



Probity Report

Toronto Parking Authority

RFP-PARCS-202407 – Request for Proposals for Parking Access
Revenue Control Systems

The Procurement Office

Procurement Advisory Office | Procurement Training Office

Contents

EXECUTIVE OVERVIEW	4
1.1. Executive Overview	5
1.2. Common Global Standards	6
1.3. Measures of Success and Failure.....	7
1.3.1 Four Measures of Success and Failure.....	7
1.3.2 The Five Inherent Risk Factors.....	9
1.3.3 The Optimism Bias	12
PROJECT GOVERNANCE	13
2.1. Strategic Procurement	14
2.2. Project Governance Structure	16
PROJECT DESIGN PLANNING	19
3.1. The 95/5 Rule.....	20
3.2. Project Budget.....	21
3.3. Project Scoping	22
3.4. Pricing Structure.....	24
3.5. Evaluation Criteria	26
3.5.1. Pricing.....	26
3.5.2. Rated Criteria.....	27
3.6. Contract Format.....	30
3.7. Process Selection	31
3.7. Determining Mandatories	32
3.7.1 Mandatory Submission Requirements	33
3.7.2 Pre-Conditions of Award	33
PROJECT OPEN PERIOD	34
4.1 Solicitation Posting	35
4.2 Vendor Communications Management.....	37
4.3 New Information by Addenda	38
EVALUATIONS	40
5.1 Evaluations.....	41
5.1.1 Evaluator Governing Principles and Protocols.....	42
5.2 Submission Preparation	44
5.3 Conflict of Interest.....	45

5.3.1	Conflict of Interest Management.....	45
5.4	Mandatory Submission Requirements	46
5.5	Rectification and Clarification Protocols	48
5.5.1	Rectification and Clarification Notices.....	48
5.6	Rated Criteria	49
5.7	Enhanced Consensus Scoring	50
5.7.1	Enhanced Consensus Scoring Protocols	50
5.8	Concurrent Negotiations and BAFO.....	54
5.8.1.	Short-Listing of Proponents.....	55
5.8.2.	Demonstrations	55
5.8.3.	Commercially Confidential Meetings.....	57
5.8.4.	Submission of Best and Final Offers.....	60
5.8.5.	Evaluation of BAFO Submissions.....	60
	SELECTION OF TOP-RANKED PROPONENT	62
6.1	Top-Ranked Proponent.....	63
	CONCLUSION.....	64
7.1	Final Recommendation	65



CHAPTER 1

EXECUTIVE OVERVIEW

1.1. Executive Overview

The mandate for the Procurement Advisory Office (the Procurement Office), was to administer the Request for Proposals (RFP) procurement process for Parking Access Revenue Control Systems (the RFP) from design and drafting the invitational RFP, through the proposal submission and evaluation process up to and including the identification of a top-ranked proponent on behalf of the Toronto Parking Authority (TPA). The procurement process, under the guidance of the Procurement Office, was conducted in accordance with applicable due process and probity standards.

The scope of this report does not include the prequalification process administered by TPA to short-list the proponents invited to bid on the RFP.

Risk Mitigation

The Procurement Office mitigated the common major project risk factors by ensuring competent execution of the procurement process, providing administrative and operational support to achieve optimal process efficiencies with defensible procedural frameworks.

Final Recommendation

Given the successful completion of the procurement process in compliance with the applicable due process and probity standards for the RFP, the Procurement Office recommends that TPA proceeds to negotiate a contract award with the selected proponent, ***** (name of selected proponent moved to Confidential Attachment #1).

1.2. Common Global Standards

The common global standards that apply to government procurement competitive bidding processes can be summarized in the following five principles that apply in all rules-based jurisdictions to regulate the award of government contracts:

1. **Open Competition:** Unless a contract falls into a recognized exception, each contract award valued over prescribed thresholds must be awarded pursuant to an open and fair competitive bidding process.
2. **Transparent Requirements and Criteria:** Each solicitation must contain clear information regarding the requirements of the tendered contract, along with the evaluation criteria and process rules under which that contract will be awarded.
3. **Neutral Requirements:** Public institutions must avoid using biased or unnecessarily restrictive requirements, evaluation criteria, or process rules when running a competitive bidding process.
4. **Fair and Transparent Evaluations:** Bid evaluations must be conducted by neutral and independent evaluators in a manner consistent with the pre-established evaluation criteria and procedures. Those procedures must include a thorough record-keeping of the evaluation process.
5. **Fair and Transparent Awards:** Subject to narrow exceptions, contracts should be awarded: (i) to the supplier whose submission ranks the highest based on the prescribed evaluation criteria and procedures set out in the solicitation document; and (ii) with a scope consistent with the contract opportunity initially scoped in the bid solicitation.

1.3. Measures of Success and Failure

1.3.1 Four Measures of Success and Failure

Project failures typically manifest themselves in one or more of the following ways:

1. the failure to meet operational needs;
2. the failure to stay within budget;
3. the failure to deliver on time; and
4. the failure to follow the process rules.

Based on these recurring risk areas, the definition of project success can be distilled into one simple question:

Did we buy what we needed, on budget, on time, and by the rules?

Without proactive planning, it is almost impossible to properly balance the inherent tension between operational needs, budget constraints, time pressures, and process rules.

Project teams should therefore address all four of these major risk factors, using them as performance benchmarks for properly designing their project plans and for assessing project performance.

Generally speaking, within the public procurement industry, when assessing the success and failure of procurement projects, the following general conclusions can be drawn:

1. Project failures tend to recur in the same four areas and are typically caused by the inability to properly address inherently competing objectives.
2. Long-standing industry trends illustrate the endemic nature of cost overruns, project delays, and process irregularities, and how these risks adversely impact the operational needs of an organization and lead to project failures.
3. To address these issues, public institutions should adopt advanced project planning to balance the challenges of meeting operational needs, while keeping their projects on budget, on time, and in compliance with the rules.
4. The inherent project risk areas noted above should serve as navigation points for proper project planning, helping project teams balance competing priorities to better ensure project success.

Proper procurement execution calls for project teams to carefully consider the importance of all four project success factors. Proper procurement execution also calls for a careful balance that addresses all four factors. For example, a procedural irregularity cannot be discounted by the fact that the project was delivered ahead of schedule, any more than a cost overrun can be justified by the fact that the end result exceeded minimum functional expectations.

Project teams should therefore carefully manage initial project expectations with a view to the inherent risk factors.

PARCS RFP Process Overview

The mandate for the Procurement Office was to administer the RFP from the design planning stage up to and including the identification of a top-ranked proponent on behalf of TPA.

The success of the RFP process was measured against the following objectives:

1. Did the procurement meet operational needs?
2. Was the winning bid within budget?
3. Was the RFP process completed on time?
4. Did the procurement follow the process rules?

1. Operational Needs

The selected proposal for the RFP exceeded TPA's operational needs, with evaluators scoring almost all of the evaluation criteria as "meets all, and exceed some", the top score available in the scoring matrix. The selected proponent achieved the highest score on the technical, non-price, criteria.

2. Cost

Although cost considerations were an important factor in the design of the RFP and the evaluation of proposals, the scope of the RFP was crafted to allow for a staggered roll out of the selected solution based on approvals and available funding. TPA sought to ensure that through the RFP process, information would be available on a carpark-by-carpark basis to allow for the analysis of potential implementation and roll-out plans for the PARCS solution. As such, the procurement process delivered a result that was considered successful, both by encouraging price competition and also transparency by allowing TPA a clear view of individual carpark pricing in order to consider its options within the scope of the RFP for implementation of the PARCS solution.

3. Timing

The time allocated by TPA to design, draft, post, evaluate, and conclude the negotiation process with the selected proponent was reasonable. The Procurement Office was engaged in June 2024, after an initial prequalification process was held independently by TPA. The Procurement Office was able to execute this complex procurement process, within the established timeframes, arriving at the identification of a top ranked proponent in June 2025.

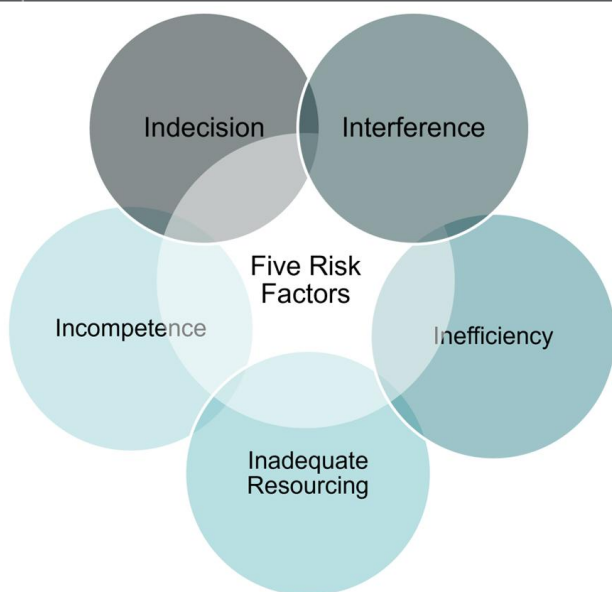
4. Process Rules

The Procurement Office provided consistent advice throughout the RFP process, which was followed by members of the project team and evaluators. The procurement process followed the applicable process rules.

1.3.2 The Five Inherent Risk Factors

The cause of public sector project failures is often attributed to two factors: incompetence at the project team level and entrenched inefficiencies in the institution's procurement procedures. However, to better manage the full scope of project risk, public institutions must also address three other systemic structural risk factors that play a leading role in undermining the successful execution of public sector procurement projects: institutional indecision, interference, and inadequate project resourcing.

The Flawed Execution Fallacy and Systemic Structural Flaws



1. Incompetence

Project-level incompetence is a significant risk factor in public sector procurement projects and is exacerbated by the inability of public institutions to properly mitigate project failures when they are first discovered.

2. Inefficiency

Institutional procedural inefficiency is another major risk factor in public sector procurement. Yet, public institutions rarely apply useful performance metrics to their procurement processes that would help them identify process bottlenecks and enable them to address inefficiencies in a systematic manner at the institutional or project level.

3. Indecision

Indecision is a serious risk factor for public sector procurement projects, specifically with regard to senior decision-makers failing to provide an appropriate planning mandate. This undermines the ability of project teams to make stable and predictable long-term procurement planning decisions. This ultimately increases the risk of after-the-fact scope changes and process changes that result in avoidable process irregularities, delays, and cost increases.

4. Interference

Senior-level interference, both at the administrative and political levels, is a major risk factor in public sector procurement projects. This interference can undermine the successful and defensible execution of procurement projects.

5. Inadequate Resourcing

Inadequate resourcing is a major risk factor in government procurement projects. Optimism bias (as discussed in greater detail in the next section) leads organizations to miscalculate the time and cost of contract performance and to underestimate the time, cost, and complexity of designing and executing a defensible competitive bidding process. Government institutions that fail to properly resource their projects run the risk of failure to meet operational objectives on time, on budget, and by the rules.

PARCS RFP Inherent Areas of Risk

The Procurement Office worked with TPA to mitigate the five areas of inherent risk and potential failure as follows:

1. Competent Execution

Complex information technology (IT) projects are some of the highest risk projects for cost overruns and performance delays. By leveraging the Procurement Office's public procurement expertise and knowledge of current trends in case law and industry practices, TPA mitigated the potential defects that could lead to project failure, ensuring the successful competitive execution of the bidding process.

2. Process Efficiency

Due to the engagement of the Procurement Office, any areas of inefficiency in the procurement cycle were mitigated, as all administrative operations were handled by the Procurement Office team. This area of possible risk was effectively mitigated as evidenced by the selection of the top-ranked proponent in accordance with established due process standards and within the set timeframe.

3. Decision-Making

Senior-level indecision was not a risk factor for the procurement process. With an established decision-making framework, support from the Procurement Office, and a clear mandate, process protocols for the RFP were established to effectively deal with areas where indecision could have otherwise arisen to comprise the effective execution of the competitive bidding process.

