



FAIRNESS MONITOR'S REPORT

City of Toronto

Request for Proposals for the Non-exclusive Supply and Delivery of Station Wear
(Trousers and Shirts) for the City of Toronto's Fire Services Division

RFP No. Doc3580308056

RFP Issued: July 20, 2022

Revised RFP Closing: September 12, 2022, at 12:00 noon (Local Time)



**ROBINSON
GLOBAL
MANAGEMENT**



December 21, 2023

Christina De Andrade-Messere
Senior Corporate Buyer, Infrastructure and Development Services
Purchasing & Materials Management Division, City of Toronto
100 Queen Street West
Toronto, Ontario M5H 2N2

**Re: Request for Proposals for the Non-exclusive Supply and Delivery of Station Wear (Trousers and Shirts) for the City of Toronto's Fire Services Division
RFP No. Doc3580308056**

Dear Ms. De Andrade-Messere,

A. Background

Robinson Global Management Inc. ("RGM") was retained as the Fairness Monitor for the captioned procurement in January 2022. Our primary role is to provide an assessment of the procurement process for the Delivery of Station Wear, confirming that it has been conducted in a fair and objective manner. As per the RFP, the selected Vendor will be invited to enter into an agreement with the City of Toronto for the provision of the deliverables.

We were retained during the RFP development Stage. We monitored the RFP open period in-market process as well as the evaluation process to identify the highest ranked Vendor. This letter summarizes our fairness findings. Neither RGM nor the individual author of this report is responsible for any conclusions that may be drawn from this opinion. For further detail on the process, we recommend that information be sought from the City's RFP contact directly.

We provided the deliverables as listed below, taking the City of Toronto's Procurement Policy and Purchasing By-law, the Canadian Free Trade Agreement, and the provisions of the RFP as the standard against which to audit the procurement.

Fairness Monitor Deliverables for the RFP included:

1. Attend a kick-off meeting with the City and the City's industry advisor on this project;
2. Review of the RFP – Fairness Monitor is to identify potential inconsistencies or lack of clarity in the RFP and provide feedback to the City within five (5) business days of receipt of the documents for review;
3. Review of Evaluation Criteria with respect to clarity and consistency;
4. Attend the Proponent's Voluntary Information Meeting (if required);
5. Oversee any questions, comments, or communications submitted by potential Proponents and review responses posted via Addendum;
6. Attend any Commercial in Confidence Meetings (if required);
7. Attending Meeting Re: Evaluation Weightings and Criteria;
8. Provide advice to the Selection Committee and PMMD as requested;
9. Attend Selection Committee evaluation sessions;
10. Attend Proponent interview sessions;
11. Ensure that evaluation scores are accurate, and the documented methodology was adhered to;

12. Review evaluation results;
13. Prepare a draft report and present to Selection Committee prior to providing Final Attest Report; address comments/issues raised by Selection Committee prior to finalizing report;
14. Complete and distribute the Final Attest Report; and
15. Attend debriefing sessions related to the RFP as required.

We have no objections to the recommendation made by the City of Toronto's Fire Services identifying the highest scoring Vendor.

B. RFP Development and Issuance

We were retained during the RFP development Stage and were given sufficient time to review and provide fairness comments on the RFP prior to its issuance. The RFP was issued on July 20, 2022, and the initial submission deadline was August 29, 2022. The revised submission deadline was September 12, 2022, at 12:00 noon (Local Time).

1. Open Period, Addenda, Questions and Answers

The RFP designated a single point of contact and explained the process for communication during the open period and evaluation process. We were given an opportunity to review all communications between vendors and the City prior to their posting. There are no unresolved matters of fairness to note in those communications.

The deadline for questions from vendors was August 15, 2022, and we confirm that questions were not accepted after this date. No questions raised were unanswered. Eight addenda were issued before the revised deadline for issuance of addenda, September 6, 2022.

Based on the communications we reviewed, we have no fairness comments to note with regards to the open period exchanges that occurred.

2. Transparency of RFP Documents

The RFP stated all bid and performance requirements, submission requirements, evaluation criteria, stages of evaluation and the associated weightings of the criteria as required. The RFP further stated the evaluation methodology, bid evaluation scoring system scale and evaluation approach for all stages of the evaluation processes. Where there were minimum scoring thresholds and/or pass/fail requirements for mandatory requirements, these were disclosed with a clear indication as to when and how such thresholds or pass/fail tests would be applied, and the effect that failing to satisfy any of them would have on a bid's ability to move forward in the evaluation process.

3. RFP Time in Market

The RFP open period, after extensions requested by vendors and granted by the City, was 54 calendar days, sufficient time to permit qualified vendors to prepare compliant bids.

