



# NOVA SCOTIA PROCUREMENT FORUM SUPPLEMENTAL DATA

Appendices B & C

June 2017



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### **Nova Scotia Procurement Action Plan - Supplemental Data** *Submitted to the Procurement Forum Committee*

June 2017

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# Preface

The Nova Scotia Procurement Forum organizing committee, whose representatives include individuals from the design, engineering and construction communities, would like to thank those who took part in the day-long Procurement Forum event that was held on March 16, 2017 in Dartmouth. The event was facilitated by Davis Pier Consulting and was well attended by various stakeholder groups from around the province including suppliers, contractors, engineers, government, etc. The feedback and perspectives gathered from the discussion will play a critical role in developing the roadmap needed to improve procurement practices in our province. The Committee is looking forward to moving the process to the next stage and will be actively engaged in keeping stakeholders informed and involved in the process.

## About the Committee

The Procurement Forum committee, initially formed to direct an 8-month research project into procurement practices in the province, is a collaboration between the Construction Association of Nova Scotia (CANS), the Design and Construction Institute (DCI), and the Nova Scotia Construction Sector Council (NSCSC). As a group, the Committee believes that a more unified and structured procurement system, through stakeholder engagement, will result in better transparency, prevention of unnecessary outsourcing, strengthened Nova Scotia businesses, job retention, better performance, more accountability of roles and responsibilities and ultimately better value for owners, stakeholders and Nova Scotians in general.

### **Steering Committee:**

Scott Moore, Consulting Engineers of Nova Scotia  
Benjie Nycum, Design & Construction Institute  
Peter Riley, Construction Association of Nova Scotia  
Peter Rumscheidt, Design & Construction Institute  
Stephen Vaslet, Design & Construction Institute  
Tom Vincent, Mechanical Contractors  
Duncan Williams, Construction Association of Nova Scotia  
Trent Soholt, Nova Scotia Construction Sector Council

## APPENDIX B: WHAT WAS HEARD

### Fairness

#### Issues

##### General Issues

- Impractical expectations
  - Restrictive pre-qualifications/RFP's/specs
  - Inadequate/unreasonable timelines
- Lack of consideration to regional benefits
- Unacceptable/inappropriate/unbalanced transfer of risk
- Evaluation criteria
- Specifications – better product exceeds specs
- Local content
- Industry dialogue
- Public openings
- Education of process
- All tenders should be made public
- Addenda (timing, content, size)
- De-briefing to RFPs and tenders
- Procurement consistency (gaps between departments)
- Intellectual property
- Bid cycle (alternates)
- Dialogue
- RFP Bias
- Scheduling
- Union vs non-union
- Specifications written with sole source in end use
- Education of T.C.A.
- Time constraints
- How do you define fair for everyone in process?
- Legislation to achieve fairness can deny fairness
- Who determines fairness
  - No one takes responsibility
  - Political interference
- Education
- Timing
- Specifications (skew to products, suppliers, etc.)
- Equity of access (e-bidding)
- Insufficient time (bidding and spending)
- Time constraints
- Access / education

- Specifications / openness
- Prescriptive vs objectives of project
- Not enough measurement or evaluation of past performance – monitoring
- Adversarial language in contracts (legal process overrides practicality) – transfer of risk
- Cost of proposals
- Accountability
  - Contracts not regularly enforced with consultants or builders
  - Contractor to designer
- Regional economic benefits (competition and capacity)
- Rigorous evaluation criteria
- Current practices do not allow for best value and best solutions innovation
- Conflict in self-performed work (roads and bridges)
- Completing with in house resources
- Inappropriate pre-qualifications
  - Scale of work and experience
- Price shopping after tender closes
- Capable suppliers should not be restricted from access due to process issues
- Limited level of effort from procurement office to respond
- Limited opportunities for smaller suppliers/contractors
- Fairness monitors need to be established

#### Top ~15 Issues

- Restrictive pre-qualification and RFP specs
- Unreasonable timelines
- Inappropriate / unbalanced transfer of risk
- Lack of consideration to regional benefit
- Specifications (skewed to products, suppliers, etc.)
- Equity of access (e-bidding)
- Insufficient time (bidding and spending)
- Access / education
- Specs / openness
- Addenda (timing, content, size)
- Bid cycle (alternates)
- RFP bias
- Dialogue
- Scheduling
- Intellectual property
- Procurement consistency (gaps between departments)

#### Top 5 Issues

- Unreasonable timelines that are not respected
- Specifications are too restrictive

- Inappropriate and unbalanced transfer of risk
- Bid requirements are not representative of effort
- Imbalance of regional economic benefits

## Consistency

### Issues

#### General Issues

- Lack of best practices
  - Design quality
  - Standardization
  - Safety expectations
  - Communication
- Lack of documented processes (transfer of knowledge)
- Lack of universal and consistent language
- Lack of standard and consistent documents
- Lack of consistent education/consistent language when communicating
- Timing of contract award and public disclosure
- Public openings
- Prompt payment
- Inconsistency in specifications
  - Budgets
  - Concise docs
  - Payment cycle conversations
  - Approaches to construction
- Alignment of technology
- Gap in knowledge and procurement level
- Tender specifications
  - Lack of experts developing tenders/RFPs
- Time standards for RFP submissions
- Education of T.C.H.
- Contract documents (CCDC) – red tape
- No consistency between S entities in how they go to the market
- Everyone needs to apply the rules consistently
- How can we look out for ourselves as a province (define economical prosperity)
- Between entities
- Time constraints
- Defining of roles/responsibilities
- Clarity of requirements
- Evaluation practices
- Bill/estimate
- Defined minimum standards

