

# PROCUREMENT BYLAW 2021-103

**EXTERNAL VERSION**

**Bid Debriefing Protocol**

Version: 1

Release Date: January 31, 2022

PROCUREMENT OFFICE



# PROTOCOL 8: Bid Debriefing

## 2. PURPOSE AND INTERPRETATION

The purpose of this Protocol is to provide direction for conducting Bid Debriefings to ensure a consistent and fair approach is used for Suppliers requesting a Debriefing session before or after the conclusion of a procurement process.

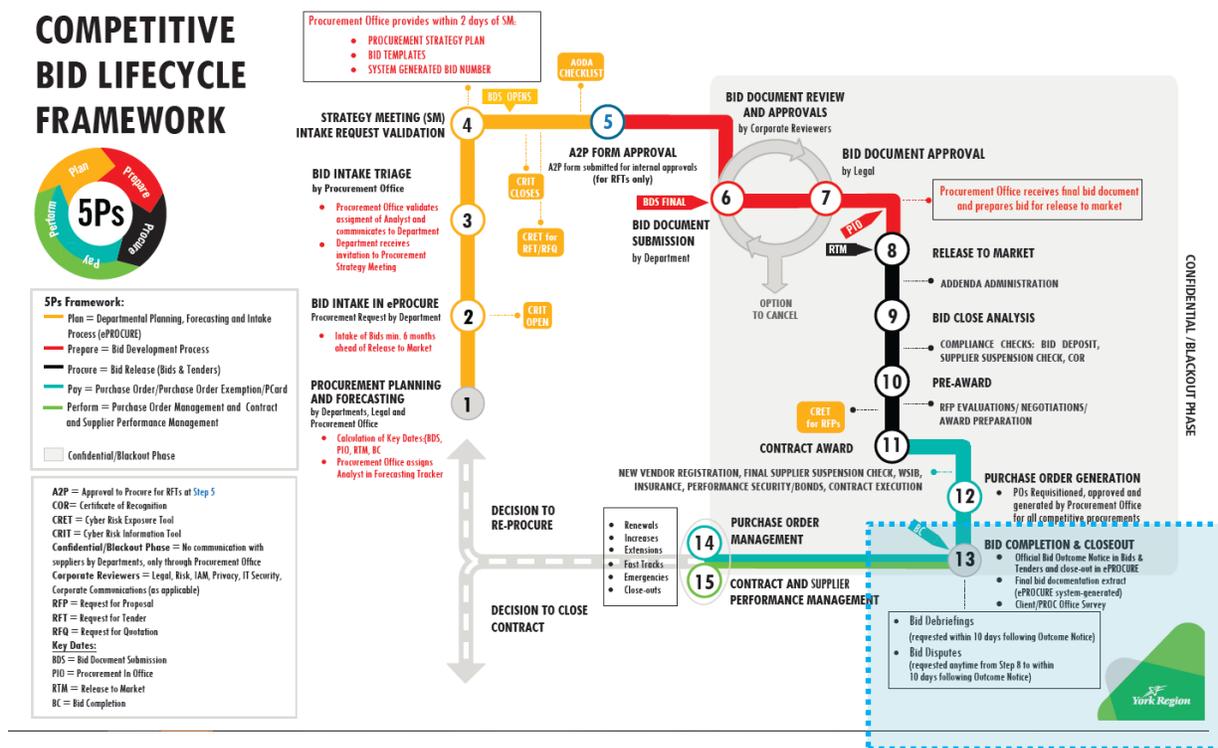
This Protocol should be read in conjunction with the Region’s Procurement Bylaw 2021-103 or its successor, the [Debriefing and Dispute Quick Reference Guide](#) (Appendix), the [Procurement Review Committee \(PRC\) Protocol](#) .

## 3. DEFINED TERMS

Capitalized terms used in this Protocol are defined in the [Glossary and Commonly Used Procurement Terms](#) document.