The use of an electronic tendering system for issuance of documents and receipt of documents created efficiencies and maintained the security of documents during this part of the process.

4. Communication with the Fairness Monitor

Working with the Fairness Monitor, the Toronto Fire Services project team and PMMD representatives took care to develop detailed evaluation criteria that objectively reflected the legitimate needs of the City, and to produce

an RFP that was clear and precise as well as susceptible to consistent application.

C. RFP Evaluation Process

1. *Bid Receipt*

Three bids were received through the City's SAP Ariba online submission system before the submission deadline:

- Five Star Enterprise
- Outdoor Outfits Ltd.
- Safedesign Apparel Ltd.

No late bids were received or accepted. Our fairness monitoring team monitored the entire evaluation process that followed the closing and all results of each evaluation process stage as detailed below.

2. *Stage 1 – Mandatory Submission Requirements*

In accordance with this evaluation stage and its provisions, all three bids met the mandatory submission requirements and proceeded to the Stage 2 - Rated Evaluations. Stage 1 was evaluated by the PMMD and Toronto Fire team on a pass/fail basis. Our Fairness Monitor reviewed the summary evaluation results of this process and had no fairness comments to note on the completion of all evaluation activities and findings of compliance.

3. *Stage 2A – Rated Evaluation - Technical Proposal (20 points)*

Stage 2A consisted of the technical proposal rated criteria evaluation as broken down into six subsections. This Stage was evaluated by a Selection Committee composed of staff of Toronto Fire Services. The team members possessed the experience and qualifications to evaluate the submissions against the rated criteria – which were the only standard for the evaluation. A minimum threshold score of 14 points (70% of 20 points) was required to pass Stage 2A.

Outdoor Outfits Ltd.'s and Safedesign Apparel Ltd.'s bids satisfied the minimum threshold of Stage 2A and proceeded to Stage 2B(i) (Sample Evaluation).

As Fairness Monitor, we attended the consensus evaluation meetings of the Selection Committee. We are satisfied that the evaluation was based only on the criteria set out in the RFP and that all vendors were subjected to the same degree of scrutiny and received the same consideration.

4. *Stage 2B(i) Sample Evaluation (pass/fail)*

At Stage 2B(i), PMMD's Standards and Specifications unit examined clothing samples for conformity with the technical specifications stipulated in the RFP.

Minor Qualification – During Stage 2B(i) Sample Evaluation, the City communicated with the vendors for clarification regarding their submissions in accordance with the RFP but without notifying the Fairness Monitor. We did not therefore have an opportunity to review some of the communications before they were released or distributed.

At the conclusion of Stage 2B(i), both Outdoor Outfits Ltd. and Safedesign Apparel Ltd. received a passing score and proceeded to Stage 2B(ii) Station Wear Warranty.

As Fairness Monitor, we reviewed the detailed results of the Stage 2B(i) Evaluation and are satisfied that it conformed to the requirements set out in the RFP.

5. Stage 2B(ii) Station Wear Warranty (5 points)

Stage 2B(ii) consisted of a comparative evaluation of the product warranty offered by the vendors, as follows:

$$\text{Vendor's Warranty Offered} \div \text{Longest Warranty Offered} \times 5 = \text{Warranty Points}$$

To proceed to Stage 2C, a vendor must have met the following requirements:

- A minimum threshold score of 3.5 points (70% of 5 points) at Stage 2B(ii); and,
- A combined minimum threshold score of 17.5 points (70% of 25 points) at Stage 2A and Stage 2B(ii).

Outdoor Outfits Ltd.'s and Safedesign Apparel Ltd.'s bids satisfied both the minimum threshold scores and proceeded to Stage 2C.

6. Stage 2C Ergonomic/ Fit Evaluation (55 points)

At Stage 2C, Toronto Fire Services, under the direction of a City of Toronto ergonomics consultant, evaluated the fit and ergonomic function of sample clothing provided by the two vendors using a detailed and carefully documented process. Nine experienced firefighters with a variety of body shapes and sizes were chosen as evaluators; they were required to perform a specified series of movements while wearing sample clothing supplied by the vendors and then score the clothing based on their subjective experience. After Stage 2B(ii) and prior to the evaluation, each subject attended a station wear fitting session at which the vendors measured the evaluators. Vendors then provided the City with sample clothing for each evaluator. All identification of the vendors was removed from the clothing before the evaluation so that the evaluators did not know whose clothing they were wearing. Clothing was simply marked "A" or "B" and only PMMD knew the identity of the vendors associated with each letter. The order in which the evaluators evaluated the clothing was randomized, so that some started with A and proceeded to B and vice versa. No alterations were made to the clothing before evaluation, other than that related to identification labeling as discussed above.

