

Evaluation Tool Kit

User Guide on Contracting HRDC Evaluation Studies

Evaluation and Data Development

Strategic Policy

Human Resources Development Canada



Human Resources
Development Canada

Développement des
ressources humaines Canada

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Acknowledgement

Contracting-out has always been an important part of Human Resources Development Canada's (HRDC's) approach to evaluation. It allows for an objective and independent third-party approach to measuring program effectiveness. Over the years, HRDC has benefited from the expertise of numerous firms and individuals who have contributed through contracts to deliver significant studies in the Canadian evaluation field.

We would like to thank Mr. Claude Létourneau of Consultants Vision Transition Inc. of Aylmer, Quebec for bringing together, in a summarized document adapted to the needs of evaluation officers, the numerous policies and guidelines related to contracting in the Canadian government.

Series

Human Resources Development Canada (HRDC) has a long tradition in program evaluation. Over the years, the Evaluation and Data Development Branch (EDD) of HRDC has conducted numerous evaluations on a wide range of departmental programs. The expertise and experience acquired have permitted EDD to hone its evaluation techniques and approaches.

More recently, however, changes in the delivery nature of some HRDC programs have affected the way evaluation is conducted. Now, HRDC regional offices are more directly and actively involved in program evaluation.

In response to these changes, EDD is proud to initiate a new series of publications entitled “Evaluation Tool Kit.” The objective of the series is to build evaluation capacity and knowledge throughout HRDC and its partner organisations by providing pertinent information about designing, planning and conducting an evaluation. Existing information about particular topics will be synthesised and made readily accessible in short, precise reports which are adapted to the evaluation of human resources development programs.

The evaluation field is one of growing interest and progress. We invite you to provide us with comments you may have on this series or on a specific study.

The first study of the new series focused on the quasi-experimental approach in evaluation.

The second study of the series focuses on the process of contracting-out evaluation studies.

Warning

This guide on contracting is a summary. Every possible effort has been made to reflect in a condensed version the precise meaning of the official legislative and administrative documents. The Treasury Board Secretariat contracting policy and assets management documents listed in the References section should be used as the reference documents in cases where there might be missing details or questions of interpretation with this user guide.

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1. Introduction

Contracting for evaluation projects is an integral part of the evaluation officer's responsibilities. It allows him or her to buy expertise in specific areas and offers additional temporary resources and flexibility in the execution of the mandate, while allowing a public perception of an objective and independent approach. To assist the evaluation officer assume contracting responsibilities, this document summarizes the provisions of the Treasury Board Secretariat (TBS) contracting policy as well as HRDC's contracting guidelines and administrative practices as they apply to evaluation related services. It serves as a user guide specifically designed for evaluation officers and project managers in their day-to-day activities and decisions involving the contracting process

This user guide presents an overall approach to contracting evaluation projects by informing the reader of the different types of contracts and the requirements that are associated with each type. It focuses particularly on the *Request for Proposal* and the *Statement of Work* which are core parts of the contracting process. Contracting steps are summarized under a check list format and a number of appendices. A list of references is attached to facilitate the work of the evaluation officer.

1.1 Objective of Contracting

The objective of the Canadian government contracting in the evaluation context is to acquire services in a manner that enhances access, competition and fairness resulting in best value for money to the Crown and the Canadian people.

1.2 Overall Contracting Requirements

As required by the Government Contracts Regulations, the contracting authority is to solicit bids before any contract is entered into. While the competitive approach in determining a contractor is the norm, TBS policy has identified some exceptions (see section 2, Contracting Options). Whenever possible, contracting evaluation services shall be conducted in a manner that stands the test of public scrutiny and ensures the pre-eminence of operational requirements, competition, fairness and accessibility.

To ensure that the best value for money is attained, contracts should be awarded using a competitive process. Equal opportunity is thereby provided to all firms and individuals capable of performing the services. Requirements must be defined and specifications and estimates established before bids are solicited so that all prospective contractors are treated equally. The selection method chosen must be indicated. Adequate specification details should be available to all interested or qualified firms.

1.3 Decision to Contract

Before a decision is made on contracting, there are a few questions that need to be answered such as: Is contracting the work the best way of proceeding? Are there resources within the organization that could do the work? Is there another group that may have

already undertaken similar work or that may have information that would be useful? Are contracting funds available? What is the estimated value of the contract?

In estimating the contract value, the evaluation officer must consider similar contracts completed successfully; the level of effort that was required; the per diem of contractors with respect to designing, data gathering, analysing and reporting; travel requirements; survey size; interview duration; sampling techniques; focus group logistics; translation; and overhead costs and GST as a separate expense. The level of effort can be estimated by assessing how many person-days it would take to complete the project with internal resources. The estimated level of effort can be explicitly mentioned in the RFP.

Normally, the use of the competitive process will result in the establishment of appropriate market rates under a contract. The per diem of contractors with respect to designing, data gathering, analysis, reporting and other activities are to be identified in the price proposal section.

1.4 Contracting Authority

HRDC is the contracting authority when the contract is negotiated directly with the contractor by an HRDC employee, in accordance with the department's financial authority which has been delegated by Treasury Board.

Public Works and Government Services Canada (PWGSC) is the contracting authority when they negotiate the contract with the contractor on behalf of HRDC. HRDC must forward a DSS 9200 requisition to PWGSC (see Appendix C) to initiate such a request. There may be a charge for using the services offered by a Common Service Organization (CSO), which will be borne by the Project Manager's budget.

While all contracting situations must adhere to internal departmental contracting process, the required documents (see section 2.5) for all situations in excess of \$5,000 must first be reviewed and approved by the financial/administrative services representative (Contracting and Procurement Group within Assets Management at NHQ) prior to any award.

2. Contracting Options

When contracting the work is considered the best way of proceeding, consideration is given to the best method to be used in the current situation. While the open bidding approach is the norm, it is not always possible, practical or cost effective to seek bids for every proposed contract.

The requirement to solicit bids for contracts is set aside for contracts of less than \$25,000 (including GST). Also, Treasury Board has delegated the authority to HRDC to award non-competitive services contracts to a maximum limit of \$100,000 when the nature of the work is such that it would not be in the public's interest to invite bids, for pressing emergency, and when only one person or firm is capable of performing the contract (sole source contract). Acceptable justification must be given for each situation. As well, other requirements such as those related to Public Opinion Research must be considered.

