

# How to Do Business with the Ontario Government

Ministry of Government Services

Landscape Ontario Congress 2012

# Agenda

To maximize your chances of being successful in obtaining business with the Ontario government, you should know about:



## **Government Procurement Policy**



## **The Procurement Process**



## **How to write an effective proposal**



## **How to Market to the Ontario Government**

# Policy and Key Concepts





# Procurement Policy Overview

- Ontario's Procurement Directive applies to Goods and Services, Information Technology and Consulting Services and to all ministries, IT clusters and certain agencies ("ministries")
- Advertising creative communications services procurements are covered under a separate directive administered by the Advertising Review Board
- The Directive is designed to support a procurement process that upholds the following principles:
  - Vendor Access, Transparency and Fairness
  - Geographic Neutrality and Reciprocal Non-Discrimination
  - Value for Money
  - Responsible Management



# Procurement Policy Overview

- The Procurement Directive adheres to the requirements of two trade agreements covering procurement
  - The Trade and Cooperation Agreement Between Ontario and Quebec
  - The Agreement on Internal Trade
- Competitive procurement processes must be fair, transparent, open, and advertised widely, using an electronic tendering service (MERX) to solicit bids for procurement contracts valued at:
  - \$25,000 or more for goods acquisitions; and,
  - \$100,000 or more for services and construction acquisitions
- Procurement processes below these thresholds do not have to be advertised using an electronic tendering process
- For consulting services, a competitive procurement process must be used for all procurement contracts, regardless of value
- The Daily Commercial New and the Ministry of Transportation Registry, Appraisal and Qualification System (RAQS) may be used for construction acquisitions

# MERX™ [www.merx.com](http://www.merx.com)

The screenshot shows the MERX website interface. At the top, there's a navigation bar with 'MERX™ | Opportunities' and a red maple leaf logo. Below this are tabs for 'Canadian Public Tenders', 'Private Tenders', 'U.S. Tenders', and 'Private Construction'. A 'FRANÇAIS' button is also present. Further down are links for 'Suppliers', 'About the Service', 'About MERX', and 'Tutorial'. On the right, there are 'LOGIN' and 'REGISTER' buttons. A banner for 'achatsetventes.gc.ca' and 'buyandsell.gc.ca' is visible. The main search area includes a location dropdown set to 'Ontario', a search button, and a dropdown for 'Open Opportunities'. It also shows 'Results per page' set to '10' and an 'Advanced Search' link. A red button indicates 'Private Tenders: 79 Opportunities >>'. Below this, a section titled '591 Open Opportunities' displays a table of results.

		Published	Closing	Reg. Of Delivery	Title, Organization Name and Category	
1		09/01/2012	24/01/2012	Ontario	<a href="#">Supply, Delivery &amp; Installation of up to 2 Spectrophotometers</a> Ministry of Government Services, Ontario Shared Services Scientific Instruments	<a href="#">Order</a>
2		09/01/2012	10/02/2012	Ontario	<a href="#">RFP- Industrial and Mine Area Cleanup - Phase 2 - Construction Contract Administration</a> Ministry of Government Services, Ontario Shared Services Architect and Engineering Services	<a href="#">Order</a>
3		09/01/2012	30/01/2012	Ontario	<a href="#">Graphic Design Services</a> Ontario Institute for Cancer Research Communications, Photographic, Mapping, Printing and Publication Services	<a href="#">Order</a>
4		09/01/2012	07/02/2012	Ontario	<a href="#">Supply and Delivery of Health Care Services Uniforms</a> Ontario Ministry of Community Safety and Correctional Services Textiles and Apparel	<a href="#">Order</a>
5		09/01/2012	20/01/2012	National Capital Region	<a href="#">REQUEST FOR INFORMATION AS TO THE AVAILABILITY OF OFFICE SP. FOR LEASE OTTAWA&amp;GATINEAU5225-2-2011-10</a> 28) NCR -- Public Works and Government Services Canada (RPSB) Leasing or Rental of Facilities	
6		09/01/2012	24/01/2012	Ontario	<a href="#">RFT 03-12</a> The Corporation of the City of Windsor Construction Services	
7		09/01/2012	31/01/2012	World	<a href="#">3-Dimensional Atom Probe (3DAP) - ACAN</a> McMaster University	<a href="#">Order</a>



