

## **SUPPLIER PERFORMANCE EVALUATION PROTOCOL**

### **1. Purpose and Interpretation**

The purpose of this protocol is to establish a performance evaluation process in order to evaluate Supplier performance in a transparent and consistent manner.

Supplier performance is critical to the success of Procurement projects. Poor workmanship, unnecessary Contract delays, and unsafe work practices will not be tolerated.

Defined terms used in this protocol have the meaning assigned in the Glossary of Terms (Appendix D).

### **2. Performance Evaluation**

At the outset of the Contract, the Contract Administrator will provide the Supplier with copies of the Interim and Final Performance Evaluation Reports, which will be used to rate the Supplier's performance in accordance with this protocol.

#### **2.1 Interim Evaluation**

The Contract Administrator will formally evaluate the Supplier's performance and complete the Interim Performance Evaluation Report (Appendix A) prior to the renewal or extension of the Contract, if applicable, and may formally evaluate the Supplier's performance and complete an Interim Performance Evaluation Report at any time during the term of the Contract, as determined by the Contract Administrator, taking into account the nature, complexity, value, and length of the Contract. In the case of multi-year Contracts, an Interim Performance Evaluation Report should be completed on an annual basis, but will be completed every two (2) years.

#### **2.2 Final Evaluation**

The Contract Administrator will formally evaluate the Supplier's performance and complete the Final Performance Evaluation Report (Appendix B) upon completion, expiration, or termination of the Contract.

### **3. Incident Reports**

Specific incidents of poor performance, in particular any incidents related to health and safety matters, should be recorded at the time of occurrence or discovery. The Incident Report (Appendix C) may be used for this purpose. Email correspondence and notes to file (whether in physical or digital format) may also be used to record details of performance issues and incidents. A copy of the incident report should be provided to the Supplier and, where possible, the Supplier's acknowledgement of the incident should be obtained.

### **4. Interim Performance Evaluation Report**

#### **4.1 Notification of Supplier**

The Contract Administrator will notify the Supplier of its overall performance rating and provide the Supplier with a copy of the completed and signed Interim Performance Evaluation Report.

#### **4.2 Performance Issues**

If the Supplier receives a "Below Standard" rating on any of the rated criteria in the Interim Performance Evaluation Report, the Contract Administrator will meet with the Supplier to clearly identify and discuss the performance issues, determine the corrective action that will be taken to rectify and avoid recurrence of the performance issues, and obtain the Supplier's agreement to take the corrective action within a specified time period.



Following the meeting, the Contract Administrator will confirm the details and outcome of the discussion in writing to the Supplier and will attach a copy of the written record of the meeting to the Interim Performance Evaluation Report.

The Contract Administrator will inform his or her Business Unit Head of the performance issues. If the performance issues are not rectified or there is a recurrence of the performance issues, the Contract Administrator will consult with his or her Business Unit Head, Procurement Services, and Legal Services to determine next steps.

## **5. Final Performance Evaluation Report**

### **5.1 Performance Issues**

If the Supplier receives a “Below Standard” rating on any of the rated criteria in the Final Performance Evaluation Report, the Contract Administrator will meet with the Supplier to discuss the performance issues and will consider any comments or explanations provided by the Supplier in the finalization of the Final Performance Evaluation Report.

### **5.2 Recommendation Based on Performance**

Based on the final rating of the criteria in the Final Performance Evaluation Report, the Contract Administrator will make a recommendation to either:

- (a) allow the Supplier to continue participating in future Procurement processes; or
- (b) suspend the Supplier from participating in future Procurement processes for a period of up to two (2) years in accordance with Board policy.

### **5.3 Recommendation for Continued Participation**

If the evaluation results in a recommendation to allow the Supplier to continue participating in Procurement processes, the Contract Administrator will notify the Supplier of its final rating and the resulting recommendation and provide the Supplier with a copy of the completed and signed Final Performance Evaluation Report.

### **5.4 Recommendation to Suspend**

If the evaluation results in a recommendation to suspend the Supplier from participating in future Procurement processes in accordance with Board policy, the following steps must be taken:

#### **5.4.1 Review by Business Unit Head**

The Contract Administrator will submit the Final Performance Evaluation Report to their Business Unit Head for review. The Business Unit Head will ensure that the Final Performance Evaluation Report is complete, will discuss the ratings with the Contract Administrator, and will ask the Contract Administrator to confirm that the Final Performance Evaluation Report accurately reflects the Supplier’s performance.

