

Develop Nova Scotia Supplier Performance Evaluation (SPE) Guideline

Purpose

The purpose of the SPE Guideline is to provide an evaluative record, both positive and negative, of a proponent's performance on High-Value and select Low-Value Tenders that have been awarded by Develop Nova Scotia. It will be used consistently across all Develop Nova Scotia Departments, based on Tender value, to assess performance and when considering a proponent's eligibility for future awards.

SPEs are conducted by Develop Nova Scotia staff with oversight from the Director, Operations & Procurement and Senior Management as may be appropriate. Effective April 1, 2022, all High Value Tenders (Good Tenders with a final value of \$25,000 and above, Service Tenders with a final value of \$50,000 and above, and Construction Tenders with a final value of \$100,000 and above) will be subject to mandatory SPEs.

Low-Value Tenders are open to optional SPEs if identified in advance in Tender documentation.

Scoring

Using the SPE policy, the proponent will be evaluated on how it meets the "Deliverables" in the following four major categories:

- (a) **Quality** – Did the proponent meet all Deliverable expectations, be it in the provision of a good, delivery of a service, and or the construction of some form of infrastructure? Were Deliverable outcomes compliant with all applicable/relevant regulatory requirements?
- (b) **Safety and Environmental Stewardship** – Did the proponent comply with applicable OHS and environmental safety regulations? Did they meet all Deliverable expectations in a safe and sustainable manner, taking all reasonable steps to protect people, property, and the environment from injury and or damage?
- (c) **Execution** – Were Deliverable expectations on budget, on time, and was the proponent's conduct collaborative and respectful with all Tender stakeholders?
- (d) **Administration** – Did the proponent comply with all contractual administrative requirements such as, but not limited to, delivery notifications, progress reporting, reports and designs, incident reporting, invoicing, and other documentation?

The proponent is rated on each category based on the following definitions:

EX (Exceptional Performance)

Far exceeded Deliverable expectations due to exceptionally high product, service, and or construction quality outcomes.

EE (Exceeds Expectations)

Exceeded Deliverable expectations due to high product, service, and or construction quality outcomes.

ME (Meets Expectations)

Met product, service, and or construction quality expectations and outcomes with few if any issues.

IN (Improvement Needed)

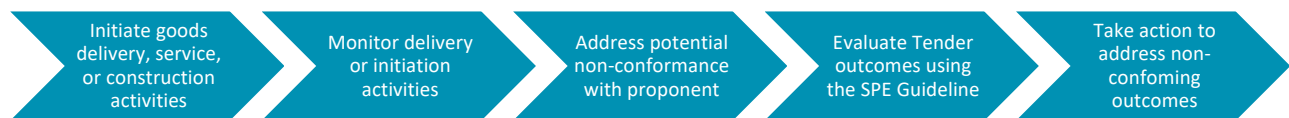
Performance failed to meet product, service, and or construction quality expectations in one or more essential areas of responsibility. Required some additional staff time and resources to meet contract expectations and outcomes.

UN (Unsatisfactory)

Consistently below product, service, and or construction quality expectations in most essential areas of responsibility. Required significant additional staff time and resources to meet contract expectations and outcomes.

Action

At the first sign of potential contract non-compliance the Tender Lead **must** contact the proponent in writing. The proponent must be apprised of any departures from contract expectations and Deliverables, what must be achieved to regain conformance, and they must be provided reasonable opportunity to do so. This must be a collaborative process that demonstrates good faith and a shared commitment to meeting all contract expectations.



While informal meetings and discussions may be of value in this process, proponents may not be suspended from future award opportunities if potential situations of non-conformance are not formally discussed, documented, and acknowledged.

The score generated by an approved SPE form may result in the following:

Warning Recommendation

Any ONE of the following shall initiate a report to the Director, Operations & Procurement recommending a warning letter to the proponent indicating risk of potential future suspension:

- (a) a final score of less than 10; or
- (b) a final criterion check of "UN" for "Safety and Environmental Stewardship" and or "Execution"

Suspension Recommendation

Any ONE of the following shall initiate a report to Senior Management, through the Senior Manager Procurement and Operations, recommending a suspension:

- (a) a final score of less than 6; or
- (b) a final criterion check of "UN" for "Safety and Environmental Stewardship" and or "Execution"

Suspensions

A first suspension shall be for two months. A second suspension shall be for 4 months. Subsequent suspensions shall be for six months.

Objections

In the event of a Warning or Suspension where the Proponent does not agree with the PPE score, they must submit objections in writing with supporting evidence within thirty (30) business days following receipt of the report to the Director, Operations & Procurement at todd.brayman@developns.ca.

Based on the information provided it shall be at Develop Nova Scotia's sole discretion whether the score shall be amended.

Suspension

Other than contracts/subcontracts that the proponent is already performing work under at the time of suspension, *the proponent is not eligible to bid on Develop Nova Scotia Tenders and may not perform work as a subcontractor, consultant, subconsultant, or supplier for the duration of the suspension.* The suspension of the proponent also applies to:

- (a) any legal entity that is affiliated with the proponent within the meaning of the Business Corporations Act;
- (b) any related person of the proponent within the meaning of the Business Corporations Act; and
- (c) other legal entities having the same operating mind as the contractor, as determined in consultation with Legal Services

After the suspension period, the proponent may bid on Develop Nova Scotia Tenders and or work as a subcontractor.



Questions

Questions related to this Policy should be directed to:

Director, Operations & Procurement

Develop Nova Scotia

Historic Properties – The Old Red Store

Suite 301 – 1875 Upper Water Street

Halifax NS. B3J 1S9

todd.brayman@developns.ca



Develop Nova Scotia
Supplier Performance Evaluation (SPE)
Scoring Form

Proponent:

Tender Name:

Tender Master File Number: _____ Date: _____

Evaluator:

(print and sign)

Criterion	EX 5 points	EE 4 points	ME 3 points	IN 2 points	UN 1 point	Sub Total
Safety & Environment						
Quality						
Execution						
Administration						
Total Score						/ 20

Evaluator Notes (mandatory in the case of a warning or suspension recommendation):

Director, Operations and Procurement Review (mandatory in the case of a warning or suspension recommendation):

Senior Management Review (mandatory in the case of a suspension recommendation):

Signature
Approving Authority
Date