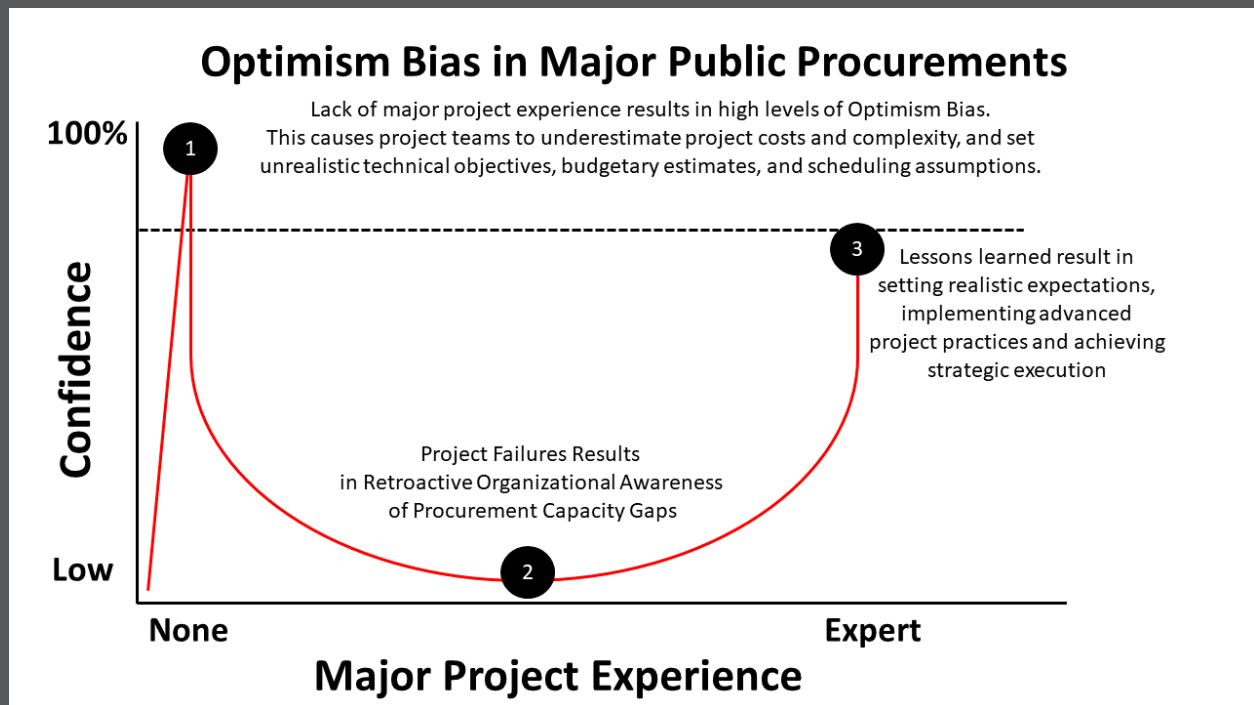
4. Non-Interference

To mitigate the risk of interference, and any appearance of interference, the Procurement Office, with TPA, established confidentiality protocols between the project team and the evaluation team. Evaluators participated in an evaluator briefing and conflict of interest screening prior to the release of proposals. Evaluators were under strict protocols not to discuss the RFP process or their role as an evaluator with anyone, either internal or external to TPA. These established confidentiality protocols were maintained through the formal end of the procurement process and remain in place for evaluators at this time, unless disclosure is otherwise ordered by court or tribunal.

5. Adequate Resourcing

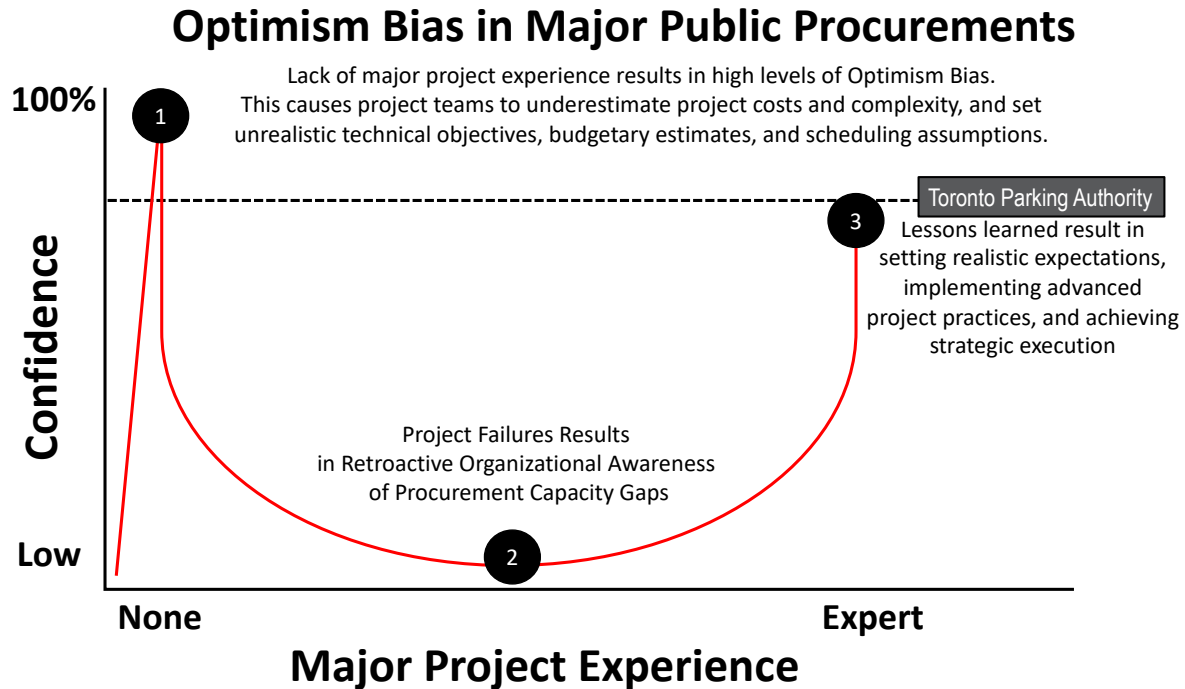
Inadequate resourcing, whereby a public organization fails to properly fund the procurement process for projects, was not a factor in this procurement process. TPA had a full complement of project team members, technical subject-matter experts to support the RFP design and drafting process, and evaluators. TPA also engaged the Procurement Office to provide procedural oversight, advice, and administrative support to run the day-to-day operations of the procurement process, thus ensuring that resourcing was not a risk and did not lead to any actual or potential failure.

Underestimating the complexity of a major project can result in unrealistic cost estimates.



1.3.3 The Optimism Bias

Underestimating the complexity of a major project can result in unrealistic time and cost estimates. As Danish scholar Bent Flyvbjerg observes, project teams can set themselves up for failure by setting unrealistic objectives.



PARCS RFP and Risk of Optimism Bias

Under the advisement of the Procurement Office, the project team addressed the key design elements for a successful procurement process during the RFP drafting stage. By addressing these design elements early, it enabled TPA to run a defensible evaluation process and ultimately identify the top-ranked proponent within the set process rules, schedule, and budget.



CHAPTER 2

PROJECT GOVERNANCE

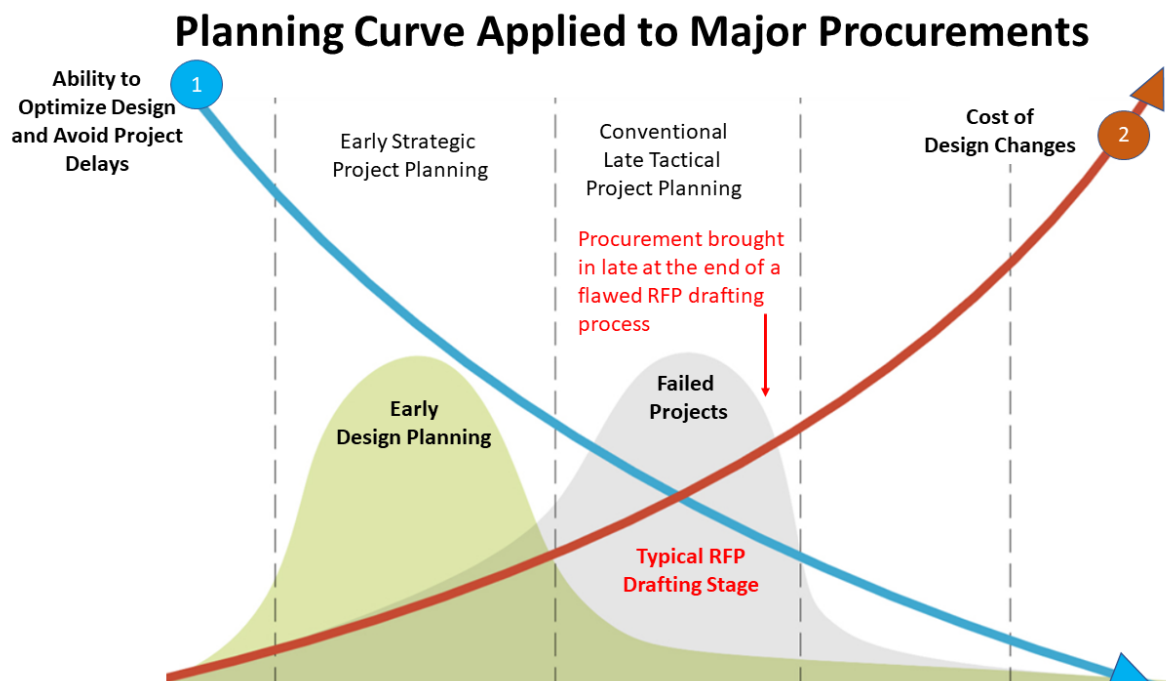
2.1. Strategic Procurement

Getting what you need, on budget, on time, and by the rules, is harder than it looks, especially when major public sector projects are involved.

As evidenced by multiple public audit reports and successful bid protest challenges, public institutions need to set aside the often outdated procedures used in their standard purchasing processes and adopt advanced disciplines for dealing with major procurement projects.

These advanced protocols should include procurement process enhancements in the areas of strategic design planning, format selection, solicitation drafting, commercially confidential meetings (CCMs), group evaluations, and contract award negotiations.

Strategic procurement advice should inform the business planning decisions that drive project scoping, pricing structures, and contract development strategies. That advice should also inform the procedural transparency standards that define defensible evaluation criteria and award procedures. To meet these standards, public procurement advisors need to integrate themselves into the start of the project to advise on initial strategic design planning.

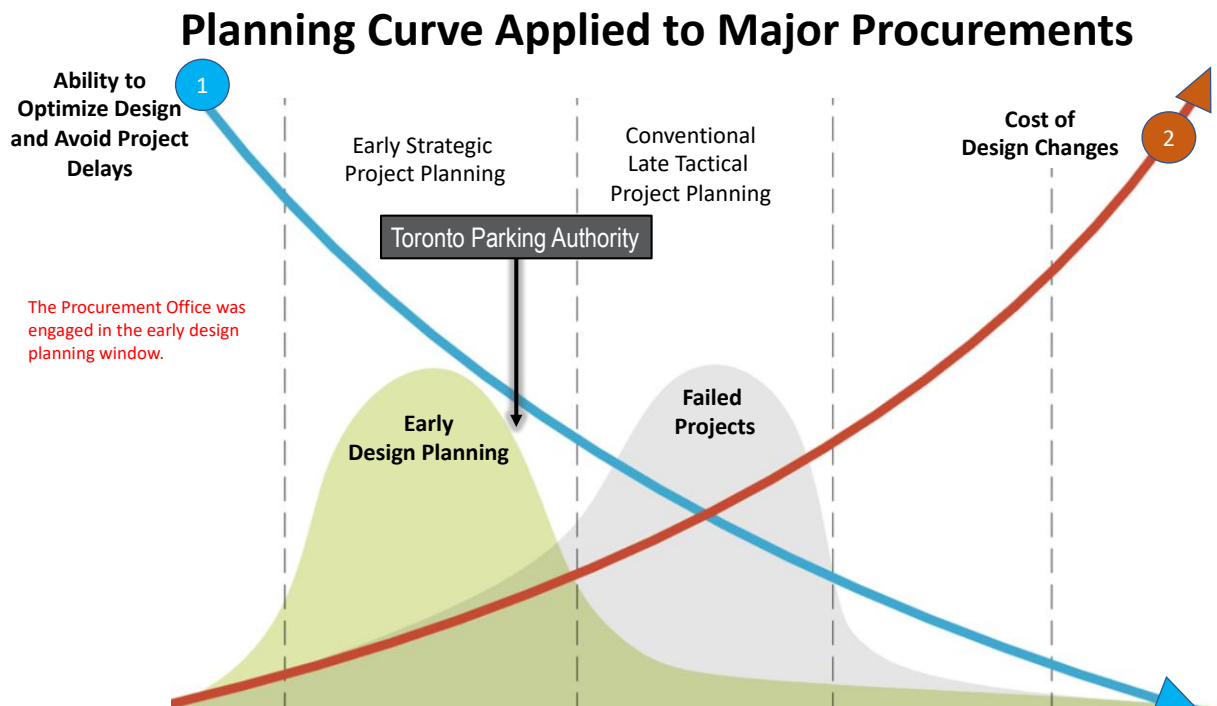


This means mandating strategic execution in (i) the designing and drafting of solicitation documents; (ii) the bid evaluation process; and (iii) the negotiation of contract awards. These front-end stages should be divided into separate sub-projects. Each sub-project should have a specific project manager that organizes each sub-stage and co-ordinates activities along the critical path, since someone needs to lead project teams through each stage and navigate any external factors blocking the road to contract award.