#### **5.4.2 Notification of Procurement Services**

The Contract Administrator will inform Procurement Services of the recommendation and provide the Head of Procurement Services with a copy of the Final Performance Evaluation Report.

#### **5.4.3 Preparation of Notice of Suspension**

The Contract Administrator will prepare a Notice of Suspension in accordance with Board policy.

#### **5.4.4 Notification of Supplier**

In accordance with Board policy, the Head of Procurement Services will notify the Supplier of the decision to recommend suspension and will provide the Supplier with a copy of the Notice of Suspension, attaching the completed and signed Final Performance Evaluation Report. The notice will advise of the Board’s policy regarding suspension and the opportunity to respond to the decision to recommend suspension.

## **6. Decision to Suspend**

The decision with respect to suspension of the Supplier will be made in accordance with Board policy. The completed Final Performance Evaluation Report will be attached to the Notice of Suspension. A decision made in accordance with the Board policy is final.

## **7. Retention of Evaluation Reports**

The Contract Administrator will retain all original Interim and Final Performance Evaluation Reports and will provide Procurement Services with a copy of each Performance Evaluation Report. Procurement Services will retain copies of all Interim and Final Performance Evaluation Reports.

## **8. Disclosure of Results to Others**

The results of any performance evaluation processes are intended to be disclosed internally across Business Units and may be disclosed to other government bodies upon request and to any entity for which it can be demonstrated that the Supplier has listed the Board as a reference.

## **9. Consideration of Performance in Evaluation of Bids**

The Board may consider past performance evaluation results in the evaluation of future Bids from the Supplier, whether or not the past performance resulted in suspension in accordance with Board policy, and the Board may exclude a Supplier based on significant or persistent deficiencies in past performance.

## APPENDIX A – INTERIM PERFORMANCE EVALUATION REPORT

The Contract Administrator will work in conjunction with Procurement Services to amend the Interim Performance Evaluation Report, as required based on the complexity of the Deliverables, prior to issuance to the Supplier at the outset of the Contract.

INTERIM PERFORMANCE EVALUATION REPORT				
<b>SECTION 1 CONTRACT AND SUPPLIER INFORMATION</b>				
<b>Contract #</b>	<b>RFX # (if applicable)</b>	<b>Start Date</b>	<b>Length of Term</b>	<b>Contract Amount</b>
<b>Brief Description of Work</b>				
<b>Contract Administrator's Name</b>		<b>Contract Administrator's Business Unit</b>		
<b>Supplier's Legal Name</b>		<b>Primary Supplier Contact</b>		
<b>Address</b>		<b>Phone</b>	<b>Email</b>	
<b>SECTION 2 PERFORMANCE CRITERIA AND RATING</b>				
[Performance criteria and the rating system that will be used to rate the Supplier's performance in respect of each of the criteria must be developed and set out below. Different categories and performance criteria will likely need to be developed for different types of Contracts.]				
<b>The Rating System</b>				
[Describe the system that will be used to rate the Supplier's performance in respect of each of the criteria and result in an overall rating of "Below Standard," "Standard" and "Above Standard" performance.]				
<b>Category A:</b>			<b>Rating</b>	
1.				
2.				
3.				
4.				

**Category A Performance Rating:**

Below Standard       Standard       Above Standard

Category B:	Rating
1.	
2.	
3.	
4.	

**Category B Performance Rating:**

Below Standard       Standard       Above Standard

Category C:	Rating
1.	
2.	
3.	
4.	

**Category C Performance Rating:**

Below Standard       Standard       Above Standard

**Overall Performance Rating:**

Below Standard       Standard       Above Standard

**SECTION 3 COMMENTS AND EXPLANATIONS**

**General Comments**

Describe the Supplier's overall performance to date:

**Below Standard Ratings**

Comments must be provided to explain and substantiate any "Below Standard" rating on any of the criteria:

**Above Standard Ratings**

Comments must be provided to explain and substantiate any "Above Standard" rating on any of the criteria:

**SECTION 4 CONTRACT ADMINISTRATOR'S CONFIRMATION**

I have evaluated the Supplier's performance in accordance with the Supplier Performance Evaluation Protocol and have assigned a fair and objective rating to each of the criteria in Section 2 of this Interim Performance Evaluation Report.