## 4. ALIGNMENT TO 5Ps PROCUREMENT FRAMEWORK

Bid debriefings can occur at Step 13, following posting of the Bid Outcome Notice on the Region’s bidding platform, in alignment with the 5Ps-15 Steps Competitive Bid Lifecycle Framework:



## 5. APPLICATION

This Protocol is applicable when a debriefing is requested by a Bidder and applies to all Regional procurements, regardless of whether the Call for Bids was facilitated through the Procurement Office, or not.

## 6. OBJECTIVE OF DEBRIEFING MEETING

The objective of a debriefing is to explain to unsuccessful Bidders why their Bid was not accepted, or was not the successful Bid, allowing them the opportunity to improve their future submissions. A debriefing demonstrates the fairness, openness, and transparency of the Region's procurement process and feedback from debriefings can also be used by the Region to improve future solicitations.

## 7. ATTENDEES AT DEBRIEFING

- a. Purchasing Representative facilitating the solicitation
- b. Project Lead and their manager and/or director as required
- c. For more complex debriefings, subject matter experts and/or members of the Procurement Review Committee maybe be called upon to attend the debriefing

## 8. INITIATING AND CONDUCTING A DEBRIEFING

The process outlined below should be followed for all Bid Debriefings:

### 7.1 REQUEST FOR DEBRIEFING

To initiate a Debriefing, the Bidder must submit a request electronically to the Purchasing Representative identified in the Call for Bids by **no later than ten (10) Days** after the Bid Outcome Notice is posted on the Region's bidding platform. Debriefing requests received more than ten (10) Days after the posting of the Bid Outcome Notice will not be accepted.

If a request for a Debriefing is received before the Bid Outcome Notice has been posted, the Bidder will be advised that the procurement process has not yet been finalized and instructed to resubmit their request within ten (10) Days following the posting of the Bid Outcome Notice.

### 7.2. ACKNOWLEDGMENT OF DEBRIEFING REQUEST

- a. The Procurement Office must electronically acknowledge receipt of a request for a Debriefing **within two (2) Business Days** of receiving the request, or as soon as otherwise possible, including date and time options for the Debriefing meeting.
- b. Debriefings should be scheduled on a date and time which has been agreed upon with the Bidder, and a list of all attendees should be provided to the Bidder in advance of the Debriefing.

### 7.3 PRE-DEBRIEFING REVIEW

- a. The Procurement Office will convene a pre-debriefing review meeting with one member of the evaluation committee or the Project Lead (as applicable), and a management representative from the Procuring Department.
- b. The pre-debriefing review should be conducted within **twenty (20) Days** from the date of receipt of the Debriefing request. The purpose of the pre-debrief review is to:
  - (i) Review the Bid
  - (ii) Review evaluation results
  - (iii) Review comments noted during the evaluation
  - (iv) Review strengths and weaknesses of the Bid
  - (v) Discuss and agree on suggestions for improvement to be conveyed to the Bidder
  - (vi) Determine staff roles and responsibilities, such as who will present/respond to questions
  - (vii) Complete the [Bid Debriefing Summary Form](#)

