

# DEFENCE MARKETING



## Good News!

Defence Procurement Now More Streamlined

BY LINDA WOLSTENCROFT

**R**ecently, we've seen Canada's procurement practices begin a transformation under the guidance of Canada's Defence Procurement Strategy (DPS). Thankfully, the results are indeed looking fine and previous issues with procurements are starting to melt away.

For bidders, the process is still complicated and RFPs remain complex – but less so.

One improvement is that bid requirements are now streamlined and easier to follow. The RFP structure has improved over what we used to see – the structure is simpler, logical, and more coherent. Instead of seven parts, the RFP now only has two: Instructions to Bidders, and Resulting Contract Terms and Conditions.

However, interpretation is still a challenge. Just like RFPs before, it can still take days – sometimes weeks – for a diverse team to land on a bid structure that everyone understands. Requirements that must be met must all be met: technical, contractual, financial, and Industrial and Technological Benefit (ITB) / Value Proposition requirements must all be complied with. Plus, the bid needs to be presented such that all the evaluation criteria are addressed, and in a manner that enables the evaluators to easily perform the bid evaluation.

This can make for a complicated bid structure. Typically, there is a requirement to comply with the Instructions to Bidders, the Statement of Work, the Contract Terms and Conditions, and the Evaluation Plan. Each of these documents has their own structure. If this is the case, then what is the master format to follow? Does one follow the Instructions to Bidders, or does one follow the Evaluation Plan? When it says to follow both, what does one do? How does one work in the response to each and every element of the Statement of Work?

All must be covered completely. But to do this right, it results in a proposal with excessive duplication that requires careful cross checking by the bidder and by Canada's evaluators. Should information be incorrectly referenced or one area be forgotten, that could be cause for alarm – even non-compliance.

### “APPLES TO APPLES” EVALUATION

So, a further improvement in this area that could be implemented by Canada is to take more care in outlining the required structure of the bid in the RFP. Require all bidders to follow a set structure, instead of leaving it to interpretation. One can imagine that from the evaluators' perspectives, if the bid structure is left too much to bidders' interpretation then there could be too much variation in format and structure of proposals received from bidders. This can make an “apples to apples” evaluation difficult.

Another new and improved feature is the implementation of the two-step evaluation process intended to prevent the situation in which a bid gets disqualified as non-compliant for simple reasons, such as missing a certain piece of information or an unintentional contradiction. This first step allows Canada to accept clarifications from bidders in order to prevent a bid from being thrown out for a minor reason, prior to the bids being accepted as responsive and proceeding with the evaluation.

This is beneficial because as has happened in the past, even with extreme diligence some bids were disqualified for minor and unintentional errors. Fairness is maintained because clarifications provided by bidders will not change the original evaluated score; the

clarification is only used to determine responsiveness of the bid.

Canada's ability to set and meet schedules for the documentation release seems to have improved. In some cases, information has been released on the exact dates set. This almost never happened in the past. In one recent procurement, the second extension was “final” – Canada would not (at that time foresee) any reason to extend further. But then two extensions followed. The final due date was within 30 days of the initial “final” extension, showing a fairly solid commitment to schedule.

Canada's turnaround time for questions started quite slow, but this also improved as the RFP process progressed. What was impressive, especially as time passed, was the detailed answers to bidders' questions. Past experiences have seen poor answers to valid questions such as “read the RFP”, or a repeat of previous responses, or an answer that responds to a different question than the one that was asked. This time around it was clear that questions were being taken seriously.

All in all, recent experience has shown that we are moving in the right direction; toward a healthy Canadian procurement process. The separate yet relative subject of the incorporation of Value Proposition into the procurement is also an area that is moving well and will be the subject for a future column.

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