2.1 MERX

The approved national electronic bidding and information service is MERX system, provided by Cebra Inc. Most suppliers have access to MERX through the internet. As a buyer organization, HRDC has access to MERX through Assets and Management or PWGSC.

2.2 Advance Contract Award Notice (ACAN)

Even if a proposed non-competitive award for services qualifies as an exception, the contracting authority is encouraged to use the electronic bidding methodology to advertise the proposed award through an Advance Contract Award Notice (ACAN). Access to ACAN is available through Assets and Management NHQ and PWGSC.

ACAN may be used to inform the public that the contracting authority is proposing to award a non-competitive contract, especially in situations involving the services of former public servants. An ACAN defines the requirements or the expected results of the contract so that other potential suppliers can determine if they possess the capability to satisfy them. It usually provides an estimate of the cost of the proposed contract and the reason for the proposed non-competitive award.

If no other firm or person indicates a valid interest or challenges the proposed non-competitive award as announced in the ACAN within 15 calendar days, the contract is deemed to be competitive and may be awarded using the electronic bidding contracting authority.

2.3 Selective Tendering

The requirement for bids may be set aside when the total costs of the contract (including GST) does not exceed \$25,000. In such cases where a fully open competitive process would not really be cost effective, it is suggested to use a limited tendering approach by

inviting a minimum of three firms from a source list in order to get the best value for money and to provide a fair and competitive access to government procurement. The branch’s corporate memory and contractor inventory along with the contracting authority’s corporate memory, inventory and short lists obtained from other departments can be helpful. In this situation, a formal RFP is not required.

2.4 Sole Source

Cases where only one person or firm is capable of performing the job (sole source contract) should be invoked only where copyright requirements, or technical compatibility factors and technological expertise suggest that only one contractor exists. This exception should not be invoked simply because a proposed contractor is the only one known to the contracting authority.

2.5 Types of Contracts and Requirements – Summary

	MERX	Sel. Tend	Sole Source	ACAN	Formal RFP
To \$5 K		X	X		
To \$25 K		X	X		
To \$100 K	X		X	X	X
Over \$100K	X				X

2.6 Public Opinion Research

Public opinion research is defined by TBS as a planned gathering, by or for a government institution, of opinions, attitudes, perceptions, judgments, feelings, ideas, reactions or views that are intended to be used for any government purpose, whether that information is collected from persons (including employees of government institutions), businesses, institutions or other entities, through quantitative or qualitative methods, irrespective of size or cost.

It is important to know that federal departments and agencies must use the Advertising and Public Opinion Research Sector (APORS) at PWGSC to contract for all public opinion research and advertising. The Minister of Public Works and Government Services is the only contracting authority for these services, unless the Minister has delegated specific authority to another Minister for public opinion research and advertising.

APORS provides advisory services to departments and agencies in the areas of public opinion research, reviews proposed projects with the Privy Council Office and ensures consistency with overall government priorities. APORS must be notified at the beginning of a project planning process if this could result in the award of a contract related to public opinion research. Departments and agencies require the approval of APORS before they may proceed with these activities. APORS will assign a registration number to each project. Departments and agencies must obtain this number before the field work begins.

How does one distinguish between public opinion research and something that is not? There are many kinds of research in which the department may be eliciting public opinion. These include — but are not restricted to — policy research, market research, communications research, program evaluation, quality of service/customer satisfaction studies, omnibus surveys and syndicated studies. The research is not considered to be public opinion research, however, when it seeks information of a factual nature and the analysis is linked to financial expenditures and/or cost/benefit analysis. Questions such as “How long did you wait in line?” “Did you complete your training course?” “Did you find a job?” “How long did you keep your job?” are questions of a factual nature. “Were you satisfied with your training program?” asks for an unsubstantiated opinion: this is a public opinion question. But a few questions such as this among a long list of factual questions does not make the research public opinion research. When a substantial majority of questions asked are of a factual nature, then the research is normally considered not to be public opinion research.

It is good practice for evaluation officers to ensure that their work is not public opinion research. Officers must be sensitive to the purposes of public opinion research and should be aware of research that may be related to the work that they are about to undertake. Keep in mind that public opinion research, like evaluation research, is used for very specific purposes and slight differences in questions can elicit dramatically different responses. The reporting of contrary findings without an explanation about the differences in the questions themselves, or of the different ordering of questions, is misleading.

Consequently, it is recommended that evaluation frameworks and research instruments be reviewed by HRDC’s Communications Branch (Research and Analysis), particularly when that research could be of national relevance. The Branch can assist in determining whether or not the work is public opinion research. They will also seek the advice of the Advertising and Public Opinion Research Group of PWGSC if necessary. In addition, they will make the necessary connection with Privacy and Security to ensure that the requirements of the *Privacy Act* and the *Access to Information Act* are met. This validation would normally take three to eight working days.

As a matter of practice, HRDC regional evaluation officers should avail themselves of the validation services offered by HRDC’s Communications Branch. Evaluation and Data Development could facilitate the process through its regional desks.

2.7 Standing Offer

Standing offer agreements are arranged by PWGSC to cover the purchase of goods and services in high demand. These agreements provide HRDC with direct access to sources of services at prearranged prices and under conditions of time and expenditure limitations. A contract is entered into each time a call-up is made against the standing offer.

The standing offer method can be used for services of repetitive nature. It may be the best approach when there are many users ordering the same definable service. The speedier procurement and the price advantages may be further enhanced by reduced administrative

paper work. A standing offer could be used for standardized research activities such as pool opinion surveys or focus groups. The Communications Group has Departmental Standing Offers for conducting quantitative and qualitative public opinion research. These standing offers may be used by local/regional managers if the research is of national relevance.

2.8 Phased Contracting

In order to take full advantage of the contracting process, requirements may be divided into specific phases. Single contracts with multiple phases and established costs for each phase are preferable to separate consecutive contracts that give the previous contractor a competitive advantage. In this option, contract originators must provide global requirements and total cost estimates. This is essential to ensure that the contracts are approved for their full value. Phased contracting is not to be confused with contract splitting (see Contract Splitting under 3.2).

2.9 Universities, Public and Non-profit Organizations

Public organizations, universities, and non-profit organizations which are subsidized by any level of government or enjoy any type of tax exempt status should not compete with the private sector. Occasionally, their services are obtained by a sole source contract.