## 7.4 DEBRIEFING

- a. The Debriefing meeting should be conducted within ten (10) Days of the pre-debriefing review.
- b. All Debriefings will be conducted by teleconference.
- c. The following materials should be readily available at the Debriefing:
  - (i) Evaluation scoring sheets for the Bidder
  - (ii) Copy of the procurement file
  - (iii) Copy of the Bidder's Bid
  - (iv) Copy of any questions submitted beforehand by the Bidder
- d. The following is a suggested structure for conducting a Debriefing:
  - (i) Make the Bidder aware of the purpose of the Debriefing; and explain that it is not an opportunity to renegotiate the terms of either their Bid or the Region's procurement document, nor an opportunity to present their Bid or to criticize the Bids of the other Bidders;
  - (ii) Briefly explain the competitive bidding process that took place;
  - (iii) Using the evaluation spreadsheet, present the Bidder with their score(s) arrived at during the evaluation process;
  - (iv) Present the Bidder with an explanation of why their Bid was not selected, and the relative advantages of the successful Bid.
- e. The following key items **may be** discussed with the Bidder:
  - (i) general overview of the evaluation process;
  - (ii) the name, address, and total price of the successful Bidder;
  - (iii) specific evaluation information related to the criteria used to evaluate the Bids;
  - (iv) the Bidder's evaluation score and the strengths and weaknesses of their Bid in relation to the evaluation criteria and the relative advantages of the successful Bidder's Bid;
  - (v) the Bidder's evaluation ranking (e.g. 3rd out of 5);
  - (vi) suggestions on how the Bidder could improve a future response to a procurement opportunity issued by the Region;
  - (vii) specific questions and issues raised by the Bidder in relation to the above topics;
  - (viii) feedback from the Bidder on the Region's procurement processes and practices; and
  - (ix) any information that was shared publicly as part of the procurement process.
- f. The following items **must not** be discussed with the Bidder:
  - (i) Information that may prejudice fair competition among Suppliers
  - (ii) Confidential or propriety information that may prejudice the commercial interests of third parties, including the protection of intellectual property
  - (iii) Personal information about an identifiable individual
- g. Using the [Bid Debriefing Summary Form](#), review the strengths and weaknesses of the Bid, provide a rationale outlining why the Bidder received their given score, and provide constructive feedback on how to improve their Bids for future opportunities.
- h. Invite questions that are directly related to the evaluation process or the Bidder's Bid.
- i. Thank the Bidder for their Bid and their time and encourage them to submit Bids on future opportunities.

- j. Challenges to the procurement process should not be debated during the Debriefing. If a Bidder is dissatisfied with the outcome of the procurement process, the Procurement Office should inform them that the next step is to formally challenge the procurement, in accordance with the steps outlined in the Region's [Bid Dispute Protocol](#).

## 9. POST-DEBRIEFING

- a. Within **five (5) Business Days** from the date of the Debriefing, a member of the Procurement Office will complete the [Post-Debriefing Summary Form](#), save it in the Region's document management system, and distribute to the Attendees of the Debriefing.