Procurement advisors should be engaged from the start of a project so they can provide the strategic advice needed to accelerate downstream execution. In project planning, project teams should also add sufficient float time to serve as a buffer to deal with unforeseen delays.

This strategic planning is critical to success, since starting a project with no strategic design plan and no float time sets a project up to fail before it even begins.

PARCS RFP Major Procurement Planning Curve Rating



While TPA's RFP project team had already been formed and had begun the development of specifications prior to retaining the Procurement Office, TPA engaged the Procurement Office with sufficient time to allow the Procurement Office to lead the project team's design planning sessions. Based on discussions held in the design planning sessions, TPA selected a flexible tendering format, the Concurrent Negotiation/Best and Final Offer ("BAFO") RFP, which allowed TPA to dialogue with short-listed proponents and receive improved BAFOs.

2.2. Project Governance Structure

Public institutions must ensure that their contract award decisions are shielded from inappropriate interference.

The administration of procurement processes should include protocols to ensure that no one can unfairly influence the outcome. The design and drafting of a solicitation process must be a group effort involving members of the business team and the procurement team, both of which should contribute content for the creation of the solicitation document and then contribute input into the pre-bid question-and-answer process.

Project teams must establish clearly defined roles, which are essential to implementing accountability mechanisms and avoiding the unnecessary confusion and inefficiency caused by role overlaps and accountability gaps.

The following governance principles, which are based on generally recognized public procurement industry practices, apply to senior decision-makers—whether they are part of an organization's general oversight structure or part of a project-specific steering committee framework—when dealing with a bidding process for major procurement projects.

1. General Role of Senior Decision-Makers

The overall role of senior decision-makers is to provide project oversight by facilitating a clear decision-making and delegation process in support of project execution by project teams, and to ultimately approve the contract award recommendations of the project team when those recommendations fall within delegated authority.

2. Distinguishing Oversight from Interference

Providing senior-level oversight should be distinguished from interfering with the work of project teams, since interfering with the bid evaluation process can undermine the integrity of the process and, among other things, nullify any resulting contract award decision.

3. Screening for Conflicts

Senior decision-makers—whether they are exercising a general oversight role or participating as members of a project-specific steering committee—should be screened for potential conflicts in relation to specific bidding processes for which they will be a decision-maker.

4. No Authority to Change Ground Rules

Senior decision-makers should avoid revisiting their prior decisions once those decisions have been delegated and implemented. The scope of opportunity to set the rules and requirements of a tendering process is limited to the design, drafting, and approval process that leads to the public release of a solicitation document and any resulting addenda issued prior to the receipt of supplier submissions. Once those rules are established and bids are received, senior decision-makers do not have the authority to change the ground rules of the bidding process.

5. No Involvement in Evaluation

While senior decision-makers may be involved in initial project approvals and related funding decisions, and in determining the composition of project team members for delegating the authority to execute a project, they should not be involved in the administration of a project and, more specifically, should not be involved in the evaluation process.

6. Structural Barriers Against Interference

Organizations should establish structural barriers to protect against interference—and the appearance of potential interference—by senior decision-makers in the administration of a bidding evaluation process by enforcing “no-contact” protocols between senior decision-makers and evaluation team members. These protocols should include prohibiting senior decision-makers from interacting with evaluation group members in relation to the specific project during the evaluation process, or at any point prior to the ultimate contract award.

7. Confidentiality of Evaluation Team Members

These “no-contact” protocols should be bolstered by maintaining the confidentiality of evaluation team members from senior decision-makers to protect against actual interference or future allegations of interference.

8. Mandate of Evaluators

Once bid evaluation teams are properly constituted, it is those evaluation teams—and not senior decision-makers—who are responsible for conducting the evaluation process. Evaluation team members are responsible for independently scoring each submission in accordance with pre-established evaluation criteria and procedures. Those evaluation procedures should be moderated by procurement advisors in accordance with proper group evaluation due diligence protocols.

9. Scope of Oversight in Relation to Evaluation

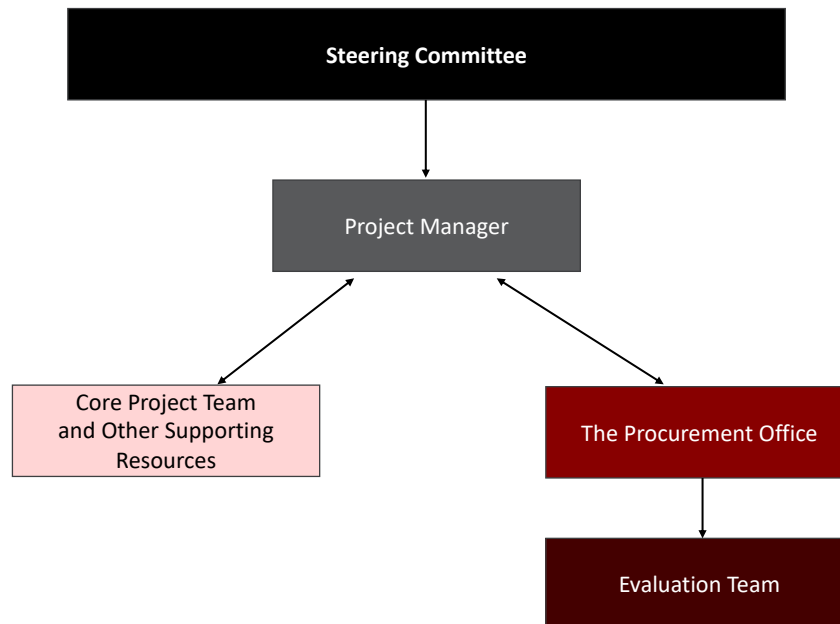
It is not the role of senior decision-makers to override or replace the evaluations performed by evaluation team members. The oversight role of senior decision-makers should be limited to: (a) confirming that the pre-established and pre-authorized process was followed during the bidding and evaluation process; (b) providing direction in the event that steps in the evaluation process need to be rectified by evaluation team members due to procedural irregularities; (c) providing direction on matters falling beyond the mandate of the project team, particularly in relation to unforeseen events that may arise during the bidding and evaluation process; and (d) determining whether to proceed with the recommended contract award to the top-ranked respondent.

10. Governance of Steering Committees

Senior decision-makers should avoid making decisions in relation to major procurement projects in an ad hoc or informal manner. Project decisions should be made in accordance with the organization’s general oversight practices or, where project-specific steering committee structures are established, in accordance with the formal procedures established for the steering committee. Unless otherwise established under project-specific steering committee protocols, all steering committee members should have equal decision-making status, with equal voting rights and equal access to the information provided by the project team to the steering committee. Steering committee decision-making should be formally documented and made in accordance with formally approved meeting agendas and formally approved recommendations.

PARCS RFP Governance Structure

TPA established a steering committee for the RFP. Further, TPA selected a project manager to oversee the core project team and other supporting resources. The project manager liaised directly with the Procurement Office, which provided procurement support to the project manager to effectively run the RFP process.



PARCS RFP Communication Management

Communications between TPA and the Procurement Office were managed by Heather Baker, Senior Procurement Advisor with the Procurement Office. Communication between the Procurement Office and evaluators was direct.

PARCS RFP Approvals Process

The Procurement Office worked directly with members of TPA project team, during the design, drafting, and assembly phases of the RFP process. All requested project approvals were sent from the Procurement Office to Niraj Thakkar (Manager – Strategic Sourcing and Procurement) and Gautham Hegde (Procurement Specialist), who in turn provided them to TPA for review and approval. Approvals were communicated to the Procurement Office by Niraj Thakkar and Gautham Hegde.



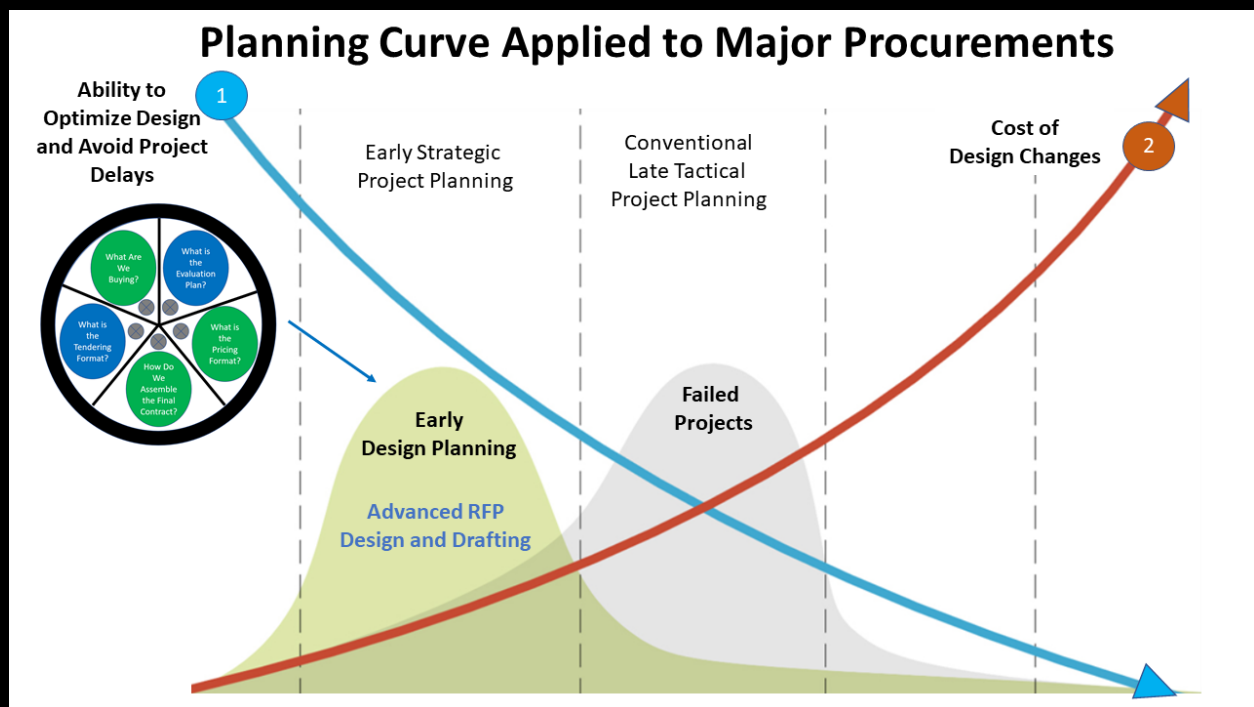
CHAPTER 3

PROJECT DESIGN PLANNING

3.1. The 95/5 Rule

To increase project success rates, procurement teams need to develop solid project plans using the “95/5 rule” of procurement planning.

The 95/5” rule recognizes that almost all procurement failures can be traced back to the original failure to address the five core design elements of project planning in early strategic planning (see the five element planning wheel below):



Failing to properly manage the gating process between design planning and solicitation drafting guarantees a suboptimal drafting process and greatly increases the likelihood of project failure. Project teams should therefore be required to correct any deficiencies in their design plans before proceeding to solicitation drafting.

To execute on a design plan, procurement advisors should manage the solicitation drafting business process as its own project, with the proper application of project management disciplines.

3.2. Project Budget

Public sector procurement operations face a high degree of scrutiny over whether they meet their contracting objectives on time, on budget, and by the rules.

Effective project execution requires proactive strategic planning at both the institutional and project level. While cost overruns and delays on major projects are standard operating procedure for some organizations, it is imperative that project teams avoid being overly optimistic about the time and cost that a project will require to complete to meet operational needs. This includes anchoring project design planning on a reasonable and realistic scope for the budget allotted for the project.