# Procurement Consultation

- Potential vendors and/or industry associations may be consulted prior to an actual procurement to provide advice or information relevant to the procurement through:
  - Request for Information (RFI)
  - Vendor consultations prior to the release of the Request for Proposal (RFP), or
  - Draft RFP released for comment
- There is no procurement award from any of these consultation processes.
- Discussions with ministries must cease when the procurement process starts except through designated means.



# Procurement Documents

- The most common procurement documents issued by Ontario are:
  - Request for Tender (RFT)
  - Request for Proposals (RFP)
  - Request for Qualifications (RFQ)
  - Vendor of Record Arrangements (VOR)
    - Request for Services (RFS)





# Procurement Documents

- **Request for Tenders (RFT)** means a procurement document that requests vendors to propose to supply goods or services based on delivery requirements, performance specifications, terms and conditions.
  - RFTs usually focus the evaluation criteria predominantly on price and delivery requirements.
- **Request for Proposals (RFP)** means a procurement document that requests vendors to supply solutions for the delivery of goods or services or to provide alternative options or solutions.
  - RFPs use predefined evaluation criteria in which price is not the only factor.
- **Request for Qualifications (RFQ)** means a procurement document used to solicit, from potential vendors, financial stability, technical information and product or service suitability, and measures the products and services against stated evaluation criteria.
  - Successful vendors are then pre-qualified or short listed to bid on specific categories of work or provide specific types of goods or services, or respond to a particular RFP or RFT.



# Vendor of Record Arrangements

- Vendor of Record (VOR) arrangement means a procurement arrangement, typically established through an RFP, that authorizes one or more qualified vendors to provide goods/services to one or more ministries for a defined period on terms and conditions, including pricing, as set out in the VOR agreement.
  - VOR arrangements may be for use by the entire government, multi-ministries or a single ministry.
- Depending on the estimated value of the goods/services to be acquired under the VOR arrangement, there may be a requirement for a second stage selection process:

Value of Assignment	Minimum Number of Vendors Invited
\$25,000 up to but not including \$250,000	3
\$250,000 up to but not including \$750,000	5
\$750,000 up to VOR Ceiling Price	8
Above VOR Ceiling Price (where applicable)	Ministries must use an open competitive process or seek an exemption

- As a result of the second stage process, the successful vendor will enter into an agreement with the ministry.



## Procurement Documents

- **Request for Services (RFS)** means the document used during the second stage selection process to request submissions from a vendor(s) listed on a services Vendor of Record arrangement.



# Procurement Documents

- Typically, procurement documents will include the following information and will range in length depending on the type of document:
  - Introduction
  - Deliverables
  - Evaluation Requirements
  - Terms and Conditions
  - Appendices
  - Addenda
- Addenda may be issued after the original procurement documents are advertised.



## VOR Refresh

- Some VOR arrangements include a refresh process to:
  - Capture new vendors
  - Allow for the addition of services/products by existing vendors
- Refresh occurs at defined points during the term of the VOR arrangement and is done through an open competitive process.



# Contractor Security Screening

- Vendors doing business with the Ontario Government may be required to undergo security screening checks and receive a security clearance before contracts can be awarded and work undertaken.
- Vendors will be advised through the procurement process if contractor security screening is a requirement for a specific assignment.
- Questions about the contractor security screening component of the procurement process can be directed to the ministry contact.
- Valid federal government security clearance may be applicable in Ontario.



