

Guide to the Evaluation of Proposals for Resource Centre Survey Contracts

The First Nations Land Management Resource Centre Inc. (Resource Centre) has been granted the authority to issue and manage survey contracts on First Nation land, to support a description of lands being transferred to the First Nation's administration and control pursuant to the *Framework Agreement on First Nation Land Management*.

We have developed our own process for requesting and evaluating survey project proposals. For those survey companies that are familiar with the Surveyor General Branch's contracting processes, there are a few process variances to take note of:

- The issuance of the survey contract and the subsequent returns in most cases are **not bounded by the Government fiscal year end** (March 31st). The date for contract returns is primarily determined by the First Nation's Ratification Vote date and their Implementation Document¹, which sets out the timeframes for major milestones such as the completion of the Land Description Report (which requires the recording of the survey plan for the Report to be prepared).
- As we are acquiring these services for First Nation management activities, **the contracts are not subject to the goods and services tax/harmonized sales tax** as defined in (Technical Information Bulletin) TIB039R3. Each Request for Proposal (RFP) indicates that the fixed quotation costs are to be provided excluding taxes.
- The **Government procurement limits** of when a contract can be sole sourced or requires multiple bids is **not applicable** as to how we may request proposals. In general, we can request as many proposals as we feel are required to ensure conscientious spending of the contract funding received. This reduces most time delays in requesting estimates, in comparison with the Government's contracting timeframes.
- We will **confirm with the First Nation** whose Reserve is affected by the contract, to ensure that there are no known issues with any of the surveyors and/or companies that we will be requesting an estimate from. If we have identified a company that the First Nation indicates past issues with, we may remove the company from the contact list (for this particular RFP/contract). The First Nation will also be asked if they have any companies that they would like added to the list to be contacted for an estimate.
- It is up to the company providing the proposal to ensure that they comply with the applicable workers compensation and/or occupational health and safety legislation when providing the Services. **Upon request**, we may require proof of registration with the applicable worker's compensation board/agency prior to commencing the Services. All contracts with us will require the Safety Compliance Form² to be signed and accompany all proposals that are submitted.

Evaluation:

Each proposal may be evaluated on, but is not limited to, the following criteria:

- A written, detailed understanding of the project requirements
 - extent of work and type of deliverables required
 - An explanation of the deliverables required and to whom they are to be distributed to (in some cases the Surveyor General Branch will want to review the preliminary returns prior to the submission through MyCLSS)

¹ Refer to <http://www.labrc.com/home/> for additional information on the documents to be completed for the First Nation's Ratification Vote.

² A copy of the Safety Compliance Form is included with the Request for Proposal package that is sent out. It must be signed and accompany each proposal that is submitted.

- Any **generalized statements** regarding “all requirements of the survey instructions or statement of work will be carried out” **will not be evaluated as highly** as those proposals that have detailed the project’s requirements. This detail provides a greater assurance to the Resource Centre that the company is aware of and understands all of the various aspects of the project.

- knowledge of the area or the specific Reserve
 - potential issues that may arise and how they may be addressed
 - past projects/work on the Reserve

- liaison and involvement with the First Nation
 - As the First Nation is preparing to take over land and resource management responsibilities, we encourage the hiring of First Nation members (as a survey assistant, guide, etc.) to assist in the collection of information/knowledge with regards to the location of their Reserve boundaries and survey processes.
 - Meetings planned with the First Nation:
 - Project set up/planning
 - Discussions regarding the survey plan
 - Showing the First Nation representatives the boundaries on the ground
 - Any potential opportunities to utilize First Nation services or businesses (gas stations, boat rentals, accommodations, etc.)

- research done to prepare the estimate

- Ability to meet the contract timeframes for the project deliverables
 - a breakdown of the company’s proposed project schedule is preferred. This enables all stakeholders to be aware of the timeframes for the project and determine if timeframe adjustments will need to be made.
 - additional arrangements that may be made to ensure timeframes are met (if timeframe issues arise)

- Experience of company and/or staff that will be involved in the project
 - **experience in doing similar types of CLS work or projects?**
For example: if the survey is for a survey of a natural boundary, what is your company’s experience in doing natural boundary surveys?
 - who will be overseeing the project?

- Cost of the project
 - estimated project costs set out in the proposals have an average point rating of 20% or less (of the total points that can be awarded)
 - **the proposal is heavily evaluated on content of the proposal, rather than on the estimated project costs**; meaning that not always the lowest priced estimate will be awarded the contract. However, if there are two proposals that are equal in content (a full understanding of the project and requirements is demonstrated in the proposals), but there is a significant difference in cost between the two proposals, the lower priced proposal would be selected.
 - We want to ensure that survey contract funds are used in a fiscally responsible manner, but we also want to ensure that the potential contractor fully understands the project requirements as well.

- The cost of the project can be provided in whatever manner is regularly used by the survey company. A breakdown of project specific costs may be supplied (field costs, office costs, other costs, etc.) or an overall project cost can be provided (with no breakdown of specific costs). If there are any milestones listed in the RFP, there may be a specific requirement as to how the costs are to be divided (usually by percentage of work completed by a specific date - the specifics will be listed in the RFP in these situations). However, unless specifically indicated, the company can choose how to show these costs (by a breakdown or a complete cost).

It is **not** necessary to provide:

- the specific survey equipment (i.e. Brand, model numbers, etc.) that will be used for the survey. However, if there may be a potential issue in using a certain type of equipment (i.e. GPS in a heavily wooded area), please discuss the issue and how you would address this.

The highest rated proposal (based on points) will be awarded the contract, provided that no other proposals are within 2 points of the highest rated score. Where other proposals are within 2 points, there will be a further evaluation. A committee will be formed and may further evaluate the proposals and award points based on past experiences with the companies.

Past experiences will be rated on, but not limited to:

- Ability of company to meet the past contract deadlines - Unless there were extenuating circumstances, was the company able to submit the contract returns on time?
- Communication with us - If the contract returns could not be submitted on time, were we notified (in a timely manner) and provided with an explanation?
- Were there any comments or complaints received by the First Nation with regards to past surveys?

In situations where we do not have experience with all of the companies requiring further evaluation, the committee will review the contents of the proposals only.

We want to ensure that the company selected for the contract can demonstrate their ability to meet the contract return timeframe, fully understands the work that is to be done, has experience in performing this type of work (i.e. doing similar projects in the past) and will ensure participation with the First Nation in the project.

Currently companies that are approached to prepare proposals are selected by proximity to the survey area and input from the Surveyor General Branch.

We are **not able to issue retainers or advance payments** to survey companies prior to the start of the project. The Resource Centre can only request invoices and make payments on work or deliverables that have been completed.

There will be no re-imbusement of costs incurred for the preparation and submission of the proposal to the Resource Centre. In addition, there will be no re-imbusement of costs incurred before a contract has been signed with the Resource Centre.