PARCS RFP Budget

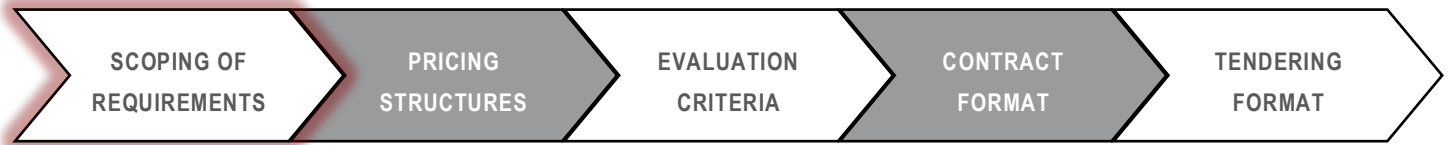
TPA PARCS project RFP was a large, high-risk procurement process, due to the value of the contract and the complexity of the contract requirements. The TPA anticipates rolling out deployment of the PARCS solution in a staggered fashion across the carparks within scope of the RFP. Accordingly, an initial budget of \$9 million dollars was set, with anticipated future expenditures expected throughout the term of the contract.

\$9M

TPA allotted \$9 million dollars for the initial expenditure under the scope of the RFP.

3.3. Project Scoping

The first principle of negotiated RFPs is to avoid overly prescriptive approaches.



Since the ultimate contract award should fall within the scope and baseline requirements contained in the original RFP, purchasing institutions should avoid boxing themselves in with overly prescriptive specifications or contract legal terms and conditions.

Taking too narrow an approach in RFP scoping can impede the ability to negotiate a contract award with the proponent that submitted the best solution.

Even if a proposal could save significant time and money, the process rules would not permit the selection of that proposal if the scoping of the initial solicitation was overly prescriptive and precluded that proposed approach.

The initial scoping decision, and the level of prescriptiveness of the specifications within the solicitation, will inform the latitude of any subsequent evaluation and award decision.

The RFP was scoped as follows:

PARCS RFP Scoping (as disclosed in the RFP)

TPA is seeking a technology vendor to produce solutions that meet our objectives, outcomes, vision, and needs for the provision of both a PARCS and a parking permit solution for two hundred eighty-four (284) facilities, as described in Annex B – TPA Off-Street Parking Facilities Data.

TPA's new strategic framework is anchored by five (5) key pillars:

1. build a great place to work;
2. strengthen the core, execute with excellence;
3. accelerate growth and financial sustainability;
4. connect with our customers; and
5. innovate with our city partners and strategic vendors.

Our mission is to create a seamless customer experience that delivers on choice, ease, and speed through the city. Our vision is to become the world's best provider of sustainable parking, bike share, and last-mile mobility experiences for our customers, our partners, and our city. Furthermore, we also see benefits in establishing a long-term partnership with an industry-leading technology vendor that can help us meet our objectives.

Solutions must consider:

- (a) process – Streamline, simplify, and ease the customer’s journey from parking to payment;
- (b) technology – Align with the parking industry and emerging technologies with a road map to the future;
- (c) benefit of scale – Include a value proposition (for current and future business), research and development, and lower total cost of ownership (“TCO”); and
- (d) health, safety, and security – Instill confidence and trust in our customers, employees, and security control systems related to revenue management.

The ideal vendor will provide flexible solutions to meet our goals and align with our vision. They should address our needs for innovative technology, seamless and safe parking experiences, fast and reliable processing, secure and easily maintained equipment and understand the dynamics of our industry. This vendor will collaborate with the existing TPA business to continually develop solutions that meet our business outcomes and requirements and provide scalability for future expansion and partnerships.

Outlining our solution outcomes rather than traditional business requirements will give proponents an opportunity to propose innovative solutions, services, or business models. By undertaking a non-prescriptive approach to our solution, TPA hopes to identify what solutions exist in the market as opposed to defining how the outcome will be achieved.

The solution may include, but not be limited to:

- (a) gated facility pay stations – Customers must be able to make payments at both pay-on-foot and pay-in-lane machines. Equipment must accept cash, debit, and credit including but not limited to digital wallet payments from Google Pay, Apple Pay, near field communication (“NFC”) mobile tap to pay, and other third-party applications, and any new emerging forms of payment;
- (b) entry/exit pay stations – Customers must be able to pay at the entrance and exit gates;
- (c) integrations – The vendor must be able to integrate with other digital technologies and solutions through application programming interfaces (“APIs”) to facilitate a great integrated customer experience; and
- (d) parking permit solution – vendor must be able to provide a complete automated solution where customers can purchase and renew parking permits for extended periods of time e.g. weekly / monthly / yearly.



3.4. Pricing Structure

Proper pricing structures are the cornerstone of competitive bidding and contract administration.



Project teams should lay a solid foundation for tendering and contracting cycles by avoiding the following common pricing pitfalls:

- ▶ Pricing Structures
- ▶ Payment Terms
- ▶ Volume Commitments
- ▶ Price Evaluations

1. Pricing Structures

Aligning project scope with clear pricing structures should be one of the first steps in any solicitation design planning process. The failure to select proper pricing structures at the outset of the drafting process will inevitably lead to drafting delays, as well as potential evaluation issues and post-award performance problems. Rather than integrating pricing at the end of the drafting process, it is much more efficient to develop detailed specifications and evaluation plans on the foundation of properly designed pricing structures.

2. Payment Terms

In a competitive bidding process, pricing structures serve the dual role of providing the format for bid evaluation and providing the framework for payment under the awarded contract. However, there is a tendency to focus on pricing structures as an evaluation tool while overlooking the need to ensure that the pricing structures also serve as a useful leverage point to properly manage contract performance and related contract payments. Project teams should ensure that their pricing structures are properly aligned to contract performance sub-phases or sub-categories to help inform payment structures for contract administration.

3. Volume Commitments

As a basic commercial rule, lower quantities attract higher unit costs and high quantities lead to lower unit costs. However, project teams often overlook the economies of scale when establishing their pricing strategies and enter the marketplace expecting competitive pricing without making any clear volume commitments. The failure to clearly define project scope and corresponding work volumes can lead to distortions in the evaluation process and disputes in contract performance. While it may not be possible to predict future requirements with complete accuracy, a purchasing institution remains under a duty to be as accurate as possible in disclosing its anticipated volumes.

4. Price Evaluations

Fair evaluations are the foundation of the competitive bidding process, and clear pricing structures are the foundation of fair evaluations. The failure to disclose how the evaluation team will collect, assess, and score pricing information exposes a project team to significant bid challenge risks. Project teams should therefore ensure that they have a clear and transparent price evaluation plan and should avoid using any hidden formulas, criteria, or processes in those evaluations.

In summary, project teams should address the following pricing issues when planning solicitations:

- ▶ Align pricing structures with the contract scope.
- ▶ Integrate pricing structures with the performance phases or categories to inform the payment terms.
- ▶ Make volume commitments and scope as accurate as possible.
- ▶ Have a clear and transparent price evaluation plan.

PARCS RFP Pricing Structure

Pricing Structures and Payment Terms

Based on the complexity of the procurement process, the RFP project team wanted to assess both the initial capital investment (CAPEX) required, as well as ongoing operational costs (OPEX). As TPA anticipates a staggered roll out of the selected solution across the various carparks included within the scope of this RFP, it was also important for TPA to understand the costs associated for each carpark. The flexibility in the RFP process allowed for the negotiation of the detailed terms of payment.

Scope Commitments

In order to provide proponents with an accurate scope for the RFP, TPA gave a detailed overview of the Deliverables for the contract in Annex A – Deliverables of the RFP, which aligned to the pricing structure as noted above. However, actual rollout of the selected PARCS solution remains contingent on approvals and available funding.

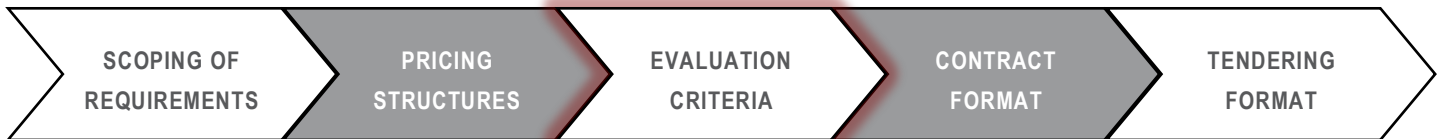
Pricing Evaluations

To evaluate price for the RFP, each qualified proponent's Total Project Costs for both the initial and final evaluations, respectively, was inputted as the proponent's price into the following industry-standard relative pricing formula used to calculate the number of points allotted for the proponent:

lowest price ÷ proponent's price × weighting = proponent's pricing points

3.5. Evaluation Criteria

For low-bid projects, price is weighted at 100% of the total score. For high-score projects, submissions are evaluated on two factors: pricing and rated criteria.



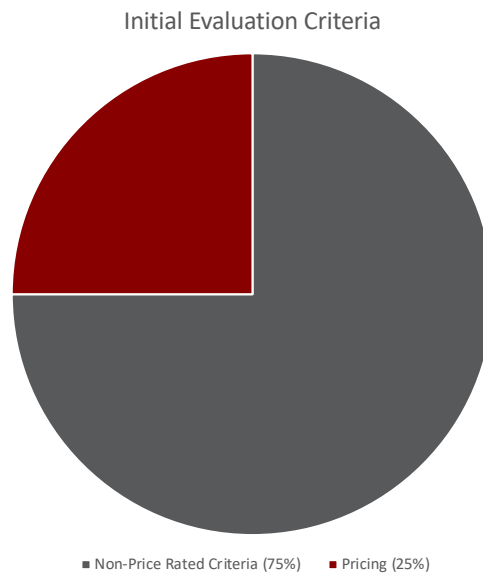
The RFP project team determined that for a project of this size and complexity, a blend of non-price rated criteria and price would be used to evaluate proposals and determine who the selected general contractor would be based on the top-scoring proposal.

3.5.1. Pricing

To avoid an anchoring effect caused by arbitrarily setting the initial weighting assumption for pricing too high or too low relative to other non-price criteria, project teams should start their design planning process based on the assumption of a 50/50 split between pricing and other rated criteria. The relative weighting of pricing can then be adjusted based on an assessment of its relative importance in comparison to other non-price factors.

PARCS RFP Pricing

In this RFP process, pricing was weighted pricing at 25 percent of the total evaluation score, to emphasize value-for-money among the best technical offerings presented by the short-listed proponents.



3.5.2. Rated Criteria

To meet the required standards of transparency and enhance the defensibility of an evaluation and award decision, the purchasing institution should disclose the weightings, formulas, and sub-criteria it intends to rely on to arrive at the final score and ranking for each proponent. Specifically, the weighting of each category of rated criteria and of each individual criteria relative to the total number of points available must be unambiguous and clearly detailed.

For scoring rated criteria, project teams should generally avoid scoring on a binary basis (where either all points or no points are awarded) and should instead be scored based on a scale that allows for no points, partial points, or all points for each category or subcategory. The typical scoring matrix recommended by the Procurement Office is the following five-point scale:

- ▶ 0 – Does not meet requirements
- ▶ 1 – Addresses some but not most requirements
- ▶ 2 – Meets most requirements
- ▶ 3 – Meets all requirements
- ▶ 4 – Meets all and exceeds some requirements

This scoring matrix provides a clear set of consistent scoring standards that can be applied by evaluators to each criterion, regardless of that criterion's overall weighting. The allocation of total available points (0, 25%, 50%, 75%, 100%) can then be multiplied by the total available points for that category to arrive at each proponent's score for that category.

PARCS RFP Initial Rated Criteria

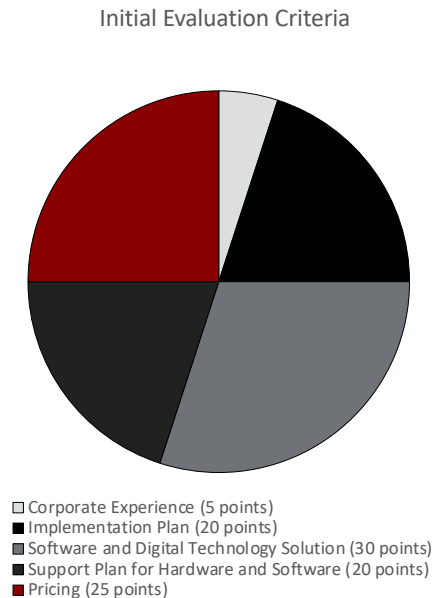
The Initial Evaluation Criteria were established to reflect the importance of each proponent's past experience, proposed approach, and implementation schedule for the provision of the Deliverables, and overall cost for the project. The Initial Evaluation Criteria categories, which were scored out of a total of 100 points, were weighted as follows:

- ▶ Corporate Experience (5 points)

- ▶ Implementation Plan (20 points)
- ▶ Software and Digital Technology Solution (30 points)
- ▶ Support Plan for Hardware and Software (20 points)
- ▶ Pricing (25 points)

Each of the category point weightings were disclosed in the RFP document.

