Public Works and Government Services Canada
Operational Integrity Sector

Medium Support Vehicle System (MSVS)
Standard Military Pattern (SMP) Vehicles
Request for Proposal 2 (RFP 2)

FAIRNESS MONITOR CONTRACTOR’S
FINAL REPORT

September 9, 2014

Submitted to:
Director General
Operational Integrity Sector

Submitted by:
Modis Canada Inc.
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**Background and Introduction**

Modis Canada Inc. (previously known as Ajilon Consulting) was engaged as the Fairness Monitor (FM) to observe the competitive procurement process for the Medium Support Vehicle System (MSVS) Standard Military Pattern (SMP) Vehicles project undertaken by Public Works and Government Services Canada (PWGSC) for Department of National Defence (DND) through Solicitation Number W8476-06MSMP/L. Modis Canada Inc. is an independent third party with respect to this activity.

It is noted that a previous bid solicitation had been issued but was cancelled prior to bid closing.

We reviewed all of the information provided and observed all relevant activities.

We hereby submit the Final Report covering the activities of the Fairness Monitor, commencing with the review of drafts of a Request for Proposal (RFP), and continuing through to the bid evaluation stage.

This 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.
Project Requirement

The Government of Canada identified a requirement for Standard Military Pattern (SMP) Vehicles as part of the Medium Support Vehicle System (MSVS) project. The SMP Vehicles will be delivered in five (5) different variants and will include long term In Service Support for the SMP vehicles.

The competitive procurement process for the SMP Vehicles is being implemented through a Request for Proposal posted on MERX.


**Attestation of Assurance**

The FM hereby provides the following unqualified assurance statement concerning the Medium Support Vehicle System (MSVS) Standard Military Pattern (SMP) Vehicles procurement process:

It is our professional opinion that the competitive procurement process for the Medium Support Vehicle System (MSVS) Standard Military Pattern (SMP) Vehicles that we observed, was carried out in a fair, open and transparent manner.

Note: For all references in this report concerning fairness related comments being provided to project officials, it is confirmed that, as necessary, project officials provided clarification to the Fairness Monitor or took appropriate action to address the comments, and as a result no fairness deficiencies were recorded.

Original signed by

Patrick Dunnigan  
Sales Director  
Modis Canada Inc.  
FM Contractor’s Representative

Original signed by

Peter Woods  
FM Team Leader

Original signed by

Bruce Maynard P. Eng.  
FM Specialist
Objectives of the Fairness Monitor Assignment and Methodology

The overall objective was as follows: provide PWGSC with independent observation of project procurement activities; provide fairness related comments to project officials as early as possible so that appropriate action could be taken to resolve the concerns before fairness was impacted; bring any potential fairness concerns to the attention of the Operational Integrity Sector if there is no timely resolution with project officials; and attest as to the fairness of the procurement process, including its execution.

To accomplish the objective we undertook the following activities:

- became familiar with the project governance structure;
- reviewed information including questions and answers posted on the project website prior to posting of the RFP;
- reviewed draft and final versions of the Request for Proposal (RFP);
- reviewed all amendments and addenda to the RFP including questions submitted by proponents and answers;
- reviewed the procedures to be used for the evaluation of responses and the guidance provided to the evaluation team;
- observed the evaluation of responses to the RFP to ensure that the specified evaluation and selection procedures and departmental policy were followed and consistently applied during the evaluation and selection process; and
- observed the debriefing of unsuccessful bidders. (This activity will be reported on in an addendum to this report after any debriefings.)
**Fairness Monitor Specific Activities and Findings**

**FM Activities and Findings during the RFP Development Phase**

During the period July 16, 2012 to May 30, 2013, we reviewed the proposed procurement approach to be followed for RFP 2. This activity included the review of draft versions of the RFP, review of a draft Letter of Interest (LOI) that was published on MERX on January 4, 2013 (Document 1), and the observation of One-on-One meetings with suppliers that took place during the period January 17, 2013 to January 22, 2013. Fairness related comments were provided and appropriate action was taken by project officials.

