

Topic:	Vendor Performance Management
Effective:	March 2019
Cross-Reference:	Education Act R.S.O 1990; HDSB Code of Ethics Policy; HDSB Administrative Procedures: Code of Ethics; HDSB Procurement; HDSB Vendor Performance Management Guidelines; Broader Public Sector Supply Chain Directive and Implementation Guidebook; Canadian Construction Documents Committee (CCDC 2 - 2008); Standard Form of Contract for Architect's Services - Ontario Association of Architects
Revision Date:	May 2022, August 2021
Review Date:	May 2025
Responsibility:	Superintendent of Business Services, Superintendent of Facility Services

INTENDED PURPOSE:

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

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

OBJECTIVES:

To ensure the Board is holding its vendors accountable for the contractual obligations, it will monitor the performance of vendors.

The objectives of this program are to:

- Ensure consistent and transparent vendor performance through documentation, direct communication, and ongoing feedback;
- Monitor and evaluate a vendor's performance against contractual requirements and deliverables based on the vendor's achievement of the principles of Accountability, Transparency, Value for Money, Quality Service Delivery and Process Standardization;
- 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:

Purchasing Services 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 Services for advice or assistance regardless of the significance of a vendor challenge, or to attend a meeting with the vendor.

Evaluation of Vendor Performance

Vendor Evaluator(s) are one or more person(s) from HDSB, who will be evaluating vendor performance through the completion of a Performance Evaluation Score Card. The Performance Evaluation Score Card is available through the Purchasing Department.

Performance Evaluation Score Card

Under the direction of Purchasing Department Evaluators shall perform a Vendor Performance Evaluation. Project Evaluators shall assign vendors one of the following ratings to each category set out on the Performance Evaluation Score Card

Rating	Description
Good	Meets contractual requirements and, in some area(s), exceeds requirements to the Board's benefit.
Satisfactory	Meets contractual requirements. The contractual performance contains some minor challenges for which proposed corrective actions taken by the vendor appear satisfactory, or completed corrective actions were satisfactory.
Cautionary	Did not meet-some contractual requirements. The contractual performance contains challenges for which proposed corrective actions taken by the vendor continued to be of concern, or completed corrective actions were below the expectation of the Board.
Not Satisfactory	Does not meet contractual requirements. The contractual performance being assessed reflects a serious challenge for which the vendor has submitted minimal corrective actions, if any. The vendor's proposed actions appear only marginally effective or were not fully implemented.

Vendors receiving an overall Performance Evaluation with a rating of Good or Satisfactory do not need to be contacted by the Board. Vendors receiving an overall Performance Evaluation with a rating of Cautionary are to be informed of this rating by the Board, 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 Board 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 opinion of the Board, will lead to the disqualification of the vendor to bid on future opportunities with the Board.

Impact of Performance Evaluations

Performance Evaluation Score Card will be used by the Board for consideration of award of solicitations. The evaluation forms will be used to:

- a) determine if a bidder submitting a bid is a responsible bidder, and / or
- b) evaluate past performance in proposal solicitations.

A vendor who receives a "Good" rating:

- a) will be considered a responsible bidder for future bid submissions to the Board.
- 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 Board and the vendor. A Vendor that receives a "Satisfactory" rating:

- a) will be considered a responsible bidder for future similar bid submissions to the Board;
- 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 Board 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 Board;
- 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 Board, prior to awarding any future contracts.

The Board reserves the right, at its sole discretion not to award a contract to any vendor that fails to provide satisfactory evidence of correcting any documented past performance concerns by the Board.

A letter will be issued by the Board confirming the disqualification period and setting out the requirements of reinstatement.

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 five (5) years, at the discretion of the Board; or

- a) May be asked to demonstrate in writing or by other acceptable means that they have corrected all previously documented areas unsatisfactory performance concerns to a standard satisfactory to the Board
- b) Is not eligible for an extension term to the current multi-year term contract.
- c) May have their current contract with the Board terminated will receive a letter issued by the Board 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 Board may be subject to a disqualification period, at the sole discretion of the Board.

The Board may apply a disqualification period, where it is the best interest of the Board, 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.

If a vendor has multiple performance evaluation forms on record with the Board, the Board may consider previous performance evaluations completed for similar contracted goods, service or construction, when awarding work.

Where a vendor has a performance evaluation for an unrelated good / service / construction, the Board 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 Board, or has received a Not Satisfactory performance evaluation in the past, the Board 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.

Vendor Appeal Process

Within a time frame of ten (10) business days upon receiving an appeal response with respect to a performance evaluation, the Board will conduct a review of the appeal and render a decision based on the appeal information provided. The Board 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 Board. The Board's decision shall be final and binding on all parties.