# BID DEBRIEFING AND DISPUTE PROCESS

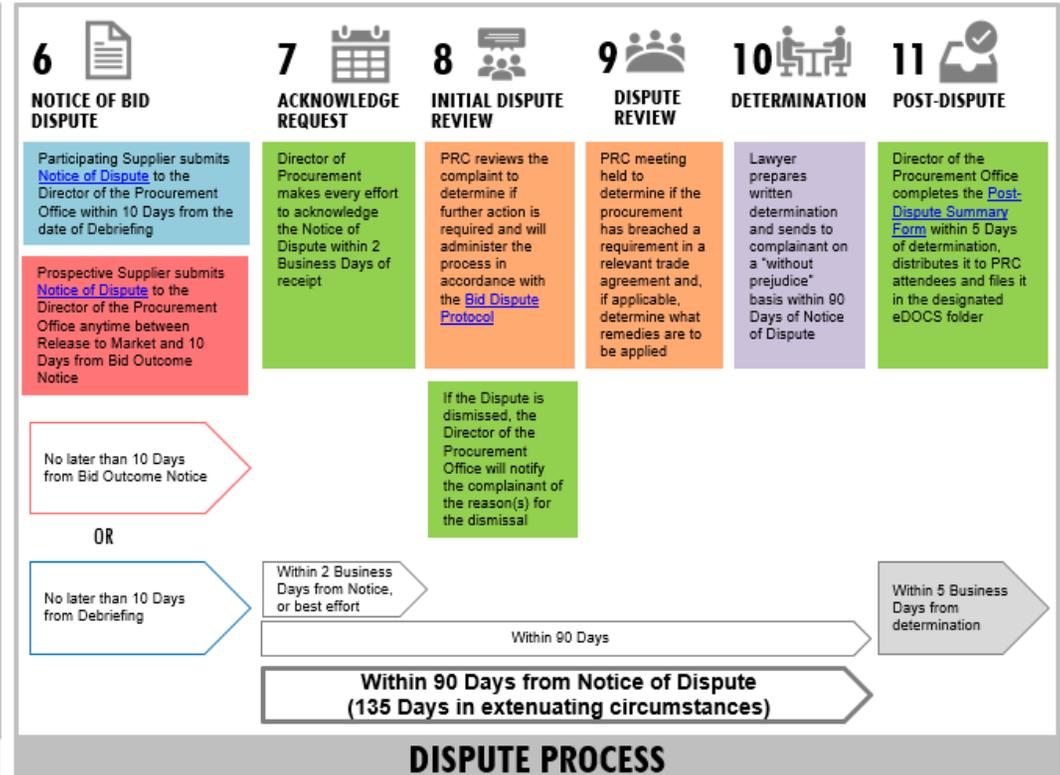
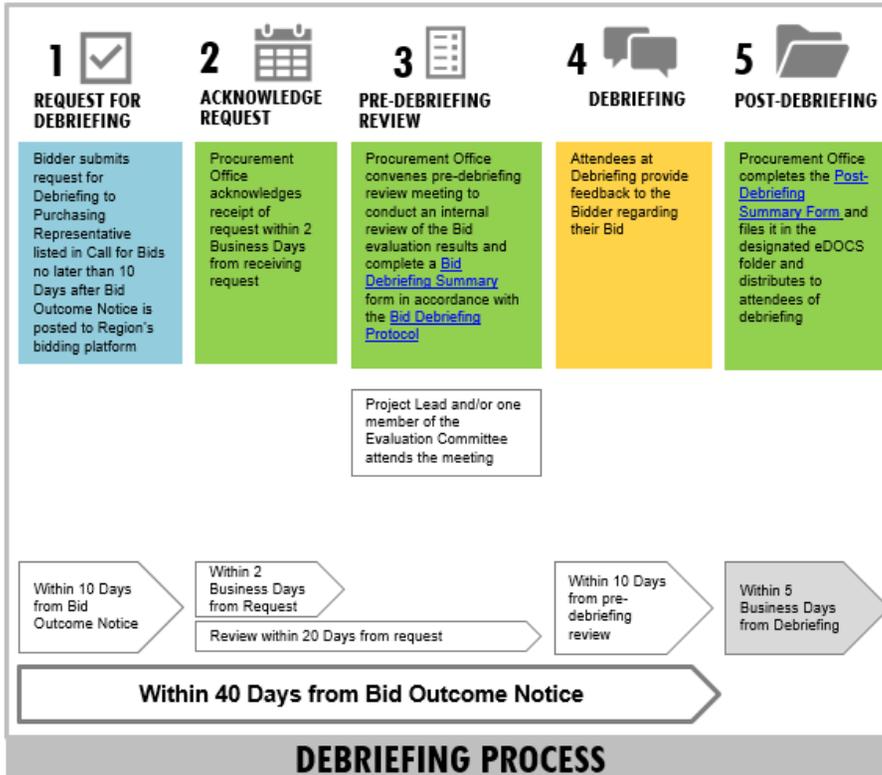
## WHAT IS A DEBRIEFING?

An opportunity for the Region to provide feedback to a Bidder regarding their unsuccessful Bid

## WHAT IS A BID DISPUTE?

A complaint made by a Supplier regarding a procurement that the Supplier believes was not conducted in accordance with the procurement rules established in an applicable trade agreement

## QUICK REFERENCE GUIDE



**ROLES:** Bidder/Participating Supplier (Blue) Prospective Supplier (Red) Procurement Office (Green) Department (White) Attendees at Debriefing (Yellow) Legal Services (Purple) Procurement Review Committee (Orange)

# APPROVALS

This Protocol has been approved by the Director, Procurement Office, and where applicable, by Legal Services.