



**Public Works and Government Services Canada**  
**Operational Integrity Sector**

**Tactical Armoured Patrol Vehicle (TAPV) Project**

**FAIRNESS MONITOR CONTRACTOR'S FINAL REPORT**

February 6, 2012

**Submitted to:**  
Director General  
Operational Integrity Sector

**Prepared by:**  
Knowles Consultancy Services Inc. and  
Hill International Inc. in Joint Venture

# **Tactical Armoured Patrol Vehicle (TAPV) Project**

## **FAIRNESS MONITOR CONTRACTOR'S FINAL REPORT**

### **INTRODUCTION**

As Fairness Monitor, Knowles Consultancy Services Inc. and Hill International Inc. in Joint Venture (hereafter referred to as the Fairness Monitor) hereby submits its FM Contractor's Final Report (FM Final Report) pertaining to the competitive procurement process for the provision of Tactical Armoured Patrol Vehicles (TAPV) for the Department of National Defence, undertaken by Public Works and Government Services Canada (PWGSC) through Solicitation Numbers W847L-100018/A & B. This FM Final Report covers the activities of the Fairness Monitor chronologically throughout the competitive process, commencing with the initiation of FM services after the Letter of Interest (LOI) phase, through the completion of the Solicitation of Interest and Qualification (SOIQ) phase and the Request for Proposal (RFP) phase to the selection of the recommended bidder.

This report includes our attestation of assurance, a summary of the scope and objectives of our assignment, the methodologies applied, and relevant findings from activities undertaken.

### **FAIRNESS MONITOR ATTESTATION OF ASSURANCE**

It is the opinion of the Fairness Monitor that the competitive procurement process for the provision of Tactical Armoured Patrol Vehicles (TAPV) project was conducted in a fair manner. In this context, fairness is defined as decisions made objectively, free from personal favouritism and political influence, and encompasses the elements of openness, competitiveness, transparency and compliance.

Note: For all references in this report concerning fairness related comments being provided to project officials, it is confirmed that, as necessary, project officials provided clarification to the Fairness Monitor or took appropriate action to address the comments, and as a result no fairness deficiencies were recorded.

### **SCOPE AND OBJECTIVES OF THE FAIRNESS MONITOR ASSIGNMENT**

The overall objective was to provide PWGSC with independent observation and fairness related comments.

Our planned Fairness Monitor services included:

- the provision of fairness related comments on draft and final versions of both the SOIQ and the RFP including all amendments to each;
- observation of all meetings and review of communications between bidders and the project team;
- observation of the consensus evaluation of responses received to the SOIQ and to the RFP to ensure that the specified evaluation and selection procedures and departmental policy were followed and consistently applied during the evaluation and selection process; and
- the observation of the debriefing of unsuccessful bidders. (Debriefings to unsuccessful respondents to the RFP will be reported on in an addendum to this report, to be submitted after the debriefings).

## **FAIRNESS MONITOR ACTIVITIES AND SPECIFIC FINDINGS**

### **FM Activities related to the SOIQ Phase**

#### **FM Activities and Findings Prior to the Posting of the SOIQ**

On December 4, 2009 we reviewed the Letter of Interest (LOI) (Document 1) that had been posted on MERX. No fairness-related concerns were identified.

On January 5, 2010 and February 3, 2010, we observed one-on-one meetings with two interested suppliers. Prior to the initiation of FM services, one-on-one meetings had been held with several other interested suppliers. The agenda for the two sessions attended and the presentation provided by the project team were said to be identical to those for the other sessions. No fairness-related concerns were identified.

On February 26, 2010 we reviewed the draft SOIQ and provided fairness related comments to the Contracting Authority. Appropriate action was taken.

#### **FM Activities and Findings during the Posting Period of the SOIQ**

From April 9, 2010 to May 26, 2010, we reviewed the SOIQ (Document 2) and Amendments 1 to 9 (Documents 3 to 11). No fairness related concerns were identified.

#### **FM Activities and Findings related to the Evaluation of SOIQ Responses**

On June 4, 2010 we reviewed a PowerPoint Presentation entitled “SOIQ Evaluation Presentation” (Document 12), a document entitled TAPV “Internal Proposal Evaluation

Instruction and Procedures” (Document 13) and a document entitled “PWGSC Briefing Notes for Evaluators” (Document 14). Fairness related comments were forwarded to the Contracting Authority and appropriate action was taken.

On June 7, 2010 we observed the Evaluation Kick-off Meeting for the Evaluation Teams. No fairness related concerns were identified.

From June 8, 2010 to June 18, 2010 we observed evaluation consensus meetings on all mandatory requirements. There were no rated requirements. We also discussed with the Contracting Authority the need for a clarification from one respondent and reviewed the proposed clarification letter. Fairness related comments were made and appropriate action was taken.

### **FM Activities and Findings related to the Debriefing of Unsuccessful Respondents**

On July 13, 2010 we reviewed the rolled-up results of the evaluation and draft letters to each of the successful and unsuccessful respondents. No fairness related concerns were identified.

