

# VENDOR PERFORMANCE MANAGEMENT PROGRAM

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## 1. Definitions

1.1. Unless context requires otherwise, the following terms shall have the respective meanings set out below:

“**BGIS**” means BGIS Global Integrated Solutions Canada LP.

“**BGIS Review Committee**” means the committee established by BGIS to oversee the Vendor Performance Management Program, including reviewing Performance Surveys, Vendor Performance Scorecards, notices, suspensions, appeals, and reinstatements.

“**Major Projects**” means Projects having a cost of \$1,000,000 or greater.

“**Minor Projects**” means Projects having a cost of less than \$1,000,000.

“**Notice of Performance Concern**” means a notice issued by the BGIS Review Committee to a Vendor identifying a performance concern based on a Vendor Performance Scorecard.

“**Performance Survey**” means a survey to document and monitor a Vendor’s performance.

“**Project**” means any goods or services that have as its objective the realization civil or building works.

“**PWGSC**” means Her Majesty the Queen in right of Canada as represented by the Minister of Public Works and Government Services.

“**Suspension Letter**” means a letter provided to a Vendor indicating that the Vendor is suspended from certain procurement activities by BGIS in respect of Projects, and which will set out particulars of the suspension, including region, suspension period, and appeal process.

“**Suspension List**” means an internal list of Vendors that are suspended based on Suspension Letters.

“**Suspension Period**” means the period of time during which the Vendor is suspended from bidding on work procured by BGIS for the benefit of PWGSC.

“**Vendor**” means a person that enters into a contract with BGIS in respect of a Project.

“**Vendor Performance Scorecard**” means a report completed by BGIS based on Performance Surveys and used to communicate performance to a Vendor.

## 2. Introduction

2.1. This Vendor Performance Management Program provides a fair and transparent process for documenting, monitoring, communicating, and motivating Vendor performance of contractual obligations on Projects procured by BGIS for the benefit of PWGSC.

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### 3. Purpose

- 3.1. This Vendor Performance Management Program has the following purposes:
  - 3.1.1. provide Vendors and BGIS with a common understanding of the measurements applied and methods used to evaluate Vendor performance;
  - 3.1.2. monitor and evaluate Vendor performance in a fair, transparent and consistent manner;
  - 3.1.3. establish clear expectations that encourage Vendor responsibility and accountability;
  - 3.1.4. promote two-way communication and relationship building between BGIS and Vendors;
  - 3.1.5. acknowledge and encourage positive Vendor performance; and
  - 3.1.6. take appropriate actions with Vendors that are not meeting contractual expectations.

### 4. Performance Surveys

- 4.1. BGIS will complete Performance Surveys to document and monitor each Vendor's performance in respect of Projects for the benefit of PWGSC.
- 4.2. BGIS will assess a Vendor's performance based on the established performance criteria identified in the Performance Surveys.
- 4.3. The Performance Survey includes the evaluation of the performance of a Vendor's subcontractors.
- 4.4. For Minor Projects, a BGIS project manager will complete the Performance Survey at the following stages, at a minimum:
  - 4.4.1. final performance evaluation during closeout
- 4.5. For Major Projects, a BGIS project manager will complete the Performance Survey at the following stages, at a minimum:
  - 4.5.1. after acceptance of the first Investment Analysis Report submission, if applicable;
  - 4.5.2. after construction tender close, if applicable;
  - 4.5.3. annually for a multi-year Project;
  - 4.5.4. after substantial completion; and
  - 4.5.5. final performance evaluation during closeout.

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- 4.6. A Performance Survey may be completed on an interim basis to document an immediate performance concern.
- 4.7. The Performance Survey has 6 categories of scoring, as follows.
  - 4.7.1. Project and Contract Management;
  - 4.7.2. Schedules and Timelines;
  - 4.7.3. Financial;
  - 4.7.4. Communication;
  - 4.7.5. Health, Safety and Environmental Compliance; and
  - 4.7.6. Quality.
- 4.8. Up to a maximum of five points will be allocated for each criterion noted on the Performance Survey and are used to establish an overall Performance Survey score. The scoring scale for each criterion is noted in Appendix A (Performance Survey Scoring Guideline).
- 4.9. The Vendor's performance will be scored based on the BGIS project manager's response to each of the criteria.
- 4.10. All criteria of the Performance Survey add to a total percentage score out of 100.
- 4.11. Specific comments may be provided to support all scores of 3 or lower.
- 4.12. The Performance Survey may be reviewed by the BGIS Review Committee before a final score is established.

