
OTTAWA STUDENT TRANSPORTATION AUTHORITY
(OSTA)

STUDENT TRANSPORTATION SERVICES

FAIRNESS MONITORING FINAL REPORT

April 24, 2015

Submitted to:
General Manager/CAO
Ottawa Student Transportation Authority

Submitted by:
Samson & Associates

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1. INTRODUCTION

Samson & Associates was engaged as a Fairness Monitor (FM) to observe the competitive acquisition process for the Student Transportation Services that was issued by the Ottawa Student Transportation Authority (OSTA) as solicitation #2014-5, on January 9, 2015. Samson & Associates is an independent third party with respect to this activity.

We reviewed all of the information provided, observed all relevant activities and had full access to all aspects of the procurement process.

We hereby submit the Final Report, covering the activities observed by the FM up to the contract award and debriefings with proponents.

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

2. BACKGROUND AND PROJECT REQUIREMENT

OSTA is bound by the Broader Public Service Procurement Directive and is required to secure transportation services through a competitive procurement process. Due to market conditions existing in the Ottawa area and current litigation against another area consortium, OSTA was not able to conduct competitive procurement for yellow school bus service for the 2014-15 school year.

However, OSTA has put in place a procurement plan and an RFP for some of the routes that are planned for the year 2015-16.

The purpose of the RFP is to select suppliers to enter into a Contract with OSTA to provide Student Transportation Services, as described in the Part 2 – The Deliverables of the RFP.

Contracts will be awarded for each bundle of routes or for more than one bundle up to a maximum of:

- 1) 35% of the 513 full-size yellow bus routes
- 2) 50% of the 60 mini-size adaptable dual rear wheel routes
- 3) 100% of the 2 Full-Size adaptable Special Needs Routes and Charter
- 4) 100% of the Mini-Size Special Needs Charter

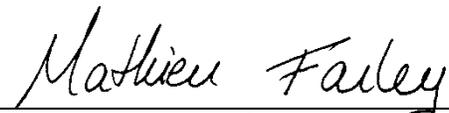
Bidders may submit a Proposal against one or up to the maximum bundles available. However, the contracts will be awarded following the limitations above inclusive of routes awarded in previous RFPs and agreements.

The operators vary from very small independent to large conglomerate and their expectations in regards to the RFP are significantly different. While large operators support the idea of a RFP, small operators claim an exemption from this process. And, although large operators support the idea, they are not satisfied with the mandatory cap.

3. ATTESTATION OF ASSURANCE

The FM hereby provides the following unqualified assurance statement concerning the competitive acquisition process for the Student Transportation Services up to the contract award and debriefings with proponents.

It is our professional opinion that the competitive acquisition process for the activities that we observed, was carried out in a fair, open, and transparent manner.



Mathieu Farley, CPA auditor, CA, CIA, CISA
Fairness Monitor Team Leader
Partner, Audit & Advisory
Samson & Associates

4. METHODOLOGY

Samson & Associates was engaged as a FM to observe the competitive acquisition process for the Student Transportation Services, and to attest to the fairness, openness, and transparency of this monitored activity.

In accordance with the terms of our engagement, we familiarized ourselves with relevant documents, including the RFP, previous Request for Information (RFI), observed activities leading to the issuance of the RFP, and discussed fairness-related matters with finance, contracting and technical authorities and ensured that actions were reasonable and appropriate.

4.1 FM Activities and Observations – Preparation of RFP

The RFP was prepared following an RFI process. Our discussion with OSTA personnel and the review of the RFI comment disposition allowed us to better understand the specific conditions of the operators in order to assess the fairness of the RFP.

We understand that the RFP process needs to address these issues in a fair manner to ensure the contracts awarded are balanced between the different operators and that OSTA obtains competitive proposals for the required services.

Observation: It is the opinion of the FM that the process leading to the issuance of RFP was conducted in a fair manner. The RFP is not intended to advantage any of the bidders in terms of capacity or size and is written in a clear, understandable and fair manner. In this context, fairness is understood to encompass the elements of openness, competitiveness, transparency and compliance.

4.2 FM Activities and Observations - RFP Phase

The RFP for the Ottawa Student Transportation Authority was posted on MERX, <http://www.merx.com>, on January 9, 2015 and closed on February 18, 2015.

Questions from the potential bidders were accepted and answers were addressed and posted on MERX prior to the closing date. The FM reviewed all questions and answers provided during the RFP period to ensure fairness-related considerations were satisfactorily addressed.

On January 16, 2015, a mandatory bidder's meeting was held in Ottawa, Ontario, which the FM attended in person.

At the close of the RFP, five (5) addenda were communicated as a result of questions from potential proponents and requested clarifications. 105 questions were received and answered from proponents during the RFP phase.

Observation: Questions arising during the RFP phase and the potential bidders' meeting were handled in accordance with the terms of the RFP and responses were clear, understandable and communicated to all vendors in a timely fashion. All fairness considerations were satisfactorily addressed.

4.3 FM Activities and Observations - RFP Evaluation/Contract Award Phase

The FM reviewed the evaluation plan and framework, scorecards and summary consensus of the evaluators. The evaluation of bids in this phase consisted of the review of the documentation submitted by the bidders.

An information session for the technical evaluation team attended by the contracting authority and the FM was held on February 18, 2015. A total of 11 proposals were received on bid closing. The evaluation of the technical bids began on February 19, 2015. The four technical evaluators attended the consensus meetings completed on February 27, 2015 along with the contracting authority and FM.

10 proponents obtained the minimum score and deemed compliant. The financial offers were assessed and cumulative scores were given for each compliant proponents. The FM reviewed the financial scoring attribution for accuracy. The bundle distribution to each winning proponents was performed according to their preference and reviewed by FM for fairness.

The RFP evaluation identified a total of six (6) winning proponents which have accepted the offers made by OSTA.

Observation: The instructions and tools of the evaluators were complete, respected the terms of the RFP and were consistent with the principles and practices of fairness, and they were executed fairly. Evaluation criteria, weighting, points and passing notes complied fully with what had been established in the RFP. The evaluation was performed as described by the RFP. The scoring was performed in strict accordance with the criteria. Consensus discussions were open, all evaluators were present, and a consensus was reached for all the criteria.

4.4 FM Activities and Observations – Debriefings

Debriefings were requested by 10 bidders. They were conducted by phone and in person and were attended by the contracting authority and the FM between March 30th and April 24th. The information provided to bidders only made reference to their own proposal.

Observation: The same debriefing information was provided to each proponent. It is the opinion of the FM that each proponent obtained an equal opportunity to get explanations about their proposal evaluation results. Aside from the published information, no details were communicated to bidders about their pricing or their financial proposal in comparison to others.

5. REFERENCE DOCUMENTS

The following RFP documents are available through MERX.

#	Document	Document date/number
1	Request for Proposal	Published on www.merx.com on January 9, 2015
2	Addenda # 1	Published on www.merx.com on January 20, 2015
3	Addenda # 2	Published on www.merx.com on January 30, 2015
4	Addenda # 3	Published on www.merx.com on February 6, 2015
5	Addenda # 4	Published on www.merx.com on February 9, 2015
6	Addenda # 5	Published on www.merx.com on February 11, 2015