The following diagram illustrates the proportional distribution of evaluation weightings across these categories:



Further, to ensure maximum transparency, the sub-weightings of the criteria within each of the categories were broken down into subcategories ranging from less than one percentage point to five percentage points for each criterion. These sub-weightings were disclosed in the RFP. This level of transparency was in line with the advice from the Procurement Office, which recommended that all weightings, including individual criterion sub-weightings, be disclosed to potential bidders in the solicitation document. This allowed evaluators to distribute the points for each sub-category based on the sub-criteria defined in each sub-category.

TPA included one minimum scoring threshold for non-price rated criteria category iii. Software and Digital Technology Solution, which was set at 18.0 points out of 30 points. This minimum threshold requirement was disclosed in the RFP.

Prior to moving to the next stage of the evaluation process, proponent scores were compared against the minimum scoring threshold to determine whether the proponent would proceed to the next stage of evaluation.

PARCS RFP Final Rated Criteria

The Final Evaluation Criteria categories, which were scored out of a total of 100 points, were identical to those used in the initial evaluation.

Short-listed proponents participated in a series of dialogue activities, which culminated in the submission of BAFOs to TPA. The process allowed those proponents who met the short-listing requirements to participate in the dialogue sessions and then submit their BAFOs. The same evaluation team members that evaluated the proposals during the initial evaluation

stage and participated in the dialogue sessions then evaluated the BAFOs using the Final Evaluation Criteria and weightings.

The same minimum scoring threshold used in the Initial Evaluation was also applied in the final evaluation of BAFOs. This minimum threshold requirement was disclosed in the RFP.

As with the Initial Evaluation Criteria, the project team applied the four-point scoring matrix for the Final Evaluation Criteria.

3.6. Contract Format

While standard contract terms and conditions can help facilitate efficient and consistent contracting across an organization, purchasing institutions should be mindful that the zone of standardization is finite.



Default standard terms and conditions covering major and recurring procurement contract issues can be prepared for the acquisition of general goods and services; however, these default terms will always be subject to the potential need for transaction-specific customization.

Purchasing institutions should avoid the unnecessarily restrictive inclusion of legal terms and conditions for contract performance, since standard term contracts are typically based on narrow assumptions that may not align with the range of possible solutions proposed by competing proponents.

This can have the effect of artificially reducing the scope of competition in the proposed solution. Occupying the field with standard terms can also create friction during contract negotiation, raising issues regarding whether the “changes” required to align the contract terms with the selected proposal are within scope of the original solicitation.

The more complex a project and the more the performance details are left to competing bidders to propose in their submissions, the more difficult it is in practice to include a set of standard contract terms within negotiated RFPs. A middle ground is to include terms that can serve as a starting point for contract award negotiations, but even this approach is only effective where the base assumptions of those terms align, more or less, to the selected proposal and call for relatively incidental tailoring to the contract terms.

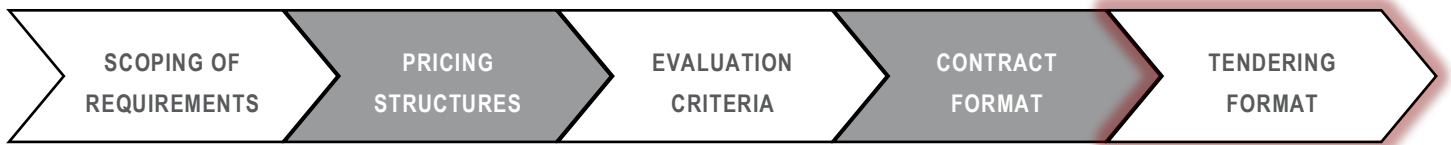
The term sheet approach, in combination with a negotiated RFP format, should therefore be used for most major projects. Project teams should take their end objectives into consideration when developing their negotiated RFPs so that, instead of prescribing detailed standard form contract terms with contractual language that may not align with the selected proposal, a term sheet of core contractual requirements can be included in the RFP to serve as a checklist of items to be negotiated into the final contract.

PARCS RFP Contract Format

The project team, under advisement from its commercial legal counsel, decided to leverage the Master Agreement that was entered into between selected respondents and TPA as part of the prequalification process that preceded this RFP. Contract formation, negotiation and award were outside of the scope of the Procurement Office’s mandate and outside the scope of this report.

3.7. Process Selection

Purchasing institutions should leverage a comprehensive procurement playbook that includes a professionally designed set of tendering templates that meet the broad challenges of an increasingly complex, diverse, and dynamic marketplace.



Selecting the appropriate tendering process format is a critical strategic procurement decision in major projects. When developing their procurement strategies, project teams should consider their full range of options, as summarized in the following list:

- ▶ Invitation to Tender (ITT)
- ▶ No-Negotiation RFP
- ▶ Consecutive Negotiation/Rank-and-Run RFP
- ▶ Concurrent Negotiation/Best and Final Offer (BAFO) RFP
- ▶ Invitational Request for Quotation (RFQ)
- ▶ Open RFQ
- ▶ Request for Information (RFI)
- ▶ Request for Supplier Qualifications (RFSQ) – Prequalification Version
- ▶ RFSQ – Master Framework Version

PARCS RFP Selected Process

The scope and complexity of the RFP called for a flexible tendering format with multiple stages, including a dialogue stage between short-listed proponents and evaluators. Under the advisement of the Procurement Office, the project team selected a Concurrent Negotiation RFP process (otherwise known as a “Dialogue” or “BAFO” RFP) for the RFP. The BAFO format enabled the use of transparent rectification cure periods for non-compliant submissions, an initial evaluation stage resulting in the short-listing of proponents, a dialogue phase with demonstrations and commercially confidential meetings (CCMs), the ability for short-listed proponents to improve proposals and submit a BAFO proposal for the final evaluations, and negotiations with the top-ranked proponent.

3.7 Determining Mandatories

Bolstering the defensibility of a bidding process begins with the proper management of mandatory tender compliance requirements.

A submission that does not meet a threshold eligibility requirement must be disqualified as non compliant. Institutions that award contracts to non compliant proponents face potential challenges by competing proponents. To enhance the defensibility and transparency of the evaluation process, threshold requirements should be objective, clear, and defensible. They should be structured in adherence to the following general principles:



CLEAR IDENTIFICATION

Threshold eligibility requirements should be clearly identified as mandatory evaluation requirements and, to avoid confusion, should be consolidated in one part of the solicitation document.



ESSENTIALS ONLY

Threshold eligibility requirements should be used sparingly for compulsory requirements that are significant enough to actually disqualify a proponent, rather than for desirable but non essential requirements.



CLEAR LITMUS TEST

Those factors that are not genuinely capable of a pass or fail assessment (for example, grey areas requiring judgment calls or scores based on a range of outcomes) cannot properly operate as threshold eligibility requirements and should be removed from the evaluation criteria or recategorized as non mandatory scored requirements.



TIMING OF ADHERENCE

Those requirements that relate to the post award contract performance phase that cannot be assessed during the evaluation process should not be included in the evaluation section. Rather, they should be organized in a separate section of the solicitation and ultimately incorporated by reference into the awarded contract.



SELF-DECLARATIONS

Proponent self assessment and compliance declarations (that is, where bidders swear an oath of compliance) are inadvisable. The purchasing entity is under a duty to disqualify non compliant bidders and should therefore take positive steps to screen proponents for each threshold eligibility requirement. Those requirements that cannot be screened and independently verified should be removed from the evaluation and set as post award performance standards that can be enforced during contract performance.

3.7.1 Mandatory Submission Requirements

A non-compliant tender is legally incapable of acceptance. To avoid bid compliance disputes, purchasing institutions should integrate transparent rectification cure periods into their flexible negotiated RFP formats that allow all proponents an opportunity to cure any non-compliance in their initial submissions. This risk mitigation measure serves to significantly reduce the risk of avoidable disqualifications and tender compliance disputes.

PARCS RFP Mandatory Submission Requirements

Following the Procurement Office's advice, the RFP project team mitigated the risk of tender compliance disputes by limiting Mandatory Submission Requirements to two requirements: a completed and signed Submission Form (Appendix C of the RFP), and a completed Form 1 - Pricing Form (Section G of Appendix B of the RFP). To further mitigate the risk of disqualifications and compliance disputes, the RFP rules included a transparent rectification process, thus ensuring that all proponents had the opportunity to avoid disqualification by curing any deficiencies in either of the Mandatory Submission Requirement documents during the prescribed rectification period. The Mandatory Submission Requirements, along with the rectification protocols, were disclosed in the RFP.

3.7.2 Pre-Conditions of Award

Pre-Conditions of Award are those requirements that must be met by the presumptive awardee prior to the award of a contract.

PARCS RFP Pre-Conditions of Award

As TPA had already completed a prequalification process, and entered into Master Agreements with the prequalified vendors, it was determined that no additional pre-conditions of award were required under this RFP process.



CHAPTER 4

PROJECT OPEN PERIOD

4.1 Solicitation Posting

Open tendering standards call for a reasonable posting period and accessible and transparent posting and bid submission procedures based on electronic posting and submission protocols.

Organizations should refer to all applicable trade treaty and jurisdictional requirements for solicitation posting requirements, ensuring adherence to minimum information standards and posting periods.

PARCS RFP Open Period

Project
Open
Period
Timetable

- **Issue Date of RFP:** August 7, 2024
- **Deadline for Questions:**
August 30, 2024 11:59:59 PM
local time
- **Deadline for Issuing Addenda:**
September 13, 2024 11:59:59 PM
local time
- **Submission Deadline:**
October 7, 2024 12:00:00 PM
local time

Prior to the issuance of the RFP, TPA conducted an RFPQ PS2023-03 and arrived at a list of four prequalified vendors. Based on the results of the RFPQ, the four prequalified vendors were sent a Procurement Notice, which detailed the forthcoming issuance of the PARCS RFP, as well as a Pre-bid Non-disclosure Agreement (NDA) for execution. Vendors were informed of the anticipated scope and timelines for the forthcoming RFP and were instructed to respond back to the RFP Contact with an executed NDA if they wished to participate in the RFP process. All four vendors returned an executed NDA prior to the anticipated issuance date of the RFP.

The Procurement Office distributed the RFP via the online bidding system (Bonfire) to the four prequalified vendors.

The project team considered TPA's trade treaty obligations, including those to the *Canadian Free Trade Agreement (CFTA)*, the *Canada-European Union Comprehensive Economic and Trade Agreement (CETA)*, and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)*. Due to the complex nature of the project, the RFP open period was a total of 62 days, which exceeded the minimum 25-day posting requirements of those trade treaties by 37 days

to allow proponents sufficient time to prepare proposals. The electronic submission requirement reduced barriers to competition for a potential international pool of bidders.

4.2 Vendor Communications Management

Communication between the purchasing institution and potential bidders during the posting period must be strictly managed and must ensure a clear separation between the evaluators and the vendors.

Communication management throughout the procurement posting period is of tantamount importance, as purchasing institutions need to protect the process from being tainted by actual or potential bias, unfair advantage, and interference. Purchasing institutions should mandate an administrative team separate from the evaluation and project teams that can independently receive, review, and compile any correspondence and questions from potential bidders throughout the process through an office that serves as the RFP Contact to ensure the continuity of communications throughout the RFP process.

PARCS RFP Vendor Communications Management

The RFP Contact for the RFP was supported by an email inbox set up and managed by the Procurement Office team (TPAPARCSRFP@procurementadvisor.ca). Members of the Procurement Office team received and managed all potential bidder communication through this inbox to ensure the proper co-ordination and continuity of communications between the project team and competing proponents, from the open period through to the selection of the top-ranked proponent.

Questions from potential bidders during the period up until the Deadline for Questions, as defined in the RFP and subsequently amended by addenda, were received via the RFP Contact, and were collated into spreadsheets that allowed both the Procurement Office and the RFP project team members to track and respond to each question. Further, to mitigate any risk of potential bias, the Procurement Office anonymized all questions before providing them to the RFP project team.

The RFP project team responded to all questions received. The Procurement Office team then organized the questions and responses into addenda, which the project team then reviewed and approved prior to distribution. All approved addenda were posted on the Procurement Office's Bonfire portal and were accessible by the four invited proponents only.

