



Bidder Debriefing Protocol

1. Purpose and Interpretation

The purpose of this protocol is to provide assistance and direction to individuals involved in conducting debriefings requested by bidders in respect of a procurement. Defined terms used in this protocol have the meaning assigned in the Glossary of Terms in Schedule A of the City's Procurement Procedures.

2. Bidder's Right to a Debriefing

Upon request, an unsuccessful bidder must be provided with an explanation of the reasons why its bid was not selected and the relative advantages of the successful bidder's bid.

Debriefings are an important component of a competitive procurement process and provide an opportunity to:

- (a) recognize the efforts bidders make in responding to solicitation documents issued by the City;
- (b) assist the bidder in understanding why its bid was not selected and address questions and concerns in a non-confrontational manner; and
- (c) provide constructive criticism and suggestions for improvements so that unsuccessful bidders have a better opportunity at winning future bids, and the City has access to more qualified bidders that are better able to compete for the City's business.

3. Responsibility for Conducting Debriefing

Debriefings must be conducted by representatives of both the Procurement Section and the Business Unit responsible for the procurement. The Business Unit representative should be a member of the evaluation team and be knowledgeable in all aspects of the bid and the evaluation process. Where the procurement involves more than one Business Unit, additional representatives may attend, but attendance should generally be limited to two or three individuals from the City.

4. Initiation and Scheduling of a Debriefing

A debriefing is only initiated at the request of a bidder. Requests for a debriefing should be directed to the contact person identified in the solicitation document (the "contact person"). Bidders are expected to make their request within thirty (30) days of the notification of the outcome of the procurement process. Requests for a debriefing that are made after this time period may be considered by the City on a case-by-case basis.

The contact person is responsible for communicating and scheduling the debriefing with the bidder's representative. Debriefings may occur in person at the City's offices or by way of teleconference, depending on the location of the requesting bidder. The Procurement Section and

Business Units should be as flexible as possible, within reason, with respect to scheduling bidder debriefings.

5. Preparing for the Debriefing

Prior to the debriefing, the Procurement Section and Business Unit representatives should prepare the necessary materials, including obtaining a copy of the bidder's bid for reference purposes and preparing discussion points based on the suggestions for conducting a debriefing set out below. The materials for the meeting must be distributed in advance to all Business Unit and the Procurement Section representatives who will be attending the debriefing.

For major projects or where there is reason to believe that the bidder requesting the debriefing may be considering legal recourse against the City in connection with the procurement process, the Procurement Section and the Business Unit should consult with Legal Services to discuss any additional considerations.

6. Conducting the Debriefing

(a) The following is a suggested structure for conducting a debriefing:

- introductions and reiteration of the purpose of the debriefing;
- overview of the bidder's bid, including where the bidder lost significant points in the City's evaluation process;
- discussion of suggestions on how the bidder could improve their bid for future opportunities; and
- questions and answers.

(b) The following **may be** discussed in a debriefing:

- general overview of the evaluation process;
- the name, address, and total price of the successful bidder;
- specific evaluation information related to the criteria used to evaluate the bids;
- the bidder's evaluation score and strengths and weaknesses of the bidder's bid in relation to the evaluation criteria and the relative advantages of the successful bidder's bid;
- the bidder's evaluation ranking (e.g. 3rd out of 5);
- suggestions on how the bidder could improve a future response to a procurement opportunity issued by the City;
- specific questions and issues raised by the bidder in relation to the above topics;
- feedback from the bidder on the City's procurement processes and practices; and
- any information that was shared publicly as part of the procurement process.



- (c) The following **must not** be discussed in a debriefing:
- information that might prejudice fair competition between suppliers, including any unit pricing information;
 - confidential or proprietary information that would prejudice the legitimate commercial interests of third parties, including the protection of intellectual property; or
 - personal information about an identifiable individual.
- (d) If a bidder requests access to procurement-related records in the City's custody or control, and the individuals conducting the debriefing are not sure whether or not that information is subject to protection under access to information legislation, the bidder should be informed that the request will be considered and they will be notified of the response within a reasonable period of time. Following the debriefing, the Procurement Section must consult with the City's Records Management division regarding the bidder's request. If the record is directly related to the procurement process and would normally be disclosed in response to a formal access to information request, the record should be provided to the bidder as soon as reasonably possible without requiring the bidder to make a formal access request. If the record does not relate to the procurement process or would not be disclosed in response to a formal access to information request, the bidder should be informed that the requested information will not be provided. If the bidder has further questions or concerns about access to the information, they should be directed to contact the City's Records Management division.
- (e) 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 Section should inform them that the next step is to formally challenge the procurement, in accordance with the steps outlined in the City's Procurement Protest Protocol.

7. Debriefing Follow-Up

Following the conclusion of a debriefing, an internal memo outlining the outcome of the debriefing, including all questions raised by the bidder and any comments or feedback that the bidder might have had about the City's processes, should be prepared and reviewed by the Business Unit and the Procurement Section representatives involved and included in the procurement file.

If, following the debriefing, there are concerns that a bidder is contemplating challenging the procurement process, the Procurement Section and the Business Unit should inform and consult with Legal Services.