2.10 Consulting and Audit Services Canada

Consulting and Audit Services Canada are available through an interdepartmental letter of agreement. No financial limits apply as these are not contracts. As these agreements are paid out of the O&M funds, the financial/administrative services representative for contracting must be involved.

3. Related Issues

3.1 Retroactive Contracting

Retroactive or after-the-fact contracting involves the issuing of a contract to make an unauthorized contractual agreement or understanding seem legitimate. This is an unacceptable practice. Commitments to contractors, either verbally or in writing, cannot be made until contracting arrangements have been completed as per HRDC's established contracting practice.

3.2 Contract Splitting

The contracting authority should not split contracts or contract amendments for the same requirement thereby avoiding controls by approval authorities. Contract splitting used to avoid the threshold limit of \$25,000 is not permitted under any circumstances.

3.3 Conflict of Interest

The contracting authority should ensure that contracts for the services of former public servants reflect sound contracting practices, including fairness in selection and compensation. All contracts must contain appropriate clauses to reflect the requirements of the government's Policy on Conflict of Interest and Post-Employment.

3.4 Former Public Servants in Receipt of a Pension

Non-competitive contracting with a former public servant in receipt of a pension is submitted to special regulations during the window-period and the year that follows this period. The project manager must first contact Assets and Management prior to negotiating costs in order to determine the impact of TB Former Public Servants' policy, i.e., abatement policy and window period. The project manager may negotiate and award any contract where the total cost (including GST) does not exceed \$25,000. A non-competitive contract in excess of \$25,000 is to be formally submitted to TB and coordinated by the financial/administrative services representative.

3.5 Trade Agreements

A number of trade agreements can impact on the procurement process. Financial/administrative services will determine if and when they are applicable. GST is included in the thresholds that are given below.

The *Agreement on Internal Trade* (AIT) aims to reduce barriers within Canada by creating a system that allows fairness and equal access to government procurement for all Canadian suppliers. The applicable threshold for AIT in the procurement of services is \$100,000.

Canada has agreed to apply the provisions of the *North American Free Trade Agreement* (NAFTA). The applicable threshold for NAFTA in the procurement of services is \$70,700. This threshold is subject to revision every two years.

The World Trade Organization — *Agreement on Government Procurement* (WTO–AGP), of which Canada is a signing member, has a threshold of \$259,500. This agreement has been designed to increase international competition and replaces the *General Agreement on Tariffs and Trade* (GATT) Government Procurement Code. The national treatment and non-discrimination provisions and procurement procedures of the WTO–AGP are similar to those of NAFTA.

Under these three agreements, contracting authorities must unconditionally provide the services of the other countries, provinces and territories, which are parties of the agreements, the same treatment that is given to domestic or local services and suppliers. For open tendering procedures under NAFTA and WTO–AGP, the period for the receipt of bids shall not be less than 40 calendar days from the date the Notice of Proposed Procurement is first published in the Government Business Opportunity System.

Comprehensive Land Claims Agreements (CLCAs) contain specific government contracting obligations which federal departments are obligated to comply with. These obligations take precedence over NAFTA, WTO–AGP and AIT.

In accordance with the Procurement Strategy for Aboriginal Business (PSAB) and the Set-Aside Program for Aboriginal Business, requirements designated by clients departments as set-aside will be restricted to qualified Aboriginal businesses. Where applicable, the project manager is to observe the requirements of this strategy.

4. The Open Bidding Contracting Process

The open bidding contracting process offers an equal opportunity to all firms and individuals to compete provided that they have, in the judgement of the project manager, the technical, financial and managerial competence to discharge the contract. According to Assets and Management, the lead time for the open bidding contracting process are as follows:

- In-house RFP via Assets and Management not subject to trade agreements: six to eight weeks;
- RFP via MERX via Assets and Management : 3.5 to 4 months; and,
- RFP via MERX via PWGSC: four months and more depending on nature/cost.

In all cases the project manager should contact the financial/administrative services representative (Assets and Management) to determine the lead time for their project.

4.1 The Request for Proposal (RFP)

The main document of the open bidding contracting process is the Request for Proposal. Issued under the responsibility of the contracting authority It includes the following information:

- Bidder instructions and information
- Proposal preparation instructions, evaluation criteria and contractor selection method
- Resulting Contract Clauses

4.1.1 Bidder Instructions and Information

The first part of this section includes specific references to the project such as the title of the project and the statement of work, which simply refers to the Terms of Reference (prepared by the project manager and discussed in detail in section 5) attached as an appendix. The maximum funding for the project may also be provided.

The second part deals with general information such as the TB contracting-out policy in reference to Canadian content, standard acquisition clauses, and standard instructions and conditions. General terms and conditions, including intellectual property, are mentioned by references to manuals.

The last part outlines specific instructions such as contracting authority, enquiries/time extension to the RFP closing date, submission of proposal, validity of the proposal, and more generic information such as rights of Canada and incurring of cost.

4.1.2 Proposal Preparation Instructions, Evaluation Criteria and Contractor Selection Method

This second section deals with the proposal preparation instructions: technical and management proposal; price proposal; price components; certification (related to corporation and ownership, education, Canadian content, work force reduction programs and price) and method of payment proposal.

The evaluation criteria and contractor selection method are referred to as an appendix document under “Evaluation Criteria.” This document is written by the project manager as part of the Terms of Reference.

4.1.3 Resulting Contract Clauses

Additional terms and conditions applicable to any resulting contract are included in the third section. It includes international sanctions, Canadian content and the federal government work force reduction programs.

4.2 Request for Proposal Documents

The material included in the RFP is packaged by the contracting authority (either Assets and Management or PWGSC).

PWGSC will need a DSS 9200 form, a Contract Request Summary (CRS), a Security Requirement Check List (SRCL), detailed specifications and the evaluation criteria. The forms are to be signed by an authority of appropriate level.

The documents for Assets and Management include a CRS signed by an authority of appropriate level, detailed specifications and evaluation criteria.

- The CRS is a departmental document used by finance and administration for expenses authorization and justification. It is the departmental policy to provide this document for all professional services contracts in excess of \$5,000. Samples are available with Assets and Management.
- The government security policy applies to contracts if contractors are given access to classified or designated information. The SRCL identifies security clearances or protection devices and processes for the bidders that may apply.
- The DSS 9200 form is a requisition for contracting services with PWGSC. This form is used when HRDC does not have the delegated contracting authority to deal directly with a contractor, as is the case with all public opinion research contracts.