\_\_\_\_\_

Contract Administrator

\_\_\_\_\_

Date

**SECTION 5 NOTIFICATION OF SUPPLIER**

I notified the Supplier of the overall performance rating and provided the Supplier with a copy of this Interim Performance Evaluation Report on \_\_\_\_\_.

\_\_\_\_\_

Contract Administrator

\_\_\_\_\_

Date

*This section is to be completed if the Supplier received a "Below Standard" rating on any of the criteria in Section 2.*

**SECTION 6 MEETING WITH SUPPLIER**

I met with the Supplier on \_\_\_\_\_ to discuss the performance issues that resulted in the “Below Standard” rating, determined the corrective action that will be taken by the Supplier to rectify and avoid recurrence of the performance issues, and obtained the Supplier’s agreement to take the corrective action in a specified time period.

I provided the Supplier with a written record of the above-noted meeting dated \_\_\_\_\_, which I have attached to this Interim Performance Evaluation Report.

\_\_\_\_\_

Contract Administrator                      Date

## APPENDIX B – FINAL PERFORMANCE EVALUATION REPORT

The Contract Administrator will work in conjunction with Procurement Services to amend the Final Performance Evaluation Report, as required based on the complexity of the Deliverables, prior to issuance to the Supplier at the outset of the Contract.

FINAL PERFORMANCE EVALUATION REPORT				
<b>SECTION 1 CONTRACT AND SUPPLIER INFORMATION</b>				
<b>Contract #</b>	<b>RFx # (if applicable)</b>	<b>Start Date</b>	<b>Length of Term</b>	<b>Contract Amount</b>
<b>Brief Description of Work</b>				
<b>Contract Administrator's Name</b>		<b>Contract Administrator's Business Unit</b>		
<b>Supplier's Legal Name</b>		<b>Primary Supplier Contact</b>		
<b>Address</b>		<b>Phone</b>	<b>Email</b>	
<b>SECTION 2 PERFORMANCE CRITERIA AND RATING</b>				
<p>[Performance criteria and the rating system that will be used to rate the Supplier's performance in respect of each of the criteria must be developed and set out below. Different categories and performance criteria will likely need to be developed for different types of Contracts.]</p>				
<b>The Rating System</b>				
<p>[Describe the system that will be used to rate the Supplier's performance in respect of each of the criteria and result in an overall rating of "Below Standard," "Standard," and "Above Standard" performance.]</p>				
<b>Category A:</b>			<b>Rating</b>	
1.				
2.				
3.				
4.				



**Category A Performance Rating:**

Below Standard       Standard       Above Standard

Category B:	Rating
1.	
2.	
3.	
4.	

**Category B Performance Rating:**

Below Standard       Standard       Above Standard

Category C:	Rating
1.	
2.	
3.	
4.	

**Category C Performance Rating:**

Below Standard       Standard       Above Standard

**Overall Performance Rating:**

Below Standard       Standard       Above Standard

**SECTION 3 COMMENTS AND EXPLANATIONS**

**General Comments**

Describe the Supplier's overall performance under the Contract:

**Below Standard Ratings**

Comments must be provided to explain and substantiate any “Below Standard” rating on any of the criteria:

**Above Standard Ratings**

Comments must be provided to explain and substantiate any “Above Standard” rating on any of the criteria:

***This section to be completed if the Supplier received a “Below Standard” rating on any of the criteria in Section 2.***

**SECTION 4 MEETING WITH SUPPLIER**

I met with the Supplier on \_\_\_\_\_ to discuss the performance issues that resulted in the “Below Standard” rating, and I have considered the Supplier’s comments in finalizing this Final Performance Evaluation Report.

**SECTION 5 CONTRACT ADMINISTRATOR’S CONFIRMATION AND RECOMMENDATION**

I have evaluated the Supplier’s performance in accordance with the Supplier Performance Evaluation Protocol and have assigned a fair and objective rating to each of the criteria in Section 2 of this Final Performance Evaluation Report.

Based on my evaluation of the Supplier’s performance, I make the following recommendation:

- I recommend that the Supplier be permitted to continue participating in the Board’s Procurement processes.
- I recommend that the Supplier be suspended from participating in the Board’s Procurement processes for a period of \_\_\_\_\_ years in accordance with Board policy.