- Between entities (tax \$)
- Defining roles/responsibilities
- Tender docs/requests for bids are not consistent in design or detail
- Consistency is an issue – it doesn't mean quality or process is any good
- Consistent processes and training by organization (education) Best practices consistent definitions/ roles
  - E.g. primary consultant
- Inconsistent rules
  - Definition of what needs to be consistent
- Balancing cost of design/build and total cost of ownership
- Need consistent safety expectations
- Lack of knowledge in procurement
  - Folks enforcing rules may not be technical experts
  - Gaps between departments
- Should not procure “Products” and “Services” the same way
- Gap in knowledge at procurement level – those who write tender may not always be the same as those who evaluate (Missing technical knowledge)
- Inconsistency in specifications
  - Reference #'s not aligning
  - How alternates are handled
- Meeting dates
- Keeping up with industry standards
  - lack of communication
- Timelines are compressed
  - Will take more time overall
  - Things are missed
  - Allotment of man power
- Alignment of technology
  - Docs formatted properly
  - How to send to street
  - Electronic bidding
- Lack of overall consistent standards

#### Top ~15 Issues

- Inconsistency in specifications
- Alignment of technology
- Gap in knowledge (re: procurement level)
- Budgets
- Price shopping after tender closes (VE)
- Concise documents
- Payment cycles
- Approaches to construction
- Lack of standard and consistent documents

- Lack of consistent education, communication, language
- Lack of documented processes and best practices
- Clarity of requirements
- Evaluation practices
- Tender questions

#### Top 5 Issues

- Lack of defined and consistent process / Guidelines between and within entities
- Lack of bid document consistency and quality
- Lack of evaluation consistency
- Lack of clear and defined roles
- Lack of education / experience

## Transparency

### Issues

#### General Issues

- Standardization oversight – lack of:
  - Single source
  - Feedback
  - Explain scoring matrix
  - Clear background, well defined
- Lack of two-way conversations
  - Re: scoring-feedback evaluation
- Lowest price causes problems
  - Negative impacts
- Lack of primary source for tenders (locating and accessing RFP docs)
- Lack of clarity around the language and rationale
- Lack of oversight monitoring
- Industry engagement
- Public openings
- Technical criteria
- Education of the process
- Education/communication issue
  - Evaluation criteria
- Contractor price vs scoring systems
  - Bid disclosure/debrief
- Budgets are unknown
- Price shopping after tender closes – “VE”
- Best value vs low bid (lifecycle of the product)
- RFP vs known entity
- Education of tender calling agent



- Waving of formality
- Currency exchanges
- Open tender call (de-briefing)
- Should public buyers publish prices (lump/list)
- Should we value the social impact of the work
- How do we get to apples to apples
- Tender process consistency
- Best value vs low bid
- Formality
- Bid results and feedback
- Evaluation practices
- Tender questions
- Tender process
- Evaluation practices / scoring
- Spec clarity
- Scoring/evaluation criteria
- Hidden agendas/unknown measurable/politics
- Fishing expeditions
- Owner feedback on proposals not given
- Lowest price impact/implications
- No single source for opportunities (tenders)
- No consistent de-briefing
- Budgets are unknown
  - Can't work to provide value for a number
- Open vs closed tenders
- Not all bidder information is known
- Competing bidders price is unknown. Don't know how you compete against others
- Need clear scoring criteria

#### Top ~15 Issues

- Education/communication
- Lowest price vs. scoring systems
- Budgets are unknown
- Bid disclosure / debrief
- Evaluation criteria
- Share consistent info
- Standardization
- Lack of oversight
- Lack of 2-way conversation (re: scoring feedback evaluation, scoring matrix)
- Lack of clear and well defined background
- Lowest price causes problems
- Bid results and feedback
- Evaluation practices

- Tender questions
- Tender process
- Evaluation practices and scoring
- Specification clarity

#### Top 3 Issues

- Lack of transparent scoring measures including price (low bid vs scoring)
- Lack of transparent communication (tender requirements, questions, evaluation, results) throughout the procurement process
- Multiple sources exist for tender calls

## APPENDIX C: EVENT EVALUATION RESULTS

Attendees were provided with the option of completing an evaluation form for the event. Below is a breakdown the feedback received.

	<b>% of respondents that agree or strongly agree</b>
1. The objectives of the Forum were stated clearly and met	94%
2. The issues discussed during the day were relevant to my needs and interests	91%
3. I enjoyed the format of presentations and workshop activities	91%
4. The facilitators had a good understanding of the topics	82%
5. The length of time spent on each activity was appropriate	78%
6. There was sufficient time for networking	94%
7. The event registration process was clear and easy to follow	94%
8. The food and beverage service provided for the day was appropriate	94%
9. Breaks were sufficient in length	99%
10. The facility was comfortable and worked well for the event	87%
11. The event was worth my time	94%
12. I would participate again in another event related to this topic area	94%

Total Number of Attendees (minus Committee members and organizers):	111
Total number of Evaluations Received:	67
% of Attendees Completing the Evaluation:	60%

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For questions or additional copies of the report,  
please contact the Nova Scotia Construction Sector Council at 902.832.4761 or email [info@nscsc.ca](mailto:info@nscsc.ca).