The RFP was published on GETS on July 27, 2013 (Document 2).

**FM Activities and Findings during the RFP Phase**

During the period August 1, 2013 to December 19, 2013, we reviewed the RFP as published on GETS, Questions and Answers (Qs and As) concerning the RFP, and Amendments 1 to 15 to the RFP (Documents 3 to 17), and provided fairness related comments to the Contracting Authority. All comments were addressed appropriately by project officials and as necessary were dealt with through the Qs and As process and amendments to the RFP.

We observed the Bidders Conference that took place on September 17, 2013. No fairness deficiencies were identified.

The RFP closed on January 8, 2014.

**Fairness Monitor Activities and Findings during the Evaluation of Responses to the RFP**

On March 20, 2014 we observed Subject Matter Experts providing answers to questions posed by one of the consensus evaluation teams. No fairness deficiencies were identified.

On March 25, April 8 and 9, May 16, 20, 23, 26, 27, 28 and 29, and June 5, 2014 we observed the consensus evaluations of the bids received. We provided fairness related comments during the consensus evaluations and appropriate action was taken by project officials. On May 13, 2014 we observed a meeting of one of the evaluation teams concerning a proposed Request for Clarification. We provided fairness related comments and appropriate action was taken by project officials. On May 1, 2014 we observed the meeting of Industry Canada officials concerning the Industrial Regional Benefits proposed by each bidder. No fairness related deficiencies were identified.

On August 26, 2014 the Contracting Authority reviewed the combined technical and financial evaluation with us and confirmed that it had been verified by a second official,
and that a recommended bidder had been identified. No fairness related issues were identified.
## Reference Documents

The following documents are referenced by number in the attached report. Unless otherwise indicated, these documents are available through the MSVS SMP Project Office.

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<tr>
<th>No.</th>
<th>Document</th>
<th>Additional information</th>
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<td>1</td>
<td>Letter of Interest (LOI)</td>
<td>Published on MERX on January 4, 2013</td>
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<td>2</td>
<td>Request for Proposal (RFP)</td>
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<td>3</td>
<td>Amendment 1 to RFP</td>
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ADDENDUM TO THE RFP 2 FINAL REPORT
March 23, 2016


This Addendum to the Fairness Monitor Final Report covers the period following the conclusion of the evaluation phase including contract award and the debriefing of bidders.

On June 4, 2015 we reviewed the contract award letter to be sent to the successful bidder and the debriefing regret letters to be sent to each of the four unsuccessful bidders. Each letter identified the prices of the awarded contracts for the Acquisition portion and the In Service Support portion of the requirement, and the mandatory requirements that were not met by the unsuccessful bidder or the Technical and Financial scores obtained by the unsuccessful bidder. The letters were sent to the five bidders on July 16, 2015. No fairness deficiencies were identified.

After receiving the debriefing regret letters, the four unsuccessful bidders requested additional information concerning the evaluation of the bids and a face-to-face meeting. We observed the face-to-face debriefings of one bidder on August 25, 2015 and two bidders on August 27, 2015. A face-to-face meeting was scheduled for November 6, 2015 for the fourth unsuccessful bidder but the bidder cancelled the meeting. No fairness deficiencies were identified concerning the face-to-face debriefings.

On November 9, 2015 we reviewed two letters received from one of the unsuccessful bidders and the proposed response to one of them. No fairness deficiencies were identified. We were subsequently advised that the bidder had initiated legal action and that no further communications would be sent to the bidder pending completion of the legal action.

Fairness Monitor Attestation of Assurance

It is the professional opinion of the Fairness Monitor that the post evaluation activities, including the provision of written debriefing information and face-to-face debriefings, were carried out in a fair, open and transparent manner.
Patrick Dunnigan  
Sales Director  
Modis Canada Inc.  
FM Contractor's Representative

Peter Woods  
FM Team Leader

Bruce Maynard P. Eng.  
FM Specialist