Staff will continue to review the TRA Web Portal as a resource in case it can be of assistance to the City with respect to products in future construction procurements.

RECOMMENDATIONS

The Chief Procurement Officer recommends that:

1. the Government Management and Licensing Committee receives this report for information.

FINANCIAL IMPACT

There is no current or known future years financial impacts from the recommendations contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

DECISION HISTORY

At its meeting on June 2, 2020, Government Management and Licensing Committee considered a letter from Councillor Paul Ainslie, on exploring the feasibility on how registering would benefit the city in having the ability to manage the city's product list, as well as access to TRA's large database which includes new and innovative products as well as collaborating with the OGRA's Products Management Committee of engineers and professionals who review the new products and technology.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.GL13.10>

COMMENTS

As directed by the Government Management and Licensing Committee, Purchasing and Materials Management Division (PMMD), in consultation with Engineering and Construction Services and Transportation Services reviewed the benefits in using the Ontario Good Roads web portal and comments as follows.

How the Road Authority Web Portal works

The Road Authority (TRA) is a web portal and database exhibiting products and services available for use in public works infrastructure - including roads, water systems, sewer systems and traffic related products. The portal brings together companies offering these products and services with the municipal and provincial governments who procure them, as well as engineering consultants providing services

to them. In addition to having a directory to find products, infrastructure owners benefit by sharing information.

The Road Authority is designed to consolidate information about products, services and technical solutions and essentially acts as a product catalogue for various materials and products used in various road construction. It should be noted that the product list is not an exhaustive list of vendors as some vendors may choose or opt not to have their product(s) included in this list, as such, solely relying on this list as a single source of procurement information may preclude our ability for competitive pricing on our tenders.

Prior to having their products reviewed, vendors are first required to become a member of The Road Authority. Once complete the Vendor can submit a product profile, for their product in question. This includes providing the applicable categories, and identifying the standards their product meets. It is worthwhile to note that vendors must pay a fee to have their product reviewed and then included on the TRA list.

Following the submission of the Vendor's application, it is sent to the Products Management Committee (PMC) which consists of volunteers from various associations, municipalities and suppliers. The co-ordinator places the application on the agenda for the next meeting, where decisions are typically made. If the PMC require further information, they will request it and the product will be re-considered at a subsequent meeting, once the information is received, which can take up to two (2) months, based on how often the PMC meets.

The PMC utilizes a classification matrix in their product evaluations. The classification they assign to the product is reflected in The Road Authority database. The classification system is based on a progressive matrix; at the lowest level, manufacturers can post a product without verified qualification; and at the highest level, posted products are tested by an accredited laboratory, and then successfully applied by a reputable organization. Some products, however, may not require verification, if endorsed by various agencies they are automatically accepted for use. Where there is no endorsement the PMC asks that products be resubmitted for consideration with test results from an accredited laboratory. The PMC also considers "grandfathering" of proven or existing products for inclusion in the matrix. Technical support documentation is maintained on file with The Road Authority providing a reference for review. Vendors are encouraged to assemble their findings and submit them to The Road Authority for review and analysis.

For reference the Product Classification Matrix is available at:

<http://www.roadauthority.com/Content/Documents/ProductClassificationMatrix.pdf>

While the products may be approved and in the portal, there is no significant or rigorous testing by any unbiased group, therefore there is no assurance that products are more preferable, i.e. of higher quality or safety standards and/or priced competitively to other products which do not appear on the list, simply put the portal does not contain all available products from all vendors, or all vendors' products or contain prices of the products that are on the website.

After the review the "approved" status that a Vendor may obtain for their product submission, does not indicate a mandatory use, it simply means that the product could be used should a jurisdiction or municipality choose to do so. Accepted products are detailed to identify what standards they meet. A municipality could chose to verify a product(s) against their own standards at their discretion.

Jurisdictions may, at their discretion, chose to use the Road Authority web portal to provide a list of pre-qualified items that, as part of either their procurement process or part of their contract, can direct bidders to consult the list when they are preparing their bid submission or in how they approach the work under a contract. These lists are typically specific to a certain type of municipal construction e.g. components for fittings for sewer pipes, and do not form a complete list of all required elements within a unit price contract. The three municipalities that are currently using the Road Authority web portal (Hamilton, Halton and Durham) have their own product management committee and they use the TRA to maintain their prequalified list. Vendors who appear on the prequalified list must pay a yearly membership fee. As part of the membership renewal process the TRA requests that they provide updates to their product information and maintains this information for the respective municipality.

Use of the Road Authority Web Portal by Toronto

Currently, in City of Toronto tenders, the product and specifications are outlined in the tender, it is then up to the bidders to source the product that meets the City Specifications and provide a competitive bid price. There is no specific advantage to providing a list of prequalified products on the Road Authority Web Portal as the specific products required for a particular contract will always be part of the Tender.

Further, the City does not have its own Product Management Committee. For the most part, the City in its road construction does not specify specific products but instead refers to more generic specifications that a product needs to meet. In the few cases that prequalified products are required a separate procurement is done for the product and then that product is subsequently referenced in a further procurement as a cash allowance (i.e. the bidders don't price that specific product).

That being said, if the City were experiencing a consistent lack of quality or performance of a certain product, staff would have the ability to review the TRA list and determine, through their own validations, if it was worthwhile to include that list of product in order to get value for taxpayer dollars. In the past, the City has used the list of products on the Road Authority website and had some products installed and has found that the particular product used failed in more than 30% of the installations completed. So while the list may be of some benefit it is also not guaranteed and may compromise safety and functionality

In conclusion, given that the City does not have its own Product Management Committee or an extensive prequalified product list, that the products on the Road Authority Web Portal do not have a rigorous evaluation process and are otherwise listed for information, and finally that vendors would have to pay a fee to access the information, staff are not recommending the sole use of the Road Authority Web Portal for qualifying products as it isn't sufficient as a sole definitive source of information. Staff

will monitor the Web Portal to see if there is any new products that might be useful for the City to incorporate into future procurements, however a review of the product(s) and market sounding will be required to ensure products meet all City standards and best value, alternatively it can also help address issues we've experienced with other products.

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SIGNATURE

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