

Vendor Performance Management

Administrative Procedure

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Responsibility:	Superintendent of Business Services and Treasurer and Superintendent of Facility Services and Planning

Intended Purpose

To set out guidelines for the evaluation of vendors who are providing goods and/or services to the Halton District School Board ("HDSB") and to provide a means to use these evaluations to continue or discontinue vendor relationships.

The Vendor Performance Management Program applies to vendors providing goods and services to any department or facility within the HDSB.

Objective

The objectives of this program are to:

- Promote positive, accountable vendor performance;
- Ensure consistent and transparent vendor performance through documentation, direct communication, and ongoing feedback;
- Establish a framework to assess a vendor's ability to bid on future work, based on performance evaluation criteria which include past and current performance.

Procedures

The Purchasing Department shall be informed throughout the course of a contract of any performance concerns with the vendor. Departments and schools should not hesitate to contact the Purchasing Department for assistance regardless of the significance of a vendor challenge. Vendors that have several ongoing projects / contracts with the HDSB, that are managed by different departments or staff members, where needed shall be evaluated on a project by project basis. All

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evaluations will be reviewed by the Purchasing Department to ensure the evaluation provided is fair, transparent and consistent with other evaluations.

Evaluation of Vendor Performance

Vendor Evaluations are to be completed by HDSB staff as needed, using the Performance Evaluation Score Card. The Performance Evaluation Score Card is available through the Purchasing Department.

Performance Evaluation Score Card

The evaluation ratings to be used in assessing vendor performance are as follows:

Rating	Description
Good	A vendor's work/service/invoicing exceeds many of the objectives of the project; The project was completed early or on time and the technical performance exceeded expectations.
Satisfactory	A vendor's work/service/invoicing met the objectives of the project, deliverables were within expectations and the vendor met most timelines.
Cautionary	A vendor's work/service/invoicing did not meet some project requirements or met the bare minimum project requirements; HDSB input to and/or prompting of corrective actions was required.
Not Satisfactory	A vendor's work/service/invoicing did not meet project obligations and timelines; project deliverables were not met and there were project deficiencies.

Vendors receiving an overall Performance Evaluation with a rating of Good or Satisfactory do not need to be contacted by the HDSB. Vendors receiving an overall Performance Evaluation with a rating of Cautionary are to be informed of this rating by the HDSB, but the vendor is not required to provide a response to the evaluation. Vendors receiving an overall Performance Evaluation of "Not Satisfactory", are to be contacted by the HDSB and are required to provide a written response and appropriate corrective action within an acceptable time frame. Vendors failing to respond to a "Not Satisfactory" evaluation, in the sole

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opinion of the HDSB, will lead to the disqualification of the vendor to bid on future opportunities with the HDSB.

Impact of Performance Evaluations

Performance evaluation scores may be used to:

- a) determine if a vendor should be considered for future projects, and
- b) evaluate past performance for consideration in new project solicitations.

A vendor who receives a “Good” rating:

- a) will be considered a responsible bidder for future bid submissions to the HDSB.
- b) is eligible for the extension of the multi-year term contract for up to an additional two one (1) year terms, at the discretion of both the HDSB and the vendor.

A Vendor that receives a “Satisfactory” rating:

- a) will be considered a responsible bidder for future similar bid submissions to the HDSB;
- b) is eligible for the extension of the multi-year term contract for an additional one (1) year term, at the discretion of both the HDSB and the Vendor.

A Vendor that receives a “Cautionary” rating:

- a) may or may not be considered a responsible bidder for future similar bid submissions to the HDSB;
- b) is not eligible for any extension terms within a current multi-year term contract.
- c) may be asked to demonstrate in writing or by other acceptable means that they have corrected all previously documented areas of cautionary or less performance concerns to a standard satisfactory to the HDSB, prior to awarding any future contracts.

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A vendor that receives a “Not Satisfactory” rating shall not be considered a responsible bidder, and may be sanctioned or limited from bidding with regards to the volume and/or value of further work for a minimum two (2) year period to a maximum of a five (5) year period, at the discretion of the HDSB; or

- a) May be asked to demonstrate in writing or by other acceptable means that they have corrected all previously documented unsatisfactory performance concerns to a standard satisfactory to the HDSB;
- b) Is not eligible for an extension term to the current multi-year term contract;
- c) May have their current contract with the HDSB terminated and will receive a letter issued by the HDSB confirming the disqualification period and setting out the requirements of reinstatement.

Any vendor that refuses or fails to execute a contract awarded to that vendor by the HDSB may be subject to a disqualification period, at the sole discretion of the HDSB.

The HDSB may apply a disqualification period, where it is the best interest of the HDSB, based on:

- a) Commodity: this will be specific to the commodity of good(s) and/or service or construction evaluation on the applicable performance evaluation; or
- b) All Contracts: this will cover all contracts regardless of the type of good, service or construction evaluated on the applicable performance evaluation.

Where a vendor has a performance evaluation for an unrelated good / service / construction, the HDSB reserves the right to consider this evaluation amongst other sources in determining if a bidder is responsible.

Where a vendor has merged with another company, changed its company or corporate name, gone bankrupt, commence legal action against the HDSB, or has received a Not Satisfactory performance evaluation in the past, the HDSB reserves the right to consider the most recent evaluation, under the company's previous name, amongst other sources in determining if a bidder is responsible.

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Vendor Appeal Process

Within a time frame of ten (10) business days upon receiving an appeal response with respect to a performance evaluation, the HDSB will conduct a review of the appeal and render a decision based on the appeal information provided. The HDSB may request additional information from the vendor to conduct a review. Any disqualification period in place, shall be upheld during an appeal under review by the HDSB. The HDSB's decision shall be final and binding on all parties.

Definitions

Contract: A contract is a legally enforceable agreement, usually but not always in writing, between two or more legal entities who intend for the terms to be legally binding and enforceable. In order for a contract to be legally binding, there must be an offer and acceptance of the offer, mutual understanding and agreement of the terms, and the exchange of something of value ("consideration")

Goods: All materials, equipment, fixtures, and structures to be delivered, installed or constructed.

Invoicing: Invoicing refers to the process by which a vendor issues a formal request for payment to the HDSB based on goods delivered or services rendered. As a measurable function, it reflects how well the vendor adheres to agreed financial terms, documentation standards, and timelines.

Services: All professional, construction, or maintenance services, and non-consulting services, including the delivery, installation, repair, restoration, demolition or consideration of the particular goods and/or services.

Vendor: An individual, firm, contractor, architect or consultant, providing goods and/or services to the HDSB.

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Cross-Reference:

Legislation

Education Act R.S.O 1990

Ministry Policy & Program Memoranda

Broader Public Sector Supply Chain Directive and Implementation Guidebook

Board Policies, Procedures & Protocols

Code of Ethics Policy

Third Party Agreements Policy

Code of Ethics Administrative Procedure

Procurement Administrative Procedure

Agreements and Contracts with Government Agencies Administrative Procedure

Community Funding of Facility Enhancements Administrative Procedure

Decentralized Budgets Administrative Procedure

Disposal of Surplus / Obsolete Assets Administrative Procedure

Fraud Prevention and Management Administrative Procedure

Third Party Agreements Administrative Procedure

Vendor Performance Management Guidelines

Revision History

- June 2025 - revisions and clarifications to the vendor performance management process, ratings and references, and updated to a new template
- May 2022 - updated vendor performance process
- August 2021