\_\_\_\_\_  
Contract Administrator

\_\_\_\_\_  
Date

***If the recommendation is that the Supplier be permitted to continue participating in the Board’s Procurement processes, then the Final Performance Evaluation Report is complete and a copy of it must be provided to the Supplier.***

**SECTION 6 NOTIFICATION OF SUPPLIER**

The Supplier was provided with a copy of this Final Performance Evaluation Report on

\_\_\_\_\_.

*If the recommendation is that the Supplier be suspended from participating in the Board's Procurement processes, the following sections must be completed.*

**SECTION 7 BUSINESS UNIT HEAD REVIEW**

I reviewed this Final Performance Evaluation Report and discussed the ratings and the recommendation with the Contract Administrator. I obtained the Contract Administrator's confirmation that this Final Performance Evaluation Report accurately reflects the Supplier's performance.

\_\_\_\_\_

Business Unit Head

Date

**SECTION 8 NOTIFICATION OF PROCUREMENT SERVICES**

The Head of Procurement Services was notified of the recommendation to suspend the Supplier and was provided with a copy of this Final Performance Evaluation Report on \_\_\_\_\_.

**SECTION 9 NOTIFICATION OF SUPPLIER**

The Supplier was notified of the recommendation, was provided with a copy of this Performance Evaluation Report, and was advised that any statement of dispute in respect of the recommendation must be made in writing to the Head of Procurement Services within ten business days of the notification. Notification was given on

\_\_\_\_\_.

\_\_\_\_\_

Head of Procurement Services

Date

## APPENDIX C – INCIDENT REPORT

INCIDENT REPORT				
<b>CONTRACT AND SUPPLIER INFORMATION</b>				
<b>Contract #</b>	<b>RFx # (if applicable)</b>	<b>Start Date</b>	<b>Length of Term</b>	<b>Contract Amount</b>
<b>Brief Description of Work</b>				
<b>Contract Administrator's Name</b>		<b>Contract Administrator's Department</b>		
<b>Supplier's Legal Name</b>		<b>Primary Supplier Contact</b>		
<b>Address</b>		<b>Phone</b>	<b>Email</b>	
<b>INCIDENT DETAILS</b>				
<b>Date of Incident</b>				
<b>Date of Discovery of Incident (if different than above)</b>				
<b>Location of Incident</b>				
<b>Names and Titles of Individuals Involved</b>				
<b>Description of Incident:</b>				

**CONTRACT ADMINISTRATOR'S CONFIRMATION**

I have accurately described the incident, to the best of my knowledge.

\_\_\_\_\_

Contract Administrator

\_\_\_\_\_

Date

**SUPPLIER'S RECEIPT AND ACKNOWLEDGEMENT**

I have received a copy of this Incident Report.

I acknowledge the occurrence of the incident described in this report.

\_\_\_\_\_

Supplier

\_\_\_\_\_

Date

## APPENDIX D – GLOSSARY OF TERMS

“**Bid**” means a submission in response to a Solicitation Document, and includes proposals, quotations, or responses.

“**Bidder**” means a Supplier that submits a Bid, and includes proponents and respondents.

“**Bidding System**” means the Bids and Tenders bidding platform.

“**Board**” means Conseil Scolaire Catholique MonAvenir.

“**Board Head**” means the Officer that is responsible for the Board.

“**Business Unit**” means the school, department, division, or unit of the Board that is requisitioning the purchase of the Deliverables.

“**Business Unit Head**” means an individual officer or employee who is responsible for a specific Business Unit.

“**Contract**” means a commitment by the Board for the Procurement of Deliverables from a Supplier, which may be evidenced by an agreement executed by the Supplier and the Board, or a Purchase Order issued by the Board to the Supplier.

“**Contract Administrator**” means an employee assigned to the management of a Contract.

“**Deliverables**” means any goods, services, or construction, or combination thereof.

“**Legal Services**” means the Board’s legal advisors.

“**Performance Evaluation Report**” means a report evaluating a Supplier’s performance in accordance with the Supplier Performance Evaluation Protocol, and includes both Interim and Final Performance Evaluation Reports.

“**Procurement**” means the acquisition of Deliverables by purchase, rental, or lease.

“**Procurement Services**” means the department for purchasing Deliverables for the Board.

“**Purchase Order**” means the Board’s written document issued by a duly authorized employee of the Board to a Supplier formalizing all the terms and conditions of the purchase and supply of the Deliverables identified on the face of the Purchase Order.

“**Solicitation Document**” means the document issued by the Board to solicit Bids from Bidders.

“**Supplier**” means a person carrying on the business of providing Deliverables.