# Conflict of Interest

- Conflicts of interest, both real and perceived, must be avoided during the procurement process and the ensuing contract.
- During the procurement process vendors must:
  - sign a declaration that they do not have confidential information that would give them an unfair advantage.
  - identify former OPS employees who participated in preparing the bid response.
  - In the case of public and media relations services and polling services, declare if they are registered under the Lobbyist Registration Act and indicate the parties for whom they have lobbied.



# Tax Compliance

- To do business with Ontario, a vendor's taxes must be in good standing with the Province of Ontario.
- The procurement documents will include a form that gives the ministry the right to confirm your tax standing with the Ministry of Revenue.
- The Ministry of Revenue will not disclose your tax information or details to anyone in the Ministry.
- If the Ministry of Revenue indicates that there is a matter to be resolved, you will be asked to contact them to address the matter.



# The Process





## How It Begins

- The procurement process begins when a ministry identifies the need for a good or service that is not otherwise available.
- The competitive procurement process begins when the ministry solicits interest from the vendor community to provide the goods/services.



## Question & Answers

- Review the procurement documents carefully. There are usually one or more opportunities to seek clarification of information presented in the procurement document.
  - There will be a designated person to whom to address questions within a period of time specified in the procurement documents.
  - There may be a vendor meeting where a presentation and question and answer period will also occur. For some procurements, there may be a site tour.
  - All questions and answers are issued as an addendum to the procurement documents and are available to all vendors who accessed the original documents.
- Tip: Do not contact anyone other than the designated procurement contact as this could jeopardize the bidding process.
- Tip: Attendance at a vendor meeting or site tour may be mandatory. Carefully review the procurement documents to determine this.



## Bid Submission

- Entering the procurement process can be a binding situation. For many procurements, you are agreeing with the terms and conditions, including the Agreement, at the time you submit your response. In procurement law this is called Contract A.
  - Typically, for these procurements there will be a period of irrevocability. For complex procurements this can be 6 months or more. During this period of irrevocability, you may not change any elements of your response regardless of market changes that may occur over the timeframe (e.g. gas prices).
- Tip: For complex procurements, ensure your response can withstand anticipated market changes over the period of irrevocability.



## Bid Closing

- All bids must be sealed and delivered on time to the designated location.
  - Late bids cannot be considered and will be returned unopened.
- Tip: Don't wait until the last day to submit your bid! If the courier is late or you get stuck in traffic, you run the risk of missing the deadline.



# Bid Evaluation

- The procurement documents will disclose what and how your response will be evaluated. Evaluation can include mandatory requirements, rated requirements and pricing requirements.
- The vendor with the highest ranked response considering all the evaluation requirements will be successful.
- Tip: Be clear in your responses. We cannot evaluate what is not submitted in your responses even if you have done business with a ministry in the past.



# Award

- The successful vendor will be notified following the evaluation period and will be asked to satisfy any outstanding requirements of the procurement (e.g. proof of insurance). The successful vendor will be required to enter into an agreement with the ministry.
- Once an agreement is signed, all vendors who submitted a bid are notified of the contract award and will be offered a debriefing.
- Contract award notifications are also published in the same manner in which they were advertised.



# Debriefing

- Vendors are entitled to know why their bid was not successful. Vendors who participate in procurements valued at \$25,000 or more are offered an opportunity for a debriefing.
- Debriefings are valuable to vendors as they offer the opportunity to learn about the strengths and weaknesses of their proposal. The objective of a debriefing is to help vendors learn how to submit more competitive bids in the future.





## Procurement Conclusion

- The procurement process concludes when a signed agreement is in place and any vendor debriefings are complete.
- Contract management follows the procurement process. Successful vendors work directly with the ministry procuring goods/services.