On July 28, 2010, August 4, 2010, and August 16, 2010, we observed the verbal debriefings provided to three unsuccessful respondents that had requested a verbal debrief. No fairness related concerns were identified.

### **FM Activities related to the RFP Phase**

#### **FM Activities and Findings during the RFP Preparation Stage**

On August 23 and 24, 2010 we discussed with the Contracting Authority protocol rules that would be used to conduct upcoming one-on-one meetings with qualified suppliers. Fairness related comments were provided and appropriate action was taken by project officials.

On September 3, 2010 we observed a sample of one-on-one meeting held between one qualified supplier and project officials during which project officials provided the background for the procurement and the qualified supplier outlined areas of concern. The one-on-one meeting protocol was followed to ensure the same information was provided to each supplier. No fairness deficiencies were identified.

On November 15 and 16, 2010 we observed a meeting of project officials with all qualified suppliers and seven (7) one-on-one meetings with individual qualified suppliers. A protocol was in place to ensure that each supplier received the same information while maintaining the confidentiality of commercially sensitive information. Fairness related comments were provided and appropriate action was taken.

During the period November 23, 2010 to March 15, 2011, we reviewed parts of the draft RFP that were posted progressively on the File Transfer Protocol (FTP) Internet Site to which all qualified suppliers had access. These RFP parts included annexes, appendices and attachments. Fairness related comments were provided and appropriate action was taken.

On January 19, 2011 we observed a background briefing provided to all qualified suppliers by project officials on the Electronic Information Environment (EIE) of the Department of National Defence. On January 20, 2011 we observed a background briefing provided to all qualified suppliers by project officials on the Land Command Support System (LCSS) requirement of TAPV. Fairness related comments were provided and appropriate action was taken.

### **FM Activities and Findings after the RFP Was Posted**

Qualified suppliers were notified on March 15, 2011 that the final RFP was being uploaded to the TAPV FTP Site. The RFP specified a closing date of August 29, 2011.

On March 17, 2011 we reviewed the RFP (Document 15) as posted on the FTP Site. No fairness deficiencies were identified.

During the period March 25, 2011 to August 25, 2011, we discussed proposed amendments to the RFP with the Contracting Authority. During the same period we reviewed Amendments 1 to 20 (Documents 16 to 35) as each was posted on the FTP Site. Fairness related comments were provided and appropriate action was taken.

### **FM Activities and Findings related to Evaluation of Proposals**

During the period July 22 to July 25, 2011, we reviewed draft and revised versions of a document entitled “Internal Proposal Evaluation Instructions and Procedures” later revised to “Internal Technical Evaluation Instructions and Procedures” (Document 36) that provided detailed responsibilities and procedures for the evaluation of technical proposals. The document provided the basis for evaluation orientation training provided to all evaluators. Fairness related comments were provided and appropriate action was taken by project officials.

During the period September 8, 2011 to December 19, 2011, we observed technical mandatory and rated requirements evaluation meetings for all evaluation teams during which consensus was reached on all mandatory and rated requirements. At each meeting, the processes and criteria specified in the RFP and evaluation instructions (“Internal Technical Evaluation Instructions and Procedures”) were strictly followed and applied. Fairness related comments were provided and appropriate action was taken by project officials. No fairness deficiencies were identified.

On October 19, 2011, we observed an Industrial Regional Benefits (IRB) evaluation meeting. The procedures used were the commonly used IRB evaluation procedures and the requirements of the RFP were consistent applied. No fairness deficiencies were identified. On November 23, 2011 we observed the IRB consensus meeting at which IRB consensus scores were agreed. No fairness deficiencies were identified.

On January 20, 2012 we reviewed the “Technical Evaluation Report, Request for Proposal (RFP), Tactical Armoured Patrol Vehicle (TAPV)” (Document 37), which was a summary of the results of the technical proposal mandatory and rated requirements consensus meetings and a roll-up of technical scores. The results in the Report were consistent with the results observed during the consensus meetings and we were informed that the roll-up of scores had been triple checked. No fairness deficiencies were identified.

On the same day, we reviewed the steps taken during the evaluation of financial proposals and the results of the financial evaluation. Financial proposals had not been opened until the technical proposal evaluation had been completed and the technical evaluation report provided to the Contracting Authority. The financial evaluation was carried out in accordance with the RFP. We also reviewed the consolidated roll-up of technical and financial scores which was in accordance with the basis of selection specified in the RFP. Both the financial evaluation and consolidation roll-up had been double checked. No fairness deficiencies were identified.

Bruce Maynard  
Fairness Monitor Team Leader

Roger Bridges  
President  
Knowles Consultancy Services Inc

Peter Woods  
Fairness Monitor Specialist

## Reference Documents

The following documents are referenced by number in the attached report or in the previous Solicitation of Interest and Qualifications (SOIQ) Report (Report 1). Unless otherwise indicated, these documents are available through the Tactical Armoured Patrol Vehicle (TAPV) project office.