The SRCL and the DSS 9200 forms are similar for all departments. These three documents are illustrated in appendices A, B, and C.

5. Terms of Reference

The statement of work written by the project manager clearly describes the work to be carried out and the objectives to be attained. Samples or other guidelines are available through Assets and Management. Major sections of an evaluation framework can be used as Terms of Reference. They are to be defined in terms that accommodate the use of the competitive process. It results in best value in meeting the needs of and establishes what is required of the supplier to perform the contract. They include clear, precise and factual information on the following elements:

5.1 Program Background

This is a summary of the information needed by the supplier to clearly understand the context and the objective of the statement of work.

5.2 Evaluation Approach

This details major issues that will be examined and the overall evaluation approach that will be used, such as experimental design, comparison groups, multiple lines of evidence, etc.

5.3 Methodological Approach

This provides examination of the issues by different methodologies such as administrative data review, data analysis, case studies, surveys, focus groups, in-depth interviews, etc. In the evaluation framework, the project manager must develop the methodological approach in very specific terms in order to achieve the expected results and to be able to compare different proposals. However, in some cases the project manager might choose to ask the bidders for an optional approach, particularly in areas where a firm might have a particular expertise.

For each method identified in the Statement of Work, specific details must be given. For example, if a focus group design is part of the approach, the consultants must be told who is responsible to set up the focus groups; how the participants are to be reached; if there is an attendance fee paid to participants and how much; in what city will the groups meet (in daytime or evenings), etc. In the absence of specific information, either party may make assumptions that could result in additional costs for one of the parties and could possibly lead to disputes that might have been avoided.

5.4 Work Plan Proposed

The proposal should reflect how the bidder will approach the task and identify the different phases, deliverables and follow-up reports. The work plan must allow for a complete understanding of how the work is to be carried out.

5.5 Collection and Use of Information and Security

Identify for the bidders security clearances and protection devices and processes (i.e., approved storage, information handling) that may apply by using the SRCL. The government security policy applies to contracts and the tendering process if contractors are given access to classified or designated information and such information is in the custody of a contractor. The use of the SRCL is not required for contracts that do not have security considerations.

5.6 Management Team and Team Participant's Experience

The proposal should identify each technical and professional participant with their relevant experience and their responsibility in the current study. A résumé of key personnel to be assigned to the project should be included. In cases where both official languages are needed to comply with the requirements, the bilingual capacity of the bidding firm must be demonstrated.

Information on the management responsibilities of each project member are also required. Additionally, the firm should indicate the proposed level of effort and details on the person-day allocation of each project member for every component of the study.

5.7 Format of the Proposal and Assessment Criteria

The proposal should be as concise as possible. The use of filler pages and unnecessary attachments should not be encouraged. Unnecessary elaborate brochures and other presentations beyond that sufficient to present a complete and effective proposal are not desired.

Competing firms should be told the measurement criteria and the weighting assigned to them. These factors must be established beforehand and strictly adhered to. They are to be recorded along with the requirements of the contract and included in the bid solicitation. This section of the Terms of Reference should be self-contained in order to be referred to as an appendix in the RFP.

5.8 Protection of Personal Information

In collecting and keeping personal information, the contractor must adhere to the *Privacy Act* and Privacy Regulations. Some of the personal information defined in the Act include race, ethnic origin, colour, religion, age, marital status, education record, medical history, employment record and address.

When personal information is being collected, the person shall be informed of the purpose of, and authority for the collection; that refusal to respond will not result in an adverse decision; the rights of access to, and protection of personal information under the *Privacy Act*; and, the registration number of the Personal Information Bank in which the information will be contained, as well as a registration number issued by Information Access and Human Rights.

5.9 Deliverables

Deliverables with respect to data bases, reports, video, etc. including format, quantity and language are identified with their delivery date. Milestones identify the deliverables and the progress payment schedule. The time frame and the late delivery consideration clause, if needed, are also discussed in this section.

5.10 Final Report Submission Standards

The standards used by the HRDC group for reporting are provided when appropriate.

6. Proposal Assessment

An evaluation committee set up by the contracting officer evaluates the proposals in accordance with the rated criteria set out in the Assessment of Rated Criteria section. A typical committee includes the contracting officer, the project manager and a technical expert. The merits of each proposal are compared using a list of rated criteria to be met. These criteria should identify accurately all the performance elements significant to the success of the project and should measure both the competence of the firm and the worth of its particular technical approach.

To be considered, a proposal must meet all mandatory requirements specified herein and achieve a minimum level for the point-rated requirements. An example of rated criteria is found in Appendix D.

For most projects, these rated criteria will be unique, based on the nature of the work. When rating the criteria, decisions are made on what are the most important factors which will affect the quality of the work to be done. Is the lowest cost the most important factor? Is an innovative methodology more important? How important is an experienced team?

These criteria must be included in the RFP package which is distributed to the bidders. The criteria will play an important role in how a firm prepares its bid. The rate assigned to each criteria reflects the choice of the most important factors which will affect the quality of the work to be done.

6.1 Methods of Selection

The following methods are the most commonly used to select the winning proposal (the bidders must be made aware of this choice):

- The lowest price proposal method is used when price is the predominant factor. This method can be used when mandatory requirements are the main tool for evaluating the proposals and suppliers offer uniform services.
- The best “technical proposal method” will select the proposal which received the highest score within budget. This method is used when the technical merit is the predominant factor to ensure a successful project. In this case the maximum budget is identified in the RFP and the point-rated requirements is the main tool for evaluating the proposal.
- The best “overall value for money method” will select the proposal which has the best ratio score/price, equivalent to quality/price ratio. It is used when the technical merit and the price are both important factors. An illustration of this “cost-per-point method” is presented in Appendix E.

When the last two methods are used, the bidder must structure the proposal in two parts to be bound separately: a Technical and Management Proposal and a Price and Method of Payment Proposal.

6.2 Evaluation Summary

An assessment document is prepared by the project manager confirming the choice of the evaluation committee based on the Technical and Management Proposal when the best overall value or highest technical merit approach is used. This document is submitted to the contracting authority. It must show clearly, for each proposal, the detailed rating for various criteria and sub-criteria. Detailed information on a proposal's weaknesses, which results in its non-validity must be also be provided.