# Tips for Writing Effective Proposals





## Timetable

- Carefully review the procurement document and take note of all important dates including:
  - Vendor Meetings or Site Tours
  - Deadline for Questions
  - Deadline for Addenda
  - Closing Date, Time and Location



# Presentation

- Review the procurement documents for instructions on:
  - Number of Copies Requested
  - Page Limit (if applicable)
  - Minimum Font Size
- These are important instructions and assist the evaluation process. Make sure you follow any instructions on how to present your response.



# Requirements

- Mandatory Requirements
  - Mandatory requirements are rated on a pass/fail basis.
  - Failure to respond to any of the mandatory requirements may result in your response being disqualified
  - Ensure you sign any forms (eg. tax compliance) as part of the mandatory requirements



# Requirements

- Rated Requirements
  - Ensure you provide responses for all rated requirements
  - Carefully review the procurement deliverables to ensure you understand what the ministry wants. Use the Q&A process or vendor meeting (if applicable) to seek clarification if needed
  - Carefully review the evaluation criteria for how the rated requirements will be evaluated
  - Address all rated requirements and provide sufficient detail for your submission to be evaluated
  - Unless requested in the procurement document, do not propose an alternative solution to what is requested. This may be considered non-responsive.



# Requirements

- Pricing
  - The procurement document will tell you:
    - what costs should be included in your response (e.g. delivery, travel, maintenance)
    - how to present these costs (e.g. per unit, total cost) in your response
  - Some procurements may provide a form for submitting pricing.



## Form of Agreement

- The Procurement Document will usually include a Form of Agreement (or Contract) that you will be required to sign.
- The Form of Agreement is a legal agreement that is signed only if you are successful.
- Unless indicated in the procurement document, the Form of Agreement cannot be amended.



# Marketing to the Ontario Government





# Take Advantage of Public Information

- Information about the government's mandate, programs, priorities, and budget cycle are available through documents like the budget, Throne Speech, ministry business plans, and press releases – all of which can be found on the government's website.
- The more you learn about our priorities, challenges and needs, the better you will be able to position your organization to do business with the government.
- This information will also help you to determine who is most likely to be in the market for your goods or services. You can then use the Ontario government directory:  
<http://www.infogo.gov.on.ca>

## INFO-GO

Location: [HOME](#) > [ServiceOntario](#) > [INFO-GO](#)

### Telephone Search

[Telephone](#) [Offices](#)

Keyword\*

GO

Search by:

- ☒ Name e.g. Smith -or- Smith, John
- ☐ Job Title e.g. Director
- ☐ Telephone Number e.g. 416-555-1212 -or- 4165551212

Organization

ALL



Enter a keyword, select the type of search and organization from the menu above, and click "Go". If the name has accents, e.g. H      , you can type the name with or without accents e.g. H       or Helene.

### EXPLORE INFO-GO

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- ▶ [Offices Search](#)
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### INFO-GO TIPS

- ▶ [What's in this directory](#)
- ▶ [How to find an employee](#)
- ▶ [Browse one of the organizations for information](#)

### SURVEY

- ▶ [Would you like to Rate Our Service?](#)

## INFO-GO

ServiceOntario - making it easier

Location: [HOME](#) > [ServiceOntario](#) > [INFO-GO](#)

## Offices Search

[Telephone](#) [Offices](#)

Keyword\*

GO

Organization

ALL



Enter an office name or keyword e.g. Data Solutions or Birth. If you wish to filter your search for one organization, select the organization from the pick list above and click "GO".

## Browse by Organization

ABORIGINAL AFFAIRS  
AGRICULTURE, FOOD AND RURAL AFFAIRS  
ATTORNEY GENERAL  
AUDITOR GENERAL  
CABINET OFFICE

GO

Select an organization from the picklist and then click "GO".

