CANADIAN WEATHER RADAR NETWORK MODERNIZATION PROJECT

FAIRNESS MONITOR FINAL REPORT

Submission Date:
March 10, 2016

Submitted To:
Director, Fairness Monitoring
Departmental Oversight Branch
Public Services and Procurement Canada

Submitted By:
RFP SOLUTIONS INC.
301-1150 Morrison Drive
Ottawa ON K2H 8S9
Telephone: (613) 728-1335
Fax: (613) 728-6565
Website: www.RFP SOLUTIONS.ca
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1. Introduction

RFP Solutions Inc. was engaged on July 31, 2014 as a Fairness Monitor (FM) to observe the competitive procurement process for the Canadian Weather Radar Network Modernization Project, managed by Public Services and Procurement Canada (PSPC) on behalf of Environment Canada.

RFP Solutions Inc. is an independent third party with respect to this activity.

A Request for Proposals (RFP), dated June 12, 2015, was issued by PSPC on buyandsell.gc.ca as Solicitation Number K3D33-141144/B on behalf of Environment Canada, inviting interested suppliers to submit proposals in response to the requirements identified in the RFP. The solicitation closed on September 30, 2015.

We hereby submit this Final Report, covering the activities of the Fairness Monitor commencing with the development of the RFP to posting on www.buyandsell.gc.ca through responses to enquiries from potential Bidders leading to the RFP submission closing period. Finally, this report addresses the evaluation of proposals leading to the identification of the successful Bidder.

The report includes our attestation of assurance, a summary of the scope and objectives of our assignment, the methodologies applied and relevant observations from the activities undertaken.
2. **Project Requirement**

Environment Canada (EC) is undertaking a multi-year project to rejuvenate its network of meteorological radars. The network presently consists of 31 radars overall, including a system owned and operated by McGill University and two systems belonging to the Department of National Defence. Of this network, one-third is modern enough to be upgraded to dual-polarization technology. Two-thirds of the network is obsolete and must be replaced.

The requirement is to replace 19 of the existing weather radar network and related infrastructure by the spring of 2023. The project also includes the acquisition of one new radar for northern Alberta and the option to purchase an additional 13 radars. The upgrade of the other existing sites will be undertaken through a separate procurement process. Dual-polarized technology will be used throughout a mixed network of C and S-Band radars, exploiting the latest radar technology and the strengths of each band across Canada's varied climatology.
3. ATTESTATION OF ASSURANCE

The FM hereby provides the following unqualified assurance statement concerning the competitive procurement process for the Canadian Weather Radar Network Modernization Project.

It is our professional opinion that the competitive process for the Canadian Weather Radar Network Modernization Project we observed, was carried out in a fair, open and transparent manner.

Original signed by

Steve Johnston
Managing Director, RFP SOLUTIONS INC.
Fairness Monitor Specialist

Original signed by

Stephen Fleming, P.Eng.
Fairness Monitor Team Leader
4. METHODOLOGY

In accordance with the terms of our engagement, we familiarized ourselves with the relevant documents, reviewed the RFP documents prior to release, observed the RFP solicitation activities and the post solicitation period, including the evaluation of bids, identifying fairness-related matters to the Contracting Authority and verified that responses and actions were reasonable and appropriate. Section 5 of this report identifies the specific activities and observations of the Fairness Monitor in respect of those activities.
5. **FAIRNESS MONITOR ACTIVITIES AND OBSERVATIONS**

5.1 **PROCUREMENT PLANNING/DEVELOPMENT OF RFP**

During the RFP planning and development phase, the FM reviewed several drafts and the final document before posting. The purpose of these reviews was to provided assurance as to the neutrality of the Requirements, the objectivity of evaluation criteria and process; and the clarity of the documentation to support understandability by Proponents in preparing their Proposals, as well as to mitigate the potential for inconsistency or errors in the eventual application of evaluation criteria by the Evaluation Committee, and ensuring that procurement, legal, business and financial risks are identified and strategies in place for their mitigation.

**Observations**

In reviewing the draft and final RFP documentation, some minor fairness considerations related to clarity of the documentation were identified by the Fairness Monitor and discussed with the Contracting Authority. All of the fairness considerations were addressed in the RFP prior to issuance.

5.2 **RFP POSTING**

The RFP (Solicitation Number K3D33-141144/B) was posted to buyandsell.gc.ca on June 12, 2015 with an initial closing date of 2:00 pm EDT, August 31, 2015.

During the posting period, 13 addenda with 12 amendments to the terms and conditions of the solicitation were issued via buyandsell.gc.ca, including an extension of the closing date to September 30, 2015. The amendments also included responses to 91 questions from potential suppliers. Each amendment was reviewed by the Fairness Monitor prior to its release.

**Observations**

Some fairness considerations were identified with respect to the responses to questions and amendments to the terms and conditions of the solicitation. All fairness considerations were reviewed with the Contracting Authority and addressed prior to the issuance of respective amendments.

5.3 **RFP CLOSE**

At close of the RFP, five proposals were received.

The Fairness Monitor reviewed the manner in which the responses to the RFP were received and handled with the Contracting Authority.
Observations
The five proposals received were handled in accordance with the deadline and requirements stated in the RFP. No fairness issues were observed.

5.4 Evaluation Instructions
Prior to bid evaluations, the Fairness Monitor again reviewed the evaluation guidelines, including evaluator responsibilities, code of conduct, security, confidentiality and conflict of interest requirements, and evaluation methodology. The Fairness Monitor also participated in a pre-evaluation workshop with the Evaluation Committee to address the principles of fairness in evaluating bids.