6.3 Selecting the Winning Bid

The contracting authority will then meet the evaluation committee with the Price and Method of Payment Proposals from the different bidders and a decision is made on the winning bid. If there is a need for discussions or negotiations, a meeting is set up with the winning firm before signature of the contract.

7. Managing the Contract

The project manager provides the contracting firm with all relevant information needed for the contract, such as general departmental information, program and project information, previous departmental studies on the subject area, and contact names.

All efforts should be made to assist the firm with access to the databases. Authorization to contact individuals and organizations as needed should be given.

The contracting firm's responsibility is to maintain regular communication and supply progress reports and deliverables as requested by contract.

8. Contracting Steps (Check List) for the Project Manager

EO = Evaluation Officer
 CO = Contractor Officer
 r = Primary responsibility
 a = Advice

TASKS	Ev. Off.	Contr. Off.
Deciding to Contract	r	a
Estimating the Contract Value	r	a
Contacting the Contracting Officer	r	
Selecting the Method of Contracting	a	r

Less than \$25,000 Contract with Limited Tendering

TASKS	Ev. Off.	Contr. Off.
Determining the method of contractor selection (price, technical merit, technical merit and price)	a	r
Deciding on the basis and method of payment (ceiling or fixed price)	a	r
Preparing: <ul style="list-style-type: none"> • Terms of Reference • Contract Request Summary • Security Requirement Check List where applicable 	r	a
Processing with Public Opinion Research where applicable	r	a
Determining who will be invited to bid	a	r
Packaging RFP if needed	a	r
Conducting an administrative review of the proposals		r
Setting up and coordinating an evaluation committee	a	r
Assessing technical merit of proposals		r
Determining the ranking of the bids		r
Notifying bidders of result		r
Debriefing unsuccessful proposers	a	r
Determining approvals required to proceed with contracting		r
Signing contract		r
Monitoring contract	r	a

TASKS	Ev. Off.	Contr. Off.
Deciding on the basis and method of payment (ceiling or fixed price)	a	r
Preparing: <ul style="list-style-type: none"> • Terms of Reference • Contract Request Summary • Security Requirement Check List where applicable 	r	a
Processing with Public Opinion Research where applicable	r	a
Packaging RFP if needed	a	r
Conducting an administrative review of the proposal		r
Setting up and coordinating an evaluation committee	a	r
Assessing technical merit of proposals	r	
Determining approvals required to proceed with contracting		r
Signing contract		r
Monitoring contract	r	a

TASKS	Ev. Off.	Contr. Off.
Deciding on the basis and method of payment (ceiling or fixed price)	a	r
Preparing: <ul style="list-style-type: none"> • Terms of Reference • Contract Request Summary • Security Requirement Check List where applicable • DSS 9200 to PWGSC where applicable 	r	a
Decide if contract will be Assets and Management or PWGSC/AMCPG	a	r
Advertise on ACAN		r
Processing with Public Opinion Research where applicable	r	a
Packaging RFP	a	r
Conducting an administrative review of the proposals		r
Setting up and coordinating an evaluation committee	a	r
Assessing technical merit of proposals	r	
Determining approvals required to proceed with contracting		r
Signing contract		r
Monitoring contract	r	a

Sole Source Contract for Less Than \$25,000

TASKS	Ev. Off.	Contr. Off.
Determining the method of contractor selection (price, technical merit, technical merit and price)	a	r
Deciding on the basis and method of payment (ceiling or fixed price)	a	r
Preparing: <ul style="list-style-type: none"> • Terms of Reference • Contract Request Summary • Security Requirement Check List where applicable • DSS 9200 to PWGSC where applicable 	r	a
Decide if contract will be Assets and Management or PWGSC/AMCPG	r	a
Processing with Public Opinion Research where applicable	r	a
Determining who will be invited to bid	a	r
Packaging RFP	a	r
Notifying on MERX		r
Conducting an administrative review of the proposals		r
Setting up and coordinating an evaluation committee	a	r
Assessing technical merit of proposals		r
Determining the ranking of the bids		r
Notifying bidders of result		r
Debriefing unsuccessful proposers	a	r
Determining approvals required to proceed with contracting		r
Signing contract		r
Monitoring contract	r	a

Sole Source Contract from \$25,000 to \$100,000

Open Bidding Contract

Appendix A: Contract Request Summary

CONTRACT REQUEST SUMMARY

1. PROJECT TITLE

2. PROJECT AUTHORITY AND TELEPHONE NUMBER

3. BACKGROUND INFORMATION

4. STATEMENT OF WORK

5. OPTIONS AVAILABLE TO MEET THE REQUIREMENT

6. EFFECTS OF DELAY OR REFUSAL ON PROJECT FOR OPERATIONS

7. PERIOD OF CONTRACT

8. STATUS

PLEASE INDICATE:

— NEW _____

— AMENDED _____ NO. _____

— RENEWAL _____ PREVIOUS CONTRACT NO. _____

9. PROCUREMENT PLAN

10. CONTRACTOR NAME AND ADDRESS

WILL HRDC ENTER INTO A CONTRACT WITH AN INDIVIDUAL (SOLE PROPRIETOR) OR A COMPANY WHOSE PROPRIETOR(S), OR PARTNER(S), OR MAJOR SHAREHOLDER(S) IS/ARE:

A) A FORMER PUBLIC SERVANT? YES ____ NO (If no, go to Item 11)

B) IN RECEIPT OF A PENSION? YES ____ NO ____

C) DATE OF DEPARTURE/RETIREMENT? _____

D) FROM WHICH DEPARTMENT? _____

E) HAS THE CONTRACTOR RECEIVED BENEFITS FROM ANY TERMINATION PACKAGE?

YES ____ NO ____ (If no, go to Item 11)

F) IF YES, INDICATE WHICH ONE:

i) WORKFORCE ADJUSTMENT DIRECTIVE _____

ii) EARLY RETIREMENT INCENTIVE (ERI) _____

iii) EARLY DEPARTURE INCENTIVE (EDI) _____

iv) OTHER _____

G) PERIOD COVERED: _____

H) FROM WHICH DEPARTMENT? _____

I) DID THE CONTRACTOR HAVE PREVIOUS CONTRACTS WITH THE FEDERAL GOVERNMENT DURING THE PERIOD AT LINE "G" ABOVE?
NO ____ YES ____ IF YES, PLEASE LIST AS FOLLOWS:

DEPARTMENT	CONTRACT #	VALUE	DATE COVERED
------------	------------	-------	--------------

11. PREVIOUS CONTRACT(S) AWARDED TO THIS SUPPLIER

12. PREVIOUS CONTRACT TIE IN WITH THE PRESENT REQUIREMENT

13. LONG-TERM IMPLICATIONS

14. CONSULTATIONS WITH GROUPS OR SERVICES OF SECONDARY INTEREST

15. JUSTIFICATION FOR SOLE SOURCE SUPPLIER

16. SECURITY CLASSIFICATION

The Contractor will have access to classified or designated information and/or assets.
NO YES If yes, please specify type of information/assets contractor will have access to and required security classification (i.e Secret)

The Contractor will be working on site.
NO YES If yes, an Enhanced Reliability Check is required.