## EXPLORE INFO-GO

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## Supply Chain Management

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### Quick Links

- ➔ [How to Do Business with the Ontario Government](#)
- ➔ [VOR 3-Year Outlook](#)
- ➔ [Becoming a Vendor of Record](#)
- ➔ [Vendor Reporting](#)

### WELCOME TO SUPPLY CHAIN MANAGEMENT

The Supply Chain Management (SCM) organization develops and implements an integrated corporate procurement strategy to:

- leverage and optimize government procurement of goods and services.
- identify and implement procurement process improvements.
- enhance procurement controllership.
- provide strategic advice to Management Board of Cabinet on large scale procurements.

**Our primary objective is to meet the government's goal to manage public funds efficiently and effectively and to ensure value for money for the goods and services that are bought by the government.**

[Read more...](#)

### SPOTLIGHT

## HOW TO DO BUSINESS WITH

### Buyer Registration

[Register](#)

### Buyers Login


[Registered Buyer Login](#)

### Vendor of Record Program

[SEARCH for VORs](#)

### Electronic Tendering Service





## Supply Chain Management

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## FOR VENDORS

# Vendor of Record (VOR) Program

- [Vendor of Record Program](#)
- [Vendor of Record Program: Three Year Outlook](#)
- [Vendor Reporting](#)

## Advice to Vendors

- [Harmonized Sales Tax \(HST\)](#)
- [Apply to receive payments and notifications electronically](#)
- [Becoming a Vendor of Record](#)
- [How to do Business with the Ontario Government - Brochure](#)
- [How to do Business with Governments and who to contact](#)
- [The Doing Business with the Ontario Government Task Force Final Report](#)
- [Selling Software Products to the Ontario Government](#)
- [Ontario Business](#)

## Frequently Asked Questions

- [FAQ - How to do Business with Ontario Government](#)
- [FAQ - New Requirements of Consulting Services Procurement](#)
- [FAQ - Payment by Electronic Fund Transfer](#)
- [FAQ - Supply Ontario](#)

## OPS/BPS Clients

→ [Contact SCM](#)

#### Quick Links

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- [Vendor Reporting](#)

#### Resources

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Easier tax services for  
Ontario businesses.

## Advice to Vendors

- [How to Do Business with the Ontario Government](#)
- [Becoming a Vendor of Record](#)
- [Harmonized Sales Tax \(HST\)\(Updated: June 30, 2010\)](#)
- [Apply to receive payments and notifications electronically](#)
- [The Doing Business with the Ontario Government Task Force Final Report](#)
- [Selling Software Products to the Ontario Government](#)
- [Common Terms & Conditions in I&IT Agreements](#)
- [Ontario Business](#)
- [Doing Business in Canada](#)

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- [FAQ - Payment by Electronic Fund Transfer](#)
- [FAQ - Supply Ontario](#)

## OPS/BPS Clients

- [OPS/BPS Client Definition](#)
- [MASH \(Municipalities, Academic Institutions, School Boards, Hospitals\) Procurement](#)

## Electronic Tendering Service

- [MERX - Canadian Public Tenders](#)
- [MARCAN - Public Tenders Gateway](#)

## Presentations

- [Supply Ontario](#)
- [How to do Business with the Ontario Government \(PDF\)](#)
- [How to do Business with the Federal Government\(PDF\)](#)
- [Using MERX to Do Business with Governments\(PDF\)](#)

## Trade Agreements

- [Canada-U.S. Agreement on Government Procurement](#)
- [Trade and Cooperation Agreement Between Ontario and Quebec \(PDF\)](#)
- [A Consolidation of the Agreement on Internal Trade 2009 \(PDF\)](#)
- [NOTE: Annex 502.4 - Procurement Provisions for municipalities, municipal organizations, school boards and publicly-funded academic, health and social service entities \(MASH\).](#)

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Supply Chain Management

**Supply Chain Management**

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**SEARCH FOR VOR ARRANGEMENTS****VOR Search Hint****Find VOR Arrangement by  
Keyword:****Find VOR Arrangement by Category:****VOR Type:**