As Fairness Monitor, we attended the ergonomic/ fit evaluation and are satisfied that it was conducted strictly in accordance with the criteria and process set out in the RFP.

After the evaluators' scores were collated, scores were normalized so that, for each evaluation category, the highest scoring vendor was awarded a perfect score, and the other vendor received a proportional score. The category scores were then summed to calculate a Stage 2C score.

To proceed to Stage 3, a vendor must have met the following requirements:

- A minimum threshold score of 38.5 points (70% of 55 points) at Stage 2C; and,
- A combined minimum threshold score of 56 points (70% of 80 points) at Stage 2A, Stage 2B(ii) and Stage 2C.

Safedesign Apparel Ltd.'s bid satisfied both the minimum threshold scores for Stage 3.

7. Stage 3 Cost Evaluation (20 points)

At Stage 3, cost was evaluated as follows:

$$\frac{\text{Lowest Total Evaluated Bid Price}}{\text{Vendor's Total Evaluated Bid Price}} \times 20 = \text{Vendor's Cost Evaluation points}$$

Each vendor received a Stage 3 score out of a maximum 20 points and an overall score out of 100 points. Safedesign Apparel Ltd. received a score of 20 points for Stage 3 (as the only vendor remaining at this stage) and 98.6 points overall.

The City has identified Safedesign Apparel Ltd. as the vendor to which it intends to award a contract for the supply of station wear.

D. Evaluation Approach and Methodology

1. Evaluator Training Session

Prior to the evaluation of bids at Stage 2A, the Selection Committee received a mandatory detailed evaluation training session by PMMD and the Fairness Monitor. The training covered all aspects of the evaluation, including how to execute evaluators' roles and responsibilities effectively and fairly. The Selection Committee was briefed on best practice with respect to confidentiality of bids; conflict of interest; undue influence; scoring and comment procedures; and, the retention of documents, among other topics.

Prior to Stage 2C Ergonomic/ Fit Evaluation, the evaluators were provided with a briefing regarding how to execute their roles and responsibilities effectively and fairly. They were briefed on best practice with respect to confidentiality of bids as well as scoring and comment procedures, among other topics.

2. Conflict of Interest & Confidentiality Management

We are not aware of the existence of any conflict of interest or a breach of confidentiality occurring at any point during the evaluation. Each evaluation participant (evaluator or otherwise) was required to sign a declaration confirming their understanding of these requirements for disclosure, as it relates to conflicts of interests, and management of evaluation process information, as it relates to confidentiality.

3. Undue Influence Management

No evaluator or other individual exerted undue influence over the process. Each evaluation stage was completed in a sequential order as indicated in the RFP documents, with the oversight of the City's Selection Committee, PMMD and the Fairness Monitor. All key evaluation process decisions were made by more than one person and verified by at least one other.

4. Scoring Methodology

The Selection Committee completed the Stage 2A - Rated Evaluation - Technical Proposal using the best practice two - step method: firstly, each evaluator, working alone, reviewed and scored, with supporting comments, each bid in its entirety; secondly, the Selection Committee met as a group to discuss their findings and, with reference to their initial comments, arrived at a consensus score for each criterion together. The Selection Committee also recorded notes justifying each consensus score. They ensured that the evaluation adhered to the disclosed RFP criteria and scoring scale as well as the point weightings for each criterion. Each score and associated comment were discussed thoroughly and agreed to. Applying their knowledge and experience, the Selection Committee relied only on the submissions for information, comparing the content against the criteria in the RFP, and used the technical evaluation scoring scale to allocate a score.

At Stage 2C – Ergonomic/Fit Evaluation, the evaluators were blind as to the identity of the vendor whose clothing they were evaluating and completed their personal evaluations giving their subjective assessments without reference to or discussions with other evaluators. They documented their individual scores and comments immediately using standard score sheets provided by the ergonomics consultant.

At the completion of all stages of the evaluation process, all calculations were verified by us as Fairness Monitor.

E. Fairness Monitor Attestation

In conclusion, we confirm that the highest ranked vendor is Safedesign Apparel Ltd.

We attest that the RFP process was conducted in a procedurally fair, open and transparent manner and in alignment with the requirements of applicable policies, trade agreements and the RFP.

We certify that the highest ranked vendor was identified through a rigorous and well documented evaluation process that we oversaw from beginning to end. With respect to fairness considerations, we approve the outcome of the process.

Please let me know if you need more information.

Sincerely,

Don Solomon

Don Solomon, B.A., Cert. Arch. Tech.
Senior Fairness Monitor, Robinson Global Management Inc.

cc: Andrea Robinson, B.A., LL.M., Q.Arb., PMP.
Senior Fairness Monitor, Robinson Global Management Inc.