17. DISCLOSURE OR COLLECTION OF PERSONAL INFORMATION

This contract will involve the disclosure of information to third parties and/or the collection of personal information by third parties.
NO YES If yes, please identify the section or subsection of the legislative authority which permits such disclosure (generally the Privacy Act or the Unemployment Insurance Act) and the source of information.

18. CONFLICT OF INTEREST

19. TOTAL COST BY FISCAL YEAR AND/OR PHASES

20. RECOMMENDED BY

DATE

21. APPROVED BY

DATE

Appendix B: Security Requirement Check List



Government of Canada

Gouvernement du Canada

Designation - Classification

SECURITY REQUIREMENTS CHECK LIST (SRCL)
LISTE DE VÉRIFICATION DES EXIGENCES RELATIVES À LA SÉCURITÉ (LVERS)

NOTE: Type or print clearly (in black ink) NOTA: Taper ou écrire lisiblement (en noir)

CONTRACT INFORMATION INFORMATION CONTRACTUELLE

1. Originating department - Ministère expéditeur
2. Branch / Directorate - Direction / Direction générale
3. Contract number - N° du contrat
4. Description of contract - Description du contrat
5. Does the contract include NATO or foreign government information?
6. In addition to Canada, and Canadian citizens, indicate the countries or foreign nationals to which the sensitive information may be released.
7. Does the contract require access to COMSEC material / data?
8. Is FOCl evaluation required?
9. Does the contract, including any related Requests for Proposal (RFP) or Requests for Quotation (RFQ), involve unclassified military data subject to the provisions of the Technical Data Control Regulations?

PERSONNEL (CONTRACTOR) PERSONNEL (ENTREPRENEUR)

10. May unscreened personnel be used for portions of this requirement?
11. Indicate level of safeguards or information / assets to be accessed at customer site(s)
12. Screening level required - Niveau de classification de sécurité exigé

Designation - Classification

TBS/SCT 350-103 (1992/06) 7540-21-909-5042

Designation - Classification	3. Contract number - N° du contrat
------------------------------	------------------------------------

SAFEGUARDS (CONTRACTOR) MESURES DE PROTECTION (ENTREPRENEUR)

13. Will the contractor be required to safeguard sensitive (designated / classified) information/assets at its facilities?
L'entrepreneur devra-t-il protéger de l'information / des biens de nature délicate (désignés ou classifiés) dans ses installations?

No / Non Yes / Oui

Category Catégorie	Designated - Désigné			Classified - Classifié					
	PROTECTED PROTÉGÉ			CONFIDENTIAL CONFIDENTIEL	SECRET SECRET	TOP SECRET TRÈS SECRET	NATO		
	A	B	C				CONFIDENTIAL CONFIDENTIEL	SECRET SECRET	COSMIC COSMIC
Documents Documents									
Equipment Équipement									
EDP Media Supports de TED									

Nature of material to be stored Nature du matériel à entreposer

14. Will the contractor be required to safeguard COMSEC data / material? (COMSEC account is required)
L'entrepreneur devra-t-il protéger des données / du matériel COMSEC? (compte COMSEC requis)

No / Non Yes, specify / Oui, préciser _____

PRODUCTION PRODUCTION

15. Will production of sensitive (designated / classified) material occur at the contractor's facilities?
Les installations de l'entrepreneur serviront-elles à la fabrication de matériel de nature délicate (désigné ou classifié)?

No / Non Yes, indicate level / Oui, indiquer le niveau _____

16. Will repair or modification of sensitive (designated / classified) material occur at the contractor's facilities?
Les installations de l'entrepreneur serviront-elles à la réparation ou à la modification de matériel de nature délicate (désigné ou classifié)?

No / Non Yes, indicate level / Oui, indiquer le niveau _____

If yes, specify / Dans l'affirmative, préciser _____

EDP DOCUMENT AND DATA PRODUCTION - PRODUCTION DE DOCUMENTS ET DE DONNÉES DE TED

17. Will the contractor be required to electronically process / produce sensitive (designated / classified) data / information at its own site(s)?
L'entrepreneur sera-t-il tenu de traiter ou de produire par des moyens électroniques des données ou des renseignements de nature délicate (désignés ou classifiés) dans ses propres installations?

No / Non Yes, indicate level / Oui, indiquer le niveau _____

The client department / agency may be required to specify the EDP security requirements for this procurement on an attached page or as a Security Guide (see instruction sheet).
Le ministère ou l'organisme client peut être tenu de préciser les exigences en matière de sécurité de TED pour la présente acquisition sur une feuille jointe ou dans un Guide de sécurité (voir la feuille de directives).

SECURITY / CLASSIFICATION BLOCKS - CASES DE CLASSIFICATION DE SÉCURITÉ

18. Is the information within this checklist or documents attached to it, sensitive (designated or classified)?
L'information fournie dans la présente liste de vérification ou jointe à celle-ci est-elle de nature délicate (désignée ou classifiée)?

No / Non Yes, indicate level / Oui, indiquer le niveau **If yes, complete the security blocks at the top and bottom of this form.**
Dans l'affirmative, remplir les cases de sécurité qui se trouvent au haut et au bas de cette formule.