Further, during the RFP process, any ongoing communication to proponents, as required during a two-stage dialogue RFP process, was managed by the Procurement Office using the single point of contact protocol.

4.3 New Information by Addenda

To better ensure a level playing field, any new information provided after the release of a solicitation should be made available to all potential bidders through formal addenda.

To meet applicable transparency standards, a solicitation process should include formal pre-bid question-and-answer protocols that allow purchasing institutions to release new, updated, or clarifying information through addenda. Those protocols should set a clear deadline for questions and for addenda that ensures an adequate time for bidders to respond to new information. They should also include a protocol that requires an extension to the bid deadline if new information must be released after the addenda deadline. All information released through addenda should be incorporated to form part of the solicitation document, since information posted in addenda typically takes precedence over information contained in the original solicitation posting.

PARCS RFP Addenda

Proponent questions were received throughout the open period up to the Deadline for Questions, as defined in the RFP, and the RFP was subsequently amended by addenda. Responses to the questions, as well as additional supporting information, were provided to proponents by way of six addenda. The Procurement Office team issued the addenda as soon as the project team made their responses available, in order to ensure that proponents had the information as soon as possible, rather than waiting to release all addenda information in a single installment prior to the Deadline for Addenda.

6

During the posting period, six addenda were issued prior to the Deadline for Addenda, as defined in the RFP.



4

Four proponents submitted proposals prior to the Submission Deadline. No submissions were received after the Submission Deadline.



5

CHAPTER 5

EVALUATIONS

5.1 Evaluations

The evaluation process must be sufficiently resourced, both in the number and quality of evaluators assigned to each criterion, and in the time provided to the evaluators to complete their evaluations.

Initial Evaluation Timetable

- **Rectification Period:**
Three business days
- **Initial Evaluator Briefing:**
October 10, 2024
- **Initial Evaluation Period:**
October 10 – November 4, 2024
**Initial Enhanced Consensus
Scoring Session:** November 5,
2024
- **Deadline for Scoring Adjustments:**
November 7, 2024

For complex projects, evaluation teams are typically divided into sub-groups of subject-matter experts that are assigned to different evaluation categories based on their knowledge and experience. As a minimum standard, each evaluation group should include no fewer than three evaluators. To maintain this minimum number and mitigate against the risk of some evaluators being unable to complete their assignments, it is generally recommended that at least four evaluators be assigned to each group at the outset of the evaluation process.

All evaluators assigned to a particular criterion must be qualified and confident in their ability to evaluate said criterion. If there are multiple areas of expertise required, sub-groups of evaluators, based on their subject-matter expertise, should be created instead of having all evaluators scoring all criteria irrespective of their level of subject-matter expertise.

All evaluators must be given sufficient time to complete their evaluations, as a failure to properly complete the evaluations in the time allotted can undermine project schedules and the defensibility of the evaluation result. When establishing evaluation teams, project team members should consider the workload and schedules of all potential evaluators. Evaluators who do not have the time to properly perform their evaluations should not participate in the evaluation process. The progress of evaluators should be carefully monitored during the evaluation process. If an evaluator is unable to complete the evaluation within the prescribed timeframe due to other commitments, that evaluator should be removed from the evaluation

team. If it becomes apparent that the evaluation process is proving to be too complex to complete within the allocated timeframe, then more time should be provided to evaluators to allow the evaluators to complete their evaluations.

5.1.1 Evaluator Governing Principles and Protocols

Further, all evaluators must agree to and be held to the following ten governing principles and protocols, which are codified to address recent legal rulings regarding the government evaluation processes and represent global standards that should be applied to all evaluators during government procurement processes:

1. No Conflicts and Ongoing Disclosures

As a pre-condition to participating in an evaluation process, each evaluator should be required to sign an attestation confirming that they are free from any conflicts of interest (including any personal financial interest, whether direct or familial, in the outcome of the procurement process, or bias for or against any party competing for the contract award) that could adversely impact the fairness of the evaluation process. This attestation should also confirm that the evaluator is under an ongoing responsibility to disclose any actual or potential conflicts and clarify that an evaluator may need to recuse themselves from further participation in the evaluation process if a newly discovered conflict prejudices their ability to continue in the role of an evaluator.

2. Subject-Matter Knowledge for Independent Evaluation

Each evaluator should also confirm that they have sufficient knowledge of the established evaluation criteria to independently perform the role of an evaluator without relying on other evaluators or third parties to assist in the application of those criteria to the supplier submissions. The evaluator should also acknowledge that if at any stage of the evaluation process they are unable to independently apply the evaluation criteria to those submissions, it is their responsibility to notify the evaluation moderator to determine whether the evaluator needs to be recused from scoring a specific evaluation category or removed from further participation in the evaluation process.

3. No Deviation from Evaluation Criteria or Process

Each evaluator should also acknowledge and agree that the role of the evaluator is to apply the pre-established evaluation criteria and procedures to the supplier submissions and that evaluators cannot change the pre-established evaluation criteria, apply additional evaluation criteria that are not included in the pre-established criteria, or deviate from the evaluation procedures established in the solicitation document that they are directed to follow by the evaluation moderator.

4. Maintaining Evaluation Records

Evaluators should also acknowledge that they are responsible for maintaining their own individual evaluation scores—and notes supporting their evaluation scoring—in the manner prescribed by the evaluation moderator, since all evaluation records are potentially subject to public release under access to information legislation or bid protests, and must therefore be clear, fair, and defensible.

5. Participation in the Evaluation

Evaluators should also agree to prioritize their roles as evaluators to meet the evaluation schedule and should acknowledge that this commitment to the evaluation process includes finishing their independent individual evaluation scoring, including supporting notes, in the format prescribed by the evaluation moderator, prior to each formal group evaluation meeting. Evaluators should also understand that while they will not be required to change their individual scores as a result of any group scoring discussions, if in exercising independent judgment, an evaluator determines that his or her individual scores require adjustment, that any such changes must be supported with updated scoring notes explaining the reason for that change.

6. Confidentiality of Evaluation Process

Evaluators should acknowledge that they are not permitted to discuss the evaluation process with other evaluators or third parties, except during formal moderated group evaluation meetings. More specifically, they should be instructed that, apart from formal moderated group evaluation meetings, they are not permitted to contact or communicate with any supplier competing for the contract award. If an evaluator believes that clarification is needed in respect of information contained in a supplier's submission, he or she should notify the evaluation moderator. Each evaluator should also acknowledge that their confidentiality duties in relation to the evaluation process do not lapse at the end of the evaluation process but continue beyond the conclusion of that evaluation process.

7. Confidentiality of Role as Evaluator

To protect the evaluation process from interference or allegations of interference, evaluators should also agree to keep their role as an evaluator confidential (except for informing supervisors for work scheduling purposes) to prevent others from influencing or attempting to influence their scoring or otherwise influence the outcome of the evaluation process.

8. Duty to Report Interference

Evaluators should also be under a duty to immediately notify the evaluation moderator if anyone attempts to influence their scoring or otherwise attempts to interfere with their role as an evaluator.

9. Seeking Clarification from Moderator

Each evaluator should also acknowledge and agree that if they have any questions or concerns about the evaluation process, that those concerns should be raised directly with the evaluation moderator and should not be discussed with other evaluation group members, project team members, or any other third parties.

10. Standing as Evaluator

Each evaluator should expressly acknowledge and agree that the failure to adhere to the due process standards set out in their evaluator attestation could, among other things, result in their immediate removal from the evaluation process.

PARCS RFP Evaluation Group Overview

TPA assembled an evaluation team of five non-price rated criteria evaluators. The non-price rated criteria evaluation team members evaluated all of the non-price rated criteria. Additionally, TPA nominated two evaluators for the initial review of pricing. As one of the pricing evaluators was also a non-price rated criteria evaluator, the pricing evaluation team did not receive access to the pricing submissions until after the completion of the demonstrations and commercially confidential meetings during the dialogue stage of the RFP process. The evaluation of pricing in the initial stage of the evaluation process was conducted as an administrative exercise by the Procurement Office.

For the initial evaluation, non-price rated criteria evaluators were given from October 10 to November 4, 2024, to complete their initial independent evaluations.

5.2 Submission Preparation

Administratively, a procurement administrator should screen submissions prior to providing them to evaluators to vet those documents for the following information:

1

Pricing

Pricing information within the main submission documents should be redacted or removed.

2

Links

Links to external sources of information should be redacted or removed.

3

Contact Information

Contact information for members of the proposed team or references should be redacted or removed.

PARCS RFP Submissions Preparation

The Procurement Office team reviewed all proposals received at the two submission deadlines (the initial Submission Deadline and the BAFO Submission Deadline) prior to their release to evaluators. Each proposal document was reviewed and redacted for pricing information, links to external information sources, and any contact information in the main proposal documents. Redacted proposal documents were then uploaded by the Procurement Office team in place of the original proposals into the Procurement Office Bonfire portal for access and evaluation by the evaluators for scoring the non-price evaluation criteria.

5.3 Conflict of Interest

A public tendering process must be free from conflict of interest, unfair advantage, and bias.

To protect the integrity of the procurement process, no bidder should have an unfair advantage over its competitors. Furthermore, for the purchasing institution, the individuals involved in the decision-making process leading to a contract award must be free from conflict of interest or bias.

5.3.1 Conflict of Interest Management

While conflicts of interest can apply on an individual basis, they can also apply at the organizational level. It is vital that purchasing institutions identify any actual, potential, or apparent conflicts of interest that may undermine the integrity of the evaluation and award process or impair a contractor's ability to objectively perform new work due to prior or ongoing work under other contracts.

PARCS RFP Evaluator Conflict of Interest Management

The Procurement Office team used an Evaluator Participation Attestation Form based on the governing principles and protocols described in section 5.1.1 of this Probity Report to screen each proposed member of the RFP evaluation team for actual, potential, and apparent conflicts of interest. No actual, perceived, or apparent conflict of interests were reported by evaluation team members.



5.4 Mandatory Submission Requirements

The Mandatory Submission Requirements review should be performed by a member of the procurement support team to screen submissions for compliance with those requirements prior to releasing compliant proposals to the evaluation team for scoring.

To shield the evaluators from information contained in or arising out of the review of Mandatory Submission Requirements, or any related rectification procedures, the group conducting the Mandatory Submission Requirement check should be made up of separate individuals from the evaluation group members.

When pricing is included in the Mandatory Submission Requirements, the pricing review must:

1

Ensure the required pricing form has not been materially altered from the prescribed format.

2

Ensure the pricing form has been completed according to the instructions provided in the solicitation documents.

3

Consider whether the proposed pricing aligns with the Deliverables, as defined in the solicitation document.

4

Identify any abnormally high or low pricing submissions, as these may represent unbalanced bids.

5

Review for any ambiguity in the pricing, including, but not limited to, any calculation errors or missing information.

6

Review for any conditional offers.

PARCS RFP Mandatory Submission Requirements Management

As described below, the Procurement Office team evaluated the Mandatory Submission Requirements for the proposals after each submission deadline (the initial Submission Deadline, and the BAFO Submission Deadline).

5.5 Rectification and Clarification Protocols

Integrating rectification and clarification protocols into RFP processes enables cure periods, reduces compliance disputes, and maximizes competition.

Rectification Notices and Clarification Notices should be sent to proponents during business hours. A minimum of three business days should typically be provided for proponents to respond to the notice and provide the required or requested information. Reminders should also be sent 24 hours prior to the deadline to proponents who have not yet responded to the original Rectification Notice or Clarification Notice.

5.5.1 Rectification and Clarification Notices

Rectification Notices may only be used in processes that expressly allow for rectifications. Rectifications are a one-use instrument to correct any defects in a proponent's Mandatory Submission Requirements. Rectifications can be high risk, as proponents have only one opportunity to rectify their Mandatory Submission Requirements. Proponents that fail to rectify any noted defects or that submit a response with new defects should be disqualified from the procurement process for a non-compliant submission.

When possible, it is advised that project teams first consider the use of a clarification process to address ambiguities relating to submission compliance prior to relying on a rectification cure period protocol. Clarification Notices may be used only in processes that expressly grant verify, clarify, and supplement rights to the purchasing entity. Clarification Notices may be sent multiple times throughout the procurement process, not just during the Mandatory Submission Requirements and Mandatory Technical Requirements reviews.

PARCS RFP Rectification and Clarification Notices

No rectification or clarification notices were required during the initial stage of the evaluation process.

5.6 Rated Criteria

Project teams often find themselves under a spotlight of scrutiny over their evaluation and award decisions.