All ▼

**Category:**

All ▼



VOR Name	Expiry Date	User
<b>Hardware</b>		
OSS-078059 - Desktop Management Services and Products (DMSP-02)	05/07/2013	OPS/BPS
OSS-078661 - x86 Server Products and Services	05/07/2013	OPS/BPS
VOR-1021 - Wireless Cellular/Paging Services & Devices	01/31/2012	OPS/BPS
VOR-1027 - Print Imaging Technologies and Services	01/31/2012	OPS/BPS
VOR-1029 - Video Conferencing Products and Services	02/29/2012	OPS/BPS
<b>Service</b>		
OSS-00175018 - Task-based I&IT Services	09/30/2014	OPS/BPS
OSS-00180021 - IT Research Subscription Services	04/21/2012	OPS/BPS
OSS-00195390 - I&IT Solutions Consulting Services	12/31/2014	OPS/BPS
VOR-1017 - Web Collaboration Solutions & Services	06/07/2012	OPS/BPS
VOR-1022 - Project-Based I&IT Consulting Services	12/31/2011	OPS
VOR-1023 - IT Management Consulting Services	03/31/2012	OPS
<b>Software</b>		
Citrix-HMQ040809 - MGS-CITRIX Master Support Services Agreement	08/03/2012	OPS/BPS
LA-0001 - Licence Agreement for Enterprise Portal Software Solutions	04/05/2012	OPS/BPS
MGS-ADOBE-VLA-4400235814 - Volume Licencing Agreement	02/27/2014	OPS/BPS
MGS-IBM-VLA-001 - Volume Licence Agreement		OPS/BPS
MGS-ORACLE-VLA-001 - MGS-ORACLE Volume Licence Agreement	09/16/2015	OPS/BPS
Microsoft # X20-01476 - Microsoft Select Plus Agreement	09/30/2013	OPS/BPS
MGS-ORACLE-VLA-001 - MGS-ORACLE Volume Licence Agreement		



## ***Supply Chain Management***

Vendor of Record Program: Three Year Outlook

## **Vendor Community**

*Last updated: October 8, 2010*

CATEGORY - DESCRIPTION	ESTIMATED ELECTRONIC TENDERING POSTING DATE	ESTIMATED START DATE	CLIENT USERS
Aviation Fuel	Nov-12	Apr-13	OPS and BPS
Case Management Software Solution and Services (Curam)	May-12	Sep-12	OPS and BPS
Cellular Wireless Voice & Data Transmission Services	Apr-13	Jan-14	OPS and BPS
Desktop Management Services and Products (DMSP-02)	Feb-13	Jun-13	OPS and BPS
Employee Assistance Program	Dec-11	Jul-12	OPS and BPS
Employee Relocation	Jan-12	Aug-12	OPS
Food - Milk and Dairy Products	Mar-12	Sep-12	OPS
General Office Seating	Mar-12	Aug-12	OPS and BPS
Human Resources - French Language Proficiency Evaluation & Training Services	Feb-12	Oct-12	OPS
Human Resources - Learning and Training Services for I&IT Professionals	Apr-11	Apr-12	OPS
Insignia - Supply & Delivery	Feb-12	Aug-12	OPS and BPS
Print Imaging Technologies and Services	Jul-12	Feb-13	OPS and BPS
Secure Document Destruction	Jul-12	Feb-13	OPS
Vehicle Acquisitions	Nov-11	Jun-12	OPS and BPS
Web Collaboration Solutions and Services	May-12	Aug-12	OPS and BPS



## Additional Information

### Resources and Contact Information

**Website:** [www.doingbusiness.mgs.gov.on.ca](http://www.doingbusiness.mgs.gov.on.ca)

**Email:** [doingbusiness@ontario.ca](mailto:doingbusiness@ontario.ca)

**MERX:**

**Telephone:** 1-866-320-1756

**Service Ontario's "Gateway for Business"**

[www.ServiceOntario.ca](http://www.ServiceOntario.ca)

Thank you for attending today.

Questions?