No.	Document	Additional information
1	Letter of Interest	Released on MERX September 10, 2009
2	SOIQ	Released on MERX March 24, 2010
3	Amendment # 1 to SOIQ	Released on MERX April 8, 2010
4	Amendment # 2 to SOIQ	Released on MERX April 16, 2010
5	Amendment # 3 to SOIQ	Released on MERX April 26, 2010
6	Amendment # 4 to SOIQ	Released on MERX May 3, 2010
7	Amendment # 5 to SOIQ	Released on MERX May 7, 2010
8	Amendment # 6 to SOIQ	Released on MERX May 10, 2010
9	Amendment # 7 to SOIQ	Released on MERX May 17, 2010
10	Amendment # 8 to SOIQ	Released on MERX May 19, 2010
11	Amendment # 9 to SOIQ	Released on MERX May 21, 2010
12	SOIQ Evaluation Presentation	Dated May 14, 2010
13	TAPV Internal Proposal Evaluation Instruction and Procedures	Version 2
14	PWGSC Briefing Notes for Evaluators	Not dated
15	RFP	Posted on FTP Site March 15, 2011
16	Amendment 1 to RFP	Posted on FTP Site March 25, 2011
17	Amendment 2 to RFP	Posted on FTP Site April 6, 2011
18	Amendment 3 to RFP	Posted on FTP Site April 18, 2011
19	Amendment 4 to RFP	Posted on FTP Site April 29, 2011
20	Amendment 5 to RFP	Posted on FTP Site May 4, 2011
21	Amendment 6 to RFP	Posted on FTP Site May 10, 2011
22	Amendment 7 to RFP	Posted on FTP Site May 20, 2011
23	Amendment 8 to RFP	Posted on FTP Site May 30, 2011
24	Amendment 9 to RFP	Posted on FTP Site June 7, 2011
25	Amendment 10 to RFP	Posted on FTP Site June 22, 2011
26	Amendment 11 to RFP	Posted on FTP Site July 8, 2011
27	Amendment 12 to RFP	Posted on FTP Site July 15, 2011
28	Amendment 13 to RFP	Posted on FTP Site July 18, 2011
29	Amendment 14 to RFP	Posted on FTP Site July 21, 2011
30	Amendment 15 to RFP	Posted on FTP Site July 28, 2011
31	Amendment 16 to RFP	Posted on FTP Site July 29, 2011
32	Amendment 17 to RFP	Posted on FTP Site August 5, 2011
33	Amendment 18 to RFP	Posted on FTP Site August 18, 2011
34	Amendment 19 to RFP	Posted on FTP Site August 22, 2011

35	Amendment 20 to RFP	Posted on FTP Site August 24, 2011
36	Document entitled “Internal Technical Evaluation Instructions and Procedures” (ITEIP)	Draft Received July 22, 2011. Revised version received July 25, 2011
37	Document entitled “TAPV Technical Proposal Evaluation Report”	Submitted December 20, 2011



## **ADDENDUM TO THE FINAL REPORT October 19, 2012**

### **Addendum to Fairness Monitor Contractor's Final Report dated February 6, 2012 concerning the Tactical Armoured Patrol Vehicle (TAPV) Procurement Project**

This Addendum to the Fairness Monitor Contractor's Final Report covers the period following the conclusion of the evaluation phase. The following should be added to the Final Report as the last section after the section entitled "FM Activities and Findings Related to the Evaluation of Proposals":

#### **"FM Activities related to Debriefings**

The TAPV Acquisition Contract and the TAPV Support Contract were awarded to the successful bidder on June 7, 2012.

On June 6, 2012 we met with the Contracting Authority and reviewed the letters to be sent to the unsuccessful bidders informing them of the award of the contracts and providing each with a summary of the results of the evaluation of their proposal. We had no fairness related comments concerning the letters. On June 28, 2012 we observed the face to face debriefings of two unsuccessful bidders. We had no fairness related comments concerning the two face to face debriefings. The other unsuccessful bidder did not request a face to face debriefing.

On September 25, 2012 and October 4, 2012, we observed two face to face debriefings led by Industry Canada officials of unsuccessful bidders on the Industrial Regional Benefits (IRB) part of their respective proposal. Other than to state the IRB parts had been compliant, as is the normal practice, the earlier debriefings had not provided details of the evaluation results of the IRB parts. We had no fairness related comments concerning the two IRB debriefings. The other unsuccessful bidder did not request a face to face IRB debriefing.

#### **Fairness Monitor Attestation of Assurance**

It is the opinion of the Fairness Monitor that the post evaluation phase activities including the written and face to face debriefings were carried out in a fair manner. In this context, fairness is defined as decisions made objectively, free from personal favouritism and political influence, and encompasses the elements of openness, competitiveness, transparency and compliance."

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Roger Bridges  
President  
Knowles Consultancy Services Inc.  
FM Contractor's Representative

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Bruce Maynard P Eng.  
FM Team Leader

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Peter Woods  
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