NOTE NOTA

19. Is a Security Guide attached? - Le Guide de sécurité est-il annexé?

N/A / S/O Yes / Oui

Designation - Classification

Designation - Classification	3. Contract number - N° du contrat
------------------------------	------------------------------------

AUTHORIZATION AUTORISATION

20. Departmental / Agency Project Authority - Responsable du projet du ministère ou de l'organisme			
Name (print) - Nom (en lettres moulées)		Title - Titre	
Signature	Telephone no. - N° de téléphone	Facsimile - Télécopieur	Date
21. Departmental / Agency Security Authority (Customer) Agent de sécurité du ministère ou de l'organisme (Client)			
Name (print) - Nom (en lettres moulées)		Title - Titre	
Signature	Telephone no. - N° de téléphone	Facsimile - Télécopieur	Date
22. Contracting Security Authority Responsable contractuel de la sécurité			
Name (print) - Nom (en lettres moulées)		Title - Titre	
Signature	Telephone no. - N° de téléphone	Facsimile - Télécopieur	Date

TBS/SCT 350-103 (1992/06) 7540-21-909-5042

Designation - Classification

Designation - Classification

Instructions for completing Security Requirements Check List (SRCL)

The instruction sheet should remain attached until Block #21 has been completed

A. GENERAL

Processing of this form

- The Project Authority shall arrange to complete the form.
- The Departmental or Agency Security Officer shall review and approve the security requirements identified in the form, in liaison with the Project Authority.
- The Contracting Security Authority is the department/agency responsible for ensuring that the contractors are compliant with the security requirements identified in the SRCL.

Upon completion, the SRCL shall form part of the tender/contract documentation. All requisitions and subsequent contractual documents including subcontracts that contain sensitive (DESIGNATED or CLASSIFIED) requirements and that are directed to SSC for processing shall be accompanied by a completed SRCL. For all non SSC contract documentation, the use of the SRCL is strongly recommended.

No information pertaining to a sensitive government contract may be released by contractors without prior written approval of the individual identified in Block 22 of this form.

The designation/classification assigned to a particular stage in the contractual process does not mean that everything applicable to that stage is to be given the same designation/classification. Every item shall be designated/classified according to its own content. If a contractor is in doubt as to the actual level to be assigned, they may refer it to the individual identified in Block 22 of this form.

B. GUIDE TO SRCL COMPLETION

(Numbers refer to corresponding boxes on form)

CONTRACT (3, 4, 9)

The term contract includes any stage in the contractual process (i.e., Request for Proposal, Requisition for Call-up against a Standing Offer, a portion of a major Contract, Subcontracts, etc.).

COMSEC - Communications - Electronic Security (7, 14, 21)

The departmental/agency COMSEC Authority should be part of the review of a SRCL which has COMSEC requirements, along with the departmental/agency Security Officer (Customer). (See item #21 - Authorization.)

FOCI - Foreign Ownership, Control or Influence (8)

A separate evaluation of the organization is required before any extremely sensitive INFOSEC information or assets may be released.

INFOSEC - Information Technology Security (8). Definition: ALL COMSEC and Computer Security information and assets entrusted to or developed/evaluated by or for Communications Security Establishment (CSE).

TECHNICAL DATA CONTROL REGULATIONS (9)

The prime contractor and any subcontractors shall be certified under the U.S./Canada Joint Certification Program.

PERSONNEL (10)

It may be possible to separate the performance of the work into segments, thereby permitting non-screened employees to have access to a portion of the project, without having access to sensitive information.

PROTECTED (11, 13, 15, 16, 17, 18)

It is important to identify Level "A", "B" or "C", when applicable, however certain types of information may only be identified as 'PROTECTED'.

SITE ACCESS (12)

Security Clearance is extremely limited and may only be authorized by Treasury Board, by authorized statute or by regulation.

LEVEL (15, 16, 17)

Use the following to identify levels of safeguards or sensitivity:

Designated	Classified	
PROTECTED	CONFIDENTIAL	NATO CONFIDENTIAL
PROTECTED "A"	SECRET	NATO SECRET
PROTECTED "B"	TOP SECRET	COSMIC TOP SECRET
PROTECTED "C"		

EDP/ADP DOCUMENT AND DATA PRODUCTION (17)

If yes, attention is directed to the following documents in regards to this section:

- Treasury Board Manual, Security Volume, Appendix C, "Information Technology Security Standards"; and
- "Technical Security Standards for Information Technology (TSSIT)"

SECURITY GUIDE (19)

Additional security details, when applicable, shall be attached to the SRCL to highlight to the contractors any special security concerns of this procurement.

AUTHORIZATION

Departmental/Agency Project Authority (20)

The project manager and/or technical authority of the customer department/agency.

Departmental/Agency Security Authority (Customer) (21)

Departmental/Agency Security Officer (DSO) and/or COMSEC Authority of customer department/agency (as applicable).

Contracting Security Authority (22)

The Agency responsible for ensuring that contractors are compliant with the security requirements identified in the SRCL. (See Government Security Policy (GSP), Appendix A, Section 13).

Designation - Classification

***Appendix C:
DSS 9200***



Public Works and Government Services Canada
Travaux publics et Services gouvernementaux Canada

REQUISITION FOR GOODS AND SERVICES, AND CONSTRUCTION

DEMANDES DE BIENS ET DE SERVICES, ET CONSTRUCTION

To: PWGSC Office Code
A: Code du bureau de TPSGC

Amend No. / Modif. N°
Increase/Decrease / Augmentation/Réduction
Previous Cost / Prix antérieur

Current Funding / Financement actuel

Accounting Office Code / Code du bureau compt.

Requisition No. - N° demande
Year / Année
Ordering Office / Bureau demand.

Page 1 of 1
PWGSC Use Only / TPSGC seulement

Originator - Auteur
Tel. No. - N° de tél.

Destination

Inspection Agency - Chargé de l'inspection
Designation / Destinataire
Consignee at / Spécifié Herein / Précisé dans les présentes
Quality Assurance - Assurance de la qualité
DND / MDN
Specified Herein / Précisé dans les présentes
PWGSC Use Only - TPSGC seulement

Address Inquiries To - Adresser toute demande de renseignements à
Tel. No. - N° de tél.

Invoices - Original and two copies are to be made out and sent to
Factures - Remplir et envoyer l'original et deux copies à

Previous Contract No. and Date / Date et N° du contrat précédent
Previous Quantity and Unit Price / Quantité et prix unitaire précédents

Confirmation with PWGSC - Confirmation de TPSGC
Buyer's Name - Nom de l'acheteur
Telephone / Téléphone
FAX
Financial Code(s) - Code(s) financier(s)
Amount - Montant

U. of I. / U. de D.
Quantity / Quantité
Estimated Cost / Prix estimatif
Qual. Assur. Code / Code d'ass. de la qual.

Item / Article
Reference/Stock No. and Description / N° de référence de nomenclature et description

Date Required / Demandé pour le
Y/A M D/J

Consignee Code / Code du destinataire

Recommended by - Recommandé par
Signature
Date

Yes / Oui
No / Non

Signature
Date

Signature
Date

Privileged Administrative Arrangement (PAA) was considered for this procurement
Mesure administrative préférentielle (MAP) a été considérée pour cette acquisition

Security - This requisition includes security provisions.
Sécurité - Cette demande comprend des exigences en matière de sécurité.