Given the inherent risks associated with the bid evaluation process, project teams should adopt clear standards and procedures for evaluators and should ensure that evaluators are properly briefed on their roles so that they understand the responsibilities of evaluators and how they should conduct their evaluations. Specifically, in addition to the standards set out in Section 5.1 above, the evaluator briefings provided to evaluation team members should cover the following items:

1. *No discussion with other people, within or outside the organization, regarding the submissions or the project.* Once an evaluation process begins, all evaluators enter into a confidentiality period whereby they are not allowed to discuss the project or the submissions with anyone else, including other evaluators (except during moderated session for the latter).
2. *Evaluators must review all procurement documentation, including all originally posted documentation and all addenda that were posted thereafter.* This ensures that all evaluators have a clear understanding of what the proponents were responding to when they prepared their submissions.
3. *Evaluators must follow the set scoring matrix for the criteria.* All evaluations must be conducted using the stated scoring matrix for each criterion. Generally, a zero to four scale is used for rated criteria. Evaluators must not improvise their own scoring matrices for their evaluations.
4. *Evaluators may evaluate only the information provided in the submission.* Evaluators may not follow hyperlinks or otherwise collect any external information not expressly included in the proponents' submissions. Evaluators may not consider past performance of proponents in their evaluation unless there is a formally documented record of the past performance for the proponent in question provided to the evaluators. Anecdotal information about past performance may not be considered in the evaluation of proponents.
5. *A comment must be included for every score assigned to every criterion.* Evaluation comments are key to ensure the defensibility of the evaluation process and, as such, comments must be clear, concise, and comprehensive. Comments should include specific reference to the related criterion, the corresponding requirement, the page number or section where the information was found in the submission, and a specific reason for the score provided. Comments should not include comparison information between submissions or proponents, and must not include offensive editorialization or information gathered by the evaluator beyond the information provided in the submission.

PARCS RFP Evaluations

Evaluator Preparation

The evaluator briefing was held by the Procurement Office for all evaluators of the rated criteria on October 10, 2024. All evaluators for the RFP received the evaluator briefing and were provided with the materials from the same. Attendance for the briefing session was recorded.

5.7 Enhanced Consensus Scoring

Enhanced Consensus Scoring allows for the better co-ordination of group evaluations and enables the creation of thorough evaluation records.

In recent years, group evaluations and consensus scoring have been the subject of numerous successful bid protests that have exposed serious flaws in the evaluation practices of many purchasing institutions. The Procurement Office has developed the following Enhanced Consensus Scoring (ECS) protocols, that have been adopted by public institutions across Canada in numerous procurements, which allow evaluation teams to operate efficiently, while staying within the bounds of their due diligence duties to better ensuring defensible evaluation and award decisions.

5.7.1 Enhanced Consensus Scoring Protocols

1. Scoping: Balancing Efficiency and Defensibility

ECS seeks to strike a balance between the mechanical averaging of individual evaluator scores, which forgoes the benefit of any peer review, and the collective group scoring of every evaluation score, which leads to unnecessarily lengthy evaluation sessions and well documented risks relating to undue influence over individual evaluator scores.

ECS sessions occur after each evaluator is provided enough time to conduct an individual evaluation and to record his or her initial evaluation results. To streamline and focus the group discussion, only those scores that fall outside the pre-set variation tolerance are addressed during the consensus scoring sessions. Scores that fall within the pre-established range of variation tolerance are not discussed during consensus scoring and are instead simply averaged through an administrative process conducted by the evaluation monitors.

One of the main advantages of ECS is that it focuses the team's efforts on the areas with the largest divergence in initial scoring, since those areas are most likely to contain errors that would affect the ultimate rankings and undermine the fairness of the process.

2: Setting the Variation Tolerance

The variation tolerance should be set before the ECS session. There is no single formula for variation tolerance since evaluation teams use different scoring ranges between, and even within, specific RFPs.

When using a four-point zero-to-four scale, the variation tolerance can be set at any scores that are more than two points apart.

3. Co Ordinating the ECS Sessions

The outlier scores (those falling outside of the variation tolerance) should be identified by the group evaluation moderators (typically procurement advisors who are not members of the evaluation team) prior to the ECS sessions.

While manual spreadsheets can be used for this exercise, for more complex procurements, automated bid evaluation tools can help streamline this process, particularly for identifying the largest outliers for the prioritization of group discussions.

Where possible, those items with the greatest range of divergence should be addressed first during the ECS sessions. This is particularly important in situations where the evaluation group has a finite amount of time allocated to group scoring as this will better ensure that the items of greatest potential impact on the ultimate rankings are addressed by the group within the allocated time.

This is less critical in situations where the project timeframes allow for additional sessions if all outliers are not addressed in the initial session. Either way, this issue should be addressed prior to the first group session to confirm whether the sessions will be conducted based on: (i) prioritization within a finite amount of time (where the remaining outliers would default to averaging); or (ii) non-prioritized discussion of outliers with the contingency of additional sessions if time runs out before all outliers are discussed.

4. Rules of Order for ECS

ECS sessions should be conducted in accordance with formal rules of order. They should be presided over by a moderator (not a member of the evaluation team and typically a procurement advisor) who chairs the meeting. The moderator should prepare the agenda ahead of time based on a pre identified summary of outliers.

The moderator should brief evaluators before initiating the group evaluation sessions to clarify the following ECS protocols:

1. Only outliers will be raised for discussion during the session. If those items raise issues in related areas, the group is free to discuss those other areas as well.
2. The evaluator with the lowest score for an item will be asked to speak first, followed by the evaluator with the highest score for that item.
3. The process will continue with the next lowest evaluator, then next highest, until each evaluator is given the opportunity to address the item.
4. While all evaluators will be given an opportunity to speak, evaluators will not be required to speak to the items under discussion.
5. After each evaluator is given the opportunity to speak, the moderator will open the floor for any additional evaluator comments.
6. Once there are no more speakers, the moderator will declare the item closed.
7. Evaluators will then be given the opportunity to revisit their individual scores and to make any adjustments that, based on the benefit of the group discussion, they determine to be appropriate. Individual evaluator re-scoring can be done either during the course of the meeting or after the meeting, as pre-established by the moderator. Evaluators will not be required to disclose whether they intend to change any of their scores to other members of the evaluation team.
8. Evaluators should be instructed to record the reasons for any changes to their initial scores.
9. Once the evaluators have been given the opportunity to record any adjustments to their scores resulting from consensus scoring, the final individual scores will be averaged to arrive at the final overall scores.

PARCS RFP Enhanced Consensus Scoring

The RFP project team adopted the ECS method recommended by the Procurement Office. In implementing that approach, the Procurement Office team analyzed the initial evaluator scoring and prepared scoring summary charts for the ECS sessions. Through that summary chart analysis, the variation tolerance was set ahead of the ECS session such that any score with a difference of three points or more would be identified for discussion, with scores falling within one point or less simply averaged in the final scoring. For further due diligence, any criterion that received a score of zero from any evaluator while receiving a score of one or more points from any other evaluator was also identified for discussion. In the initial scoring ECS sessions, 41 criteria between the four proposals were identified as requiring group discussion.

Evaluator Briefing

Prior to the start of the ECS session, all evaluators received a briefing on the protocols for the same.

Enhanced Consensus Scoring Session Moderation

One ECS session was held on November 5, 2024, to review identified outlier scores in the initial scoring. Members of the Procurement Office team attended and moderated by the ECS session. All RFP evaluators were in attendance. Evaluators followed the rules of order and participated in group discussion, and there was no indication of undue influence by any evaluator over any other evaluator, or any indication of bias for or against any of the proponents.

Evaluator Scoring Adjustments

After the ECS sessions, evaluators were given until the end of day on November 7, 2024, to complete any scoring adjustments. All evaluators completed their scoring adjustments prior to the deadline set by the Procurement Office.

Finalized Scoring Threshold Check

After the finalization of scores, the Procurement Office team conducted an analysis of the scoring to identify the proponents that passed the thresholds set in the RFP for the Initial Evaluation Criteria. Three out of four proponents scored above the required minimum scoring threshold for non-price rated criteria and proceeded to the next stage of the evaluation process. One proponent was disqualified for failing to pass the minimum scoring threshold and did not proceed further in the RFP process.

Pricing Evaluation

The Procurement Office team conducted the evaluation of pricing, as described in Section 3.4. This was an administrative task, whereby the pricing proposed by the proponents was scored according to the relative pricing formula described in the RFP.

5.8 Concurrent Negotiations and BAFO

Concurrent negotiations allow the purchasing institution to enter into parallel discussions with multiple proponents after a preliminary screening process identifies the short-listed finalists.

The dialogue stage of the negotiated RFP process allows for the refinement of potential solutions through direct discussions between the purchaser and each short-listed proponent. At the close of the dialogue phase, the public institution invites each short-listed finalist to submit its best and final offer ("BAFO"). The final ranking is based on the evaluation of those final offers.

Concurrent Negotiations Timetable

- **Notices of Short-Listing Sent to Short-Listed Proponents:** November 7 and 8, 2024
- **Demonstrations Evaluator Briefing:** November 22, 2024
- **Demonstrations:** November 25 and 26, 2024
- **Commercially Confidential Meetings Evaluator Briefing:** November 29, 2024
- **Commercially Confidential Meetings:** December 3 and 4, 2024
- **Supplementary Disclosures Sent to Short-Listed Proponents:** December 30 and 31, 2024, January 9 and 15, 2024
- **BAFO Instructions Sent to Short-Listed Proponents:** January 20 and 24, 2024
- **BAFO Submission Deadlines:** January 24 and January 30, 2024
- **BAFO Evaluation Period:** January 30 to February 19, 2024
- **BAFO Enhanced Consensus Scoring Session:** February 24, 2024
- **Deadline for BAFO Scoring Adjustments:** February 25, 2024

5.8.1. Short-Listing of Proponents

Short-listed proponents are established in accordance with the rules and criteria set out in the solicitation document. Those finalists are invited to engage in private and confidential concurrent dialogues with evaluation committee members before submitting a final offer, allowing both parties to establish a more thorough understanding of the contract requirements and to explore a range of alternative proposed methods of project performance.

PARCS RFP Short-Listing of Proponents

As described in Part 2 – Evaluation, Negotiation, and Award of the RFP, the RFP process allowed for the short-listing of all proponents scoring above the minimum scoring threshold. However, only three of the four proponents passed the minimum scoring threshold. As such, only three proponents were short-listed and invited to participate in the concurrent dialogue sessions.

3

Three short-listed proponents were invited to participate in the dialogue stage of the RFP process.

Notice of Short-Listing

Three short-listed proponents were invited to participate in the dialogue stage of the RFP process. The RFP Contact sent the Notices of Short-listing in a staggered fashion, based on the proposed demonstration and commercially confidential meeting (CCM) dates. The notices were staggered so that no one short-listed proponent had more advance notice of the demonstration or the CCM than any other short-listed proponent.

Pre-CCM Supplementary Disclosures

Detailed agendas for the demonstrations and CCMs were prepared and provided to the short-listed proponents. In order to allow proper preparation for the demonstrations and CCMs, the short-listed proponents were provided both detailed criteria for the demonstrations, as well as a list of areas of discussion and specific questions from TPA in advance of the CCMs.

5.8.2. Demonstrations

Demonstrations are typically used in complex IT procurements and are scheduled during the dialogue phase of a two-stage or multi-stage RFP process. The objective of the demonstrations is to allow evaluators to observe the proposed solution's functionality. Structured as an interactive evaluation stage, short-listed proponents are invited to demonstrate the capabilities of the proposed solution, giving evaluators the opportunity to verify the information provided in the written proposal submissions. After providing active demonstrations and receiving evaluator feedback, short-listed proponents are in a better position to refine their solutions before submitting their final proposals and evaluators are in a better position to make informed evaluation decisions before they award a contract, both of which help expedite final contract award negotiations and increases the chances of project success.

Public institutions should establish protocols, an agenda, and scripts that align with the related evaluated criteria in order to manage and mitigate the risks associated with bringing evaluators and short-listed proponents together in interactive sessions. These risks can include the uneven distribution of opportunities between the proponents to demonstrate various features of their proposed solutions, the uneven disclosure of information to proponents, and the potential disclosure of confidential information about a proponent's specific solution to competing proponents.

A record of the demonstrations process must be kept, specifically the preparation and adherence to the agenda for each demonstration, the preparation and adherence to the script for the demonstrations, and the evaluation of the functionality presented and information provided in the demonstrations.