The Fairness Monitor provided assurance as to the impartiality of evaluation methodology.

Observations
The Fairness Monitor reviewed the evaluation methodology and related requirements and observed no fairness considerations.

5.5 Administrative Review
Following RFP closing, a review of mandatory submission requirements was undertaken by the Contracting Authority of the five proposals received. All submissions received were deemed to be responsive to these requirements as stated in the RFP and therefore eligible to proceed to technical evaluation.

The Fairness Monitor reviewed the results of the administrative review to assess them against the requirements in the RFP.

Observation
Based on the Fairness Monitor’s review of the assessment of Bidders’ compliance with the mandatory submission requirements, the Fairness Monitor observed no fairness considerations.

5.6 Technical Evaluation
The technical evaluation was composed of two steps. First, an assessment against the mandatory technical requirements was conducted, followed by an assessment of rated requirements of those Bidders that met all mandatory technical requirements.

The mandatory technical requirements were reviewed individually by each member of the Evaluation Committee. The evaluators subsequently met on October 29, 2015 to conduct a
consensus review. Based on the Evaluation Committee’s assessment of each Bidder, only one Bidder met all mandatory technical requirements and was deemed eligible to proceed to the evaluation of the rated technical criteria.

The RFP required an overall minimum rated technical evaluation threshold to be deemed a responsive proposal and proceed to the financial evaluation. The one proposal that was eligible for evaluation was first individually reviewed and scored by each evaluator. The evaluators then convened at a consensus meeting on November 5, 2015 to identify the technical score of the proposal.

The Fairness Monitor was present and monitored the technical evaluation consensus process. The Fairness Monitor provided assurance that it was undertaken in a consistent fashion and that the results reflected the consensus of all Evaluation Committee members.

The proposal achieved the minimum technical evaluation threshold to be deemed a responsive proposal and proceed to the financial evaluation.

**Observation**
The Fairness Monitor oversaw and confirmed the results of the technical evaluation and observed no fairness issues.

**5.7 Price Evaluation, Verification and Bidder Selection**

In accordance with the RFP, a total evaluated price was to be provided by each of the Bidders. The selection of the successful Bidder was based on the responsive proposal with the lowest Evaluated price per Point (Evaluated price per Point = Total Bid Price / Technical Score).

The Contracting Authority performed due diligence and verified the pricing details on the form provided by the top ranked Bidder. A financial evaluation summary sheet was prepared by the Contracting Authority and reviewed by the Fairness Monitor.

Following the identification of the top ranked Bidder, the Bidder was invited to participate in a Verification process as specified in the RFP. The process involved a demonstration/presentation of compliance to mandatory requirements, as well as reference checks conducted by the Contracting Authority. Prior to conducting the Verification, the Contracting Authority developed a Verification Plan which was reviewed by the Fairness Monitor. The demonstration/presentation, which was observed by the Fairness Monitor, was held on December 3, 2015.

Upon completion of the verification process, including reference checks, it was determined that the Bidder successfully completed the process. The Bidder was notified and asked to revise its
Supply Chain Security Information (SCSI), in accordance with Canada’s Supply Chain Integrity Process. The Bidder was also requested to provide a Parental Guarantee with respect to the financial capability and business obligations contained in the contract. These requirements were subsequently met and the Bidder has been recommended for contract award subject to Treasury Board approval.

**Observation**
The selection of the successful Bidder was consistent with the provisions and methodology outlined in the RFP.

### 5.8 Communications and Debriefing

This section will be completed as an Addendum to this report following completion of contract award and, as requested, debriefing of Bidders.
6. Reference Documents

The following documents are referenced by number in this report and unless otherwise indicated, are available through PSPC.

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ADDENDUM TO THE FINAL REPORT

September 19, 2016

Addendum to the Fairness Monitor Final Report dated March 10, 2016 pertaining to the competitive procurement process for the Canadian Weather Radar Network Modernization Project, issued by Public Services and Procurement Canada (PSPC) as Solicitation Number K3D33-141144/B on behalf of Environment Canada.

This Addendum to the Fairness Monitor Final Report covers the period following the conclusion of the evaluation phase and includes contract award and an allowance of time during which proponents could pose questions or request a debriefing. The notification of contract award was posted on BuyandSell.ca on June 22, 2016. The four unsuccessful proponents were subsequently advised by e-mail on June 22, 2016 that their bids were not accepted for contract award and that they were entitled to a debriefing.

Two unsuccessful proponents requested in-person debriefings. The debriefings of these proponents were conducted by the PSPC Contracting Authority and Technical Authority on July 6, 2016 and July 28, 2016. The FM was present to observe that the debriefings were conducted in a fair, open and transparent manner. One unsuccessful proponent requested a written debriefing. The debriefing documents were prepared by the PSPC Contracting Authority and Technical Authority and issued on August 8, 2016. The FM reviewed the documents prior to transmittal to ensure they were fair, open and transparent. The fourth unsuccessful proponent did not request a debriefing.

Attestation of Assurance

The FM hereby provides the following unqualified assurance statement concerning the competitive procurement process for the Canadian Weather Radar Network Modernization Project.

It is our professional opinion that the Canadian Weather Radar Network Modernization Project solicitation process we observed, was carried out in a fair, open and transparent manner.

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