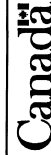
PURSUANT TO SUB SECTION 32(1) OF THE FINANCIAL ADMINISTRATION ACT, FUNDS ARE AVAILABLE.
EN VERTU DU PARAGRAPHE 32(1) DE LA LOI SUR LA GESTION DES FINANCES PUBLIQUES, DES FONDS SONT DISPONIBLES.

Special Instructions - Instructions spéciales

The Undersigned approves this requisition and certifies that the necessary approvals have been obtained and requests PWGSC to acquire and provide the goods and/or services described herein.
Je, soussigné, approuve la présente demande, certifie, que les approbations requises ont été obtenues et demande à TPSGC d'obtenir les biens et services décrits dans les présentes.

Signature
Date

PWGSC-TPSGC 9200 (9/1997) 7540-21-910-9287





REQUISITION FOR GOODS AND SERVICES, AND CONSTRUCTION (CONTINUATION)
DEMANDES DE BIENS ET DE SERVICES, ET CONSTRUCTION (SUITE)

Item Article	Reference/Stock No. and Description N° de référence de nomenclature et description	Date Required Demande pour le Y/A M D/J	Consignee Code du destinataire	U. of I. U. de D.	Quantity Quantité	Estimated Cost Prix estimatif	Qual. Code Code d'ass. de la qual.	Previous Quantity Quantité et prix unitaire précédents	Previous Contract No. Date et N° du contrat précédent	Amend No. Modif. N°	Requisition No. - N° demande Ordering Office Bureau demand.	Year Année	Serial No. N° de série	Page 2 of 2 de

Appendix D: Example of Rated Selection Criteria and Rating Results

Selection Criteria	Rate
Technical Proposal	300
• Adequacy of proposed methodologies	120
• Identification of key technical problems and outlines of solutions	100
• Clear understanding of the scope	80
Execution Strategy	380
• Adequacy of work plan, work breakdown structure and schedule of milestones	150
• Sensitivity to work within HRDC	50
• Quality and time control systems and risk management	80
• Adequacy of the proposed level of effort	100
Project Management and Expertise	320
• Qualification and experience of team members	140
• Adequacy of the composition of team	80
• Financial strength and record of the company	100
Total	1,000

Scoring

Each of the criteria listed above will be assigned a score based on the following scale:

1.0 (100%)	Excellent
0.9 (90%)	Very good
0.8 (80%)	Good
0.7 (70%)	Acceptable (minimum required for passing)
0.6 (60%)	Poor
0.5 (50%)	Very poor
0	Failed to address the criteria

Example of Rating Results for a Particular Bidder:

	Rate	Score Obtained	Total
Technical Proposal			
Adequacy of proposed methodologies	120	x 0.9 =	108
Identification of key technical problems and outlines of solutions	100	x 0.8 =	80
Clear understanding of the scope	80	x 0.9 =	72
Sub-total (minimum required = 210)	300		260
Execution Strategy			
Adequacy of work plan, work breakdown structure and schedule of milestones	150	x 1.0 =	150
Sensitivity to work within HRDC	50	x 0.8 =	40
Quality and time control systems and risk management	80	x 0.9 =	72
Adequacy of the proposed level of effort	100	x 0.9 =	90
Sub-total (minimum required = 266)	380		352
Project Management and Expertise			
Qualification and experience of team members	140	x 0.9 =	126
Adequacy of the composition of team	80	x 0.8 =	64
Financial strength and record of the company	100	x 0.7 =	70
Sub-total (minimum required = 224)	320		260
TOTAL	1,000		872

Appendix E: Example of Lowest Cost-Per-Point Selection Method

This example illustrates an assessment of a technical/managerial proposal on a point rating basis with an established pass mark. This method can be used for a formal RFP process in excess of \$25,000. Choosing a method of selection is done in consultation with the responsible contracting authority.

Rated criteria as set out in the RFP

- 1) Technical and Management Proposal
1000 points (Maximum)
Pass mark – 70%
- 2) Price Proposal
Maximum budget including GST \$200,000.

At the first step of the contract selection stage the contractor scoring proposals are rated according to the weighted criteria already in the RFP. Proposals not reaching the pass mark are eliminated at this stage.

Assuming that three bids were received:

	Bid 1	Bid 2	Bid 3
Technical and management points	880	860	780

The second step consists of establishing a cost-per-point ratio.

Assuming that the cost before GST are as follows:

	Bid 1	Bid 2	Bid 3
Price	\$185,000	\$175,000	\$165,000

Cost per point ratio calculations:

Bid 1 $\$185,000 / 880 = \210.22

Bid 2 $\$175,000 / 860 = \203.48

Bid 3 $\$165,000 / 780 = \211.54

Lowest cost-per-point: Bid 2

References

The main document of reference for contracting services is the TBS *Contracting Policy Manual*. This manual refers to a number of documents including acts, regulations and policies. A list of documents more related to the contracting function in HRDC is given here as reference.

- *Manual on Contracting Policies*, TBS
- *Access to Information Act*
- *Bankruptcy and Insolvency Act*
- *Canadian Charter of Rights and Freedoms*
- *Criminal Code*
- *Department of Public Works and Government Services Act*
- *Federal Real Property Act*
- *Financial Administration Act*
- *Official Languages Act*
- *Privacy Act*
- *Procurement Strategy for Aboriginal Business*
- *Public Service Employment Act*
- *North American Free Trade Agreement*
- World Trade Organization — *Agreement On Government Procurement*
- *Internal Trade Agreement*
- *Conflict of Interest and Post-Employment Code for Public Office Holders*
- *Security Policy*
- *TBS Policy on Common Services*

Documents available from Assets Management NHQ:

- *Contracting and Procurement Information Session Manual*
- CD-ROM “*FAS Learning Initiative*” on Contracting and Procurement
- Information Document on Contracting and Procurement
- Information Document on ACAN Process
- EIC’s Tendering Process for Service Contracts

