

Multi-Staged Procurement Policy



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Introduction

In addition to maintaining a high level of public confidence in its procurement process, the Government of Saskatchewan recognizes the important contribution that public-sector procurement can make towards supporting economic growth and promoting Government of Saskatchewan objectives.

The use of multi-stage procurements can benefit both public entities and vendors. It can assist public entities in identifying qualified vendors, and can provide flexibility where project requirements are difficult to specify. Multi-stage procurements are attractive to vendors since those chosen to participate are expected to have a greater chance of being successful.

In addition to the utilization of multi-stage procurements it is also recommended that public entities employ a fairness advisor where a project has a high value or is considered by the public entity to be sensitive.

Definitions

“multi-staged procurement” means a procurement in relation to an identified project or contract that involves short-listing potential vendors at some point or points during a competition.

“procurement value” means the total estimated financial commitment per participating public entity resulting from a procurement, including optional renewals.

Application

This policy applies to all Government of Saskatchewan ministries, agencies, boards, commissions, and Crown Corporations for the procurement of goods, services, and construction whether by purchase, contract, or lease.

Threshold for Policy Application

A multi-stage procurement must be conducted for all construction projects that have a total estimated procurement value of at least \$20 million(M) or all goods and services projects that have a total estimated procurement value of \$10M or more. Any exceptions to this requirement must be approved in advance by the permanent head, President, Chief Executive Officer, or equivalent or designate.

A multi-stage procurement is recommended for projects considered by the public entity to be complex or have a high value, where there is uncertainty about the state of competition in the marketplace, or where it is expected that participating vendors will need to invest significant time and resources to respond.

Implementing a Multi-Staged Procurement

The public entity will choose the most appropriate procurement process to satisfy this policy. In determining the appropriate procurement process the public entity will consider other applicable external and internal policies, the timelines and complexity of the project, the needs of the public entity, the expected impact on vendors who may participate, and other applicable factors.

Multi-stage procurements may include an initial assessment of potential vendors that may take the form of a pre-qualification, such as a Request for Qualifications, Expression of Interest, or similar process. The goal of such an initial assessment is to identify vendors that may be invited to participate in a competition or final stage of a competition.

Additional or alternative stages may be used to short-list vendors based on the criteria and process outlined in the competition documents. Some examples include:

- use of mandatory requirements as an initial evaluation phase.
- short-listing vendors that obtain a threshold score (e.g. vendors with a score of x % will advance to the next stage) or achieve a certain ranking (e.g. the top 3 ranked vendors will advance to the next stage).
- a Best and Final Offer process where short-listed vendors are provided with an opportunity to improve the quality of their proposals in identified areas.

These, or other stages and evaluation criteria, may be used as determined by the public entity.

Fairness Advisor

Procurements \$50M must utilize a fairness advisor. Any exceptions to this requirement must be approved in advance by the permanent head, President, Chief Executive Officer, or equivalent or designate. Where utilized it is recommended the advisor be engaged as early as possible in the procurement process. Employing a fairness advisor is intended to improve the confidence of all parties that the process will be fair and open. A description of the typical role(s) of a fairness advisor is attached in Appendix A.

Questions

Questions and enquiries regarding this multi-stage procurement policy may be directed to the appropriate public entity or Priority Saskatchewan.

Appendix A

Typical Role of a Fairness Advisor

A fairness advisor is an independent third party whose typical role is to observe the procurement process, report on whether the process described in the procurement documents was followed, and to raise issues with the project team that may be of concern. The role of a fairness advisor role may include, but is not limited to, the following:

- Providing an unbiased and impartial opinion(s) on the fairness of the observed procurement process;
- Reviewing any procurement documents at the fairness advisor's discretion, including invitation documents and their addenda, the process framework, and evaluation worksheets;
- Attending meetings where evaluation findings and recommendations are formally presented, monitor the fairness of such proceedings and the findings made there, and attend and monitor any other meetings related to the fairness of the process at the fairness advisor's discretion;
- Participating in meetings in person and by telephone as scheduled, identify priority fairness-related issues and fairness-related critical path and constraints; and
- Preparing and submitting reports to a steering committee that oversees the project team.

The involvement of a fairness advisor in a procurement process in no way diminishes or absolves any project team member of their accountabilities or responsibilities.

The above describes typical roles of a Fairness Advisor but public entities may, at their discretion, propose alternate or additional roles as they consider appropriate.