PARCS RFP Demonstrations

The short-listed proponents were each invited to participate in a half-day demonstration. The three separate demonstrations were conducted over two business days. Each short-listed proponent was provided a list of demonstration requirements and criteria, which were to be actively demonstrated.

The agenda provided for the demonstrations was as follows, varying depending on whether it was a morning or afternoon session:

An agenda for the half-day has been set as follows:

Welcome, Introductions, and Protocol Review: 8:30am to 8:45am

Session 1: 8:45am to 10:15am

Break: 10:15am to 10:30am

Session 2: 10:30am to 12:00pm

The demonstrations were held on November 25 and 26, 2024.

The Procurement Office shared all information regarding the demonstrations with the short-listed proponents through the RFP Contact.

Protocols and Evaluator Briefing

Protocols were provided to each evaluator at the briefing on November 22, 2024, prior to the first demonstration session. All evaluators were present for the briefing and had the opportunity to ask questions.

A set of proponent-facing protocols were reviewed at the start of the session with the short-listed proponents.

Only evaluators, TPA administrative staff members (Niraj Thakkar and Gautham Hegde), and members of the Procurement Office team attended the demonstrations.

Demonstrations Evaluations

Evaluators were to attend and participate in each of the short-listed proponent demonstrations. After the demonstrations, evaluators were given until the end of day November 29, 2024, to complete any scoring adjustments. All evaluators completed their scoring adjustments prior to the deadline set by the Procurement Office.

5.8.3. Commercially Confidential Meetings

CCMs are typically held between individual short-listed proponents and evaluators during the dialogue phase of a two-stage or multi-stage RFP process. The objective of the CCMs is to engage in dialogue to allow proponents to prepare a responsive BAFO submission.

Public institutions should establish CCM protocols to properly manage and mitigate the risks associated with bringing evaluators and short-listed proponents together in live interactive sessions. These risks can include the uneven disclosure of information to proponents, and the potential inappropriate disclosure of one proponent's confidential information to competing proponents.

Project leads should ensure that evaluators identify and prepare areas of discussion, clarifications, and questions for the short-listed proponents. These questions and clarifications should be screened by the CCM moderators to ensure, in consultation with the evaluators prior to the CCMs, that they are rationally connected to the RFP evaluation criteria. CCMs typically require one non-evaluator to act as a moderator and another to capture contemporaneous notes.

An agenda should be prepared and followed for each CCM. The list of areas of discussion, clarifications, and questions for the short-listed proponents should be sent to proponents ahead of their sessions, giving proponents sufficient time to review and prepare for their CCMs. A CCM briefing should also be provided by the evaluation monitors to evaluators prior to the first CCM meeting to confirm the ground rules of the process.

It is critical that a record of the CCM process be kept. Specifically, a record of the following steps in the CCM process must be maintained:

1. The identification and preparation of areas of discussion, clarifications, and questions for the short-listed proponents by evaluators.
2. The screening of the areas of discussion, clarifications, and questions to ensure they are rationally connected to the RFP evaluation criteria.
3. The preparation and adherence to an agenda for each CCM.
4. The distribution of the areas of discussion, clarifications, and questions to short-listed proponents.
5. The CCM protocols evaluator briefing.
6. The CCM protocols short-listed proponent briefings.
7. The CCMs.
8. The preparation of the supplementary disclosures by compiling and reviewing the non-confidential responses to the questions raised by short-listed proponents during the CCMs.
9. The distribution of the supplementary disclosures to all short-listed proponents.

Further to the record-keeping above, evaluation team members must maintain records of any individual notes made during the process. In addition to contemporaneous notes, any notes from the review process used to generate the consolidated list of supplementary disclosures provided to short-listed proponents prior to the submission of their BAFOs must be maintained.

PARCS RFP Commercially Confidential Meetings

The short-listed proponents were each invited to participate in a half-day of CCMs. The three separate CCMs were conducted over two business days.

The CCM agenda was split into two segments, the first led by TPA, and the second led by the short-listed proponent. The agenda and list of topics for the CCM were as follows (varying times depending on whether it was a morning or afternoon session):

Welcome, Introductions, and Protocol Review (1:00pm to 1:15pm)

Session 1: TPA Areas of Discussion (1:15pm to 2:45pm)

Proponent to present responses to areas of discussion to TPA for consideration in the preparation of a Best and Final Offer (“BAFO”) submission.

Break: 2:45pm to 3:00pm

Session 2: TPA Areas of Discussion (3:00pm to 4:00pm)

Proponent to present responses to areas of discussion to TPA for consideration in the preparation of a Best and Final Offer (“BAFO”) submission.

Session 3: Proponent Question Period (4:00pm to 4:30pm)

Proponent opportunity to ask questions of TPA (maximum of 30 minutes).

The CCMs were held on December 3 and 4, 2024.

Each evaluation team member was asked to provide areas of discussion, along with specific questions that fell within the areas of discussion for each short-listed proponent. The Procurement Office team then reviewed and compiled spreadsheets that were organized according to the topics to be covered. These areas of discussion, along with the specific questions, were provided to the short-listed proponents prior to the CCM. The Procurement Office shared all information regarding the CCM with the short-listed proponents through the RFP Contact.

Protocols and Evaluator Briefing

Protocols were provided to each evaluator on November 29, 2024. All evaluators were present for the briefing and had the opportunity to ask questions.

A set of proponent-facing protocols were reviewed at the start of the session with the short-listed proponents.

Only evaluators, TPA administrative staff members, and members of the Procurement Office team attended the CCMs.

CCM Record-Keeping

A member of the Procurement Office team took contemporaneous notes during the CCMs. From these, supplementary disclosures were drafted and released to the short-listed proponents. These disclosures provided information that was discussed with any short-listed proponents during the CCM that was determined to be of general relevance to all short-listed proponents.

CCM Supplementary Disclosures

The Procurement Office team collected responses from TPA to the CCM questions and compiled them into supplementary disclosures. TPA reviewed and approved all supplementary disclosures before they were sent to the short-listed proponents. In addition to supplementary disclosures related to the CCM questions received and information shared, TPA provided an

initial scoring summary, containing the proponent's score by criteria from the initial round of evaluation. For greater clarity, proponents were only made privy to their own scores, not those of other proponents. Further, the scores disclosed only went to the non-price rated criteria. TPA did not provide feedback related to the scoring of pricing.

The RFP Contact sent the supplementary disclosures in a staggered fashion through multiple releases starting on December 30, 2024, and ending January 24, 2025. Supplementary disclosures were released as available, rather than being held for one consolidated release, in order to allow proponents the most time possible with information in order to prepare their BAFO. The Procurement Office team applied the same staggering method to maintain an equal playing field for the short-listed proponents, such that no one short-listed proponent had more notice than any other short-listed proponent.

5.8.4. Submission of Best and Final Offers

At the culmination of the Concurrent Negotiations and BAFO stage of the RFP, public institutions invite each short-listed finalist to submit its BAFO. The final evaluation and ranking are based on those final offers.

PARCS RFP BAFO Submissions

The BAFO Submission Deadlines were January 24 and January 30, 2025. The RFP Contact provided submission instructions by email to the short-listed proponents as part of the CCM supplementary disclosures noted above.

PARCS RFP BAFO Submission Preparation

The Procurement Office team conducted the same review and redaction process that was completed for the initial submissions (as described in Section 5.2). Links to external information, pricing information, and contact information were redacted from the main proposal documents. Redacted versions of the proposal documents were then uploaded into the Procurement Office's Bonfire portal for evaluation by the evaluators.

5.8.5. Evaluation of BAFO Submissions

PARCS RFP BAFO Submissions

Two of the three short-listed proponents submitted their BAFO proposals before their respective BAFO Submission Deadlines. A third short-listed proponent did not submit their BAFO proposal before their BAFO Submission Deadline. In accordance with the rules outlined in the BAFO Submission Instructions notice, TPA confirmed with the proponent that their initial proposal would be considered their BAFO proposal for the purpose of the final evaluation for this RFP.

PARCS RFP Mandatory Submission Requirements Management

Form 1 - Pricing was the only Mandatory Submission Requirement for the BAFO Submissions.

PARCS RFP BAFO Submission Rectification and Clarification Notices

Upon initial review of the Form 1 – Pricing BAFO submissions, no obvious errors were identified by a procurement review of the forms, and as such, no rectifications or clarifications were issued. Accordingly, the short-listed proponents proceeded to the next stage of the evaluation process.

PARCS RFP BAFO Evaluations

For the BAFO proposal evaluations, all evaluators were given from January 30 to February 19, 2025, to complete their evaluations of the non-price rated criteria.

BAFO Enhanced Consensus Scoring

As described above for prior rounds of ECS, the Procurement Office team reviewed the individual evaluator scoring in preparation for the BAFO submission ECS sessions. The analysis of those evaluator scores used the same variation tolerance as the prior ECS sessions. Specifically, any score with a difference of three points or more was identified for discussion, with scores falling within one point or less simply averaged in the final scoring. To ensure further due diligence, any criterion that received a zero from any evaluator and one or more points from any other evaluators was also flagged for discussion. After conducting this analysis, the Procurement Office team identified 4 criteria for discussion.

BAFO Enhanced Consensus Scoring Session Moderation

One ECS session was held on February 24, 2025, to review identified outlier scores in the initial scoring. Members of the Procurement Office team attended and moderated by the ECS session. All RFP evaluators were in attendance. Evaluators followed the rules of order and participated in group discussion, and there was no indication of undue influence by any evaluator over any other evaluator, or any indication of bias for or against any of the proponents.

BAFO Finalized Scoring Threshold Check

After the BAFO evaluation scores were finalized, the Procurement Office confirmed that all short-listed proponents passed the minimum scoring threshold for non-price rated criteria set out in the RFP for the Final Evaluation Criteria.

BAFO Pricing Evaluation and Pricing Verification Process

After the completion of the BAFO evaluation and BAFO ECS session, the Procurement Office released the BAFO Form 1 – Pricing submissions from the two proponents who submitted their BAFO proposals on time, as well as the initial pricing submission received from the third proponent who did not submit their BAFO proposal prior to the BAFO Submission Deadline, to the price evaluators. A pricing evaluation team consisting of three members (Christine Balde, Devika Rajan-Nair and Arjun Mandyam) was assembled to complete a detailed review of the pricing submissions. The pricing evaluation team members identified areas of the pricing submission where further clarification was needed. TPA issued two rounds of pricing clarifications on March 26 and April 9, 2025. Proponents were allowed three business days to respond to the clarification requests. Responses were received within the timeframes requested in the clarification notices from all three proponents.

In order to complete a comprehensive review of the pricing submissions, the full team of non-price rated evaluators was then included in the review of pricing. After this further review, TPA determined that for the purposes of greater clarity and transparency, currently anticipated volume requirements and spending parameters should be disclosed to the short-listed proponents to better ensure precision in price evaluations and cost certainty in any resulting contract. As such, a pricing verification notice was issued to all three proponents, along with revised Form 1 – Pricing, on May 20, 2025. TPA built in a question-and-answer period to allow proponents to ask questions and receive response to the new information being shared by the TPA. Proponents were given ten days to complete and return the revised Form 1 – Pricing via email to the RFP Contact. All three proponents provided a response prior to the requested deadline for submission of May 30, 2025.

The three pricing evaluators who were initially tasked with the review and evaluation of BAFO Form 1 – Pricing, were then tasked with reviewing the pricing submissions.

These pages of this report have been intentionally moved to Confidential Attachment #1 due to sensitive nature of the information contained herein.

About Us

Procurement Advisory Office

The Procurement Advisory Office specializes in public procurement, working with clients across all sectors of government and all regions of Canada. Our procurement advisors are uniquely positioned to understand and meet the needs of public purchasing clients. We provide advisory services throughout all stages of the procurement process.

Through our affiliate, the Procurement Training Office, we also provide comprehensive training for procurement professionals through our own programs and in association with leading industry associations.

We have a strong track record of success with prominent, high-stakes projects and have updated the procurement practices of major institutions across all sectors of government and industry. Our clients include municipalities and municipal entities, colleges and universities, school boards, health sector entities, shared services organizations, and federal and provincial departments, ministries, and agencies.

Probity Report Preparation

The Probity Report was prepared by:

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Paul Emanuelli is the General Counsel and Managing Director of the Procurement Office. He has been recognized by Who's Who Legal as one of the top ten public procurement lawyers in the world and by the courts as an expert in public procurement industry practices. His portfolio includes advising on strategic governance in public purchasing and administering major procurement projects.

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