## 5. Vendor Performance Scorecard

- 5.1. Scoring data from the completed Performance Surveys is summarized in a Vendor Performance Scorecard and is used to communicate performance to the Vendor.
- 5.2. The Vendor Performance Scorecard is a cumulative average of all completed Performance Surveys and has a total percentage score out of 100.
- 5.3. The Vendor Performance Scorecard will be issued to the Vendor at the following Project stages, at a minimum:
  - 5.3.1. issued annually for Major Projects; and
  - 5.3.2. issued at completion of the Project.
- 5.4. An interim Vendor Performance Scorecard may be issued to communicate an immediate Performance Concern.

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- 5.5. The Vendor Performance Scorecard may be reviewed by the BGIS Review Committee prior to being finalized.
- 5.6. If the Vendor does not respond to the Vendor Performance Scorecard within 15 business days of delivery, the Vendor will be deemed to have accepted the Vendor Performance Scorecard and the Vendor Performance Scorecard will be final.

## 6. Notice of Performance Concern

- 6.1. BGIS will provide to a Vendor a Notice of Performance Concern upon any unsatisfactory performance documented by the relevant BGIS project manager.
- 6.2. BGIS may provide to a Vendor a Notice of Performance Concern under any of the following circumstances:
  - 6.2.1. when a BGIS project manager identifies a clear and demonstrable performance lapse relative to the contractual requirements for the Project; and
  - 6.2.2. a score of three or less in any of the criteria of the Performance Survey.
- 6.3. BGIS will provide to a Vendor a Notice of Performance Concern along with the supporting Vendor Performance Scorecard.
- 6.4. A Vendor that receives a Notice of Performance Concern may review the Notice of Performance Concern and provide to the BGIS Review Committee a written response within 15 business days.

## 7. Suspension Letter

- 7.1. BGIS may provide a Suspension Letter to a Vendor upon the occurrence of any of the following circumstances on an assigned project or in the region to which the suspension relates:
  - 7.1.1. a Vendor receives more than one Notice of Performance Concern within 12 months; and/or
  - 7.1.2. any performance concern that may warrant suspension, as determined by the BGIS Review Committee in its sole discretion.
- 7.2. The BGIS Review Committee will review any Suspension Letter prior to issuance of the Suspension Letter to a Vendor.
- 7.3. A Vendor that receives a Suspension Letter may review the Suspension Letter and provide to the BGIS Review Committee a written response within 15 business days.

## 8. Suspension Process

- 8.1. Suspensions will apply only to work for the benefit of PWGSC in the region of the Project that gave rise to the Suspension Letter, i.e., Atlantic, Quebec, National Capital Region, Ontario, Western, and Pacific region.

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- 8.2. The BGIS Review Committee will determine the duration of the Suspension Period, based on the factual circumstances, Vendor's ratings on the Vendor Performance Scorecard, and the gravity of the performance concern.
- 8.3. The Suspension Period will commence from the date identified in the Suspension Letter and continue for a period of between 3 months and 24 months.

## 9. Vendor Suspension List

- 9.1. BGIS will maintain an internal Suspension List that records each Vendor that has been issued a Suspension Letter.
- 9.2. During the Suspension Period, a Vendor on the Suspension List will not be eligible to have its proposals evaluated on any BGIS procurements issued in the regions to which the suspension relate.
- 9.3. BGIS will not reimburse a Vendor on the Suspension List in respect of any costs incurred in submitting a proposal in respect of any BGIS procurement.

## 10. Appeal Process

- 10.1. A Vendor may respond to a Notice of Performance Concern, Suspension Letter, or Vendor Performance Scorecard by providing a response to the BGIS Review Committee within 15 business days of delivery of the Notice of Performance Concern, Suspension Letter, or Vendor Performance Scorecard.
- 10.2. While an appeal is under review, any suspension will remain in effect.
- 10.3. The Vendor may, upon request, meet with the BGIS Review Committee to discuss the Vendor's concerns with the Notice of Performance Concern, Suspension Letter, or Vendor Performance Scorecard.
- 10.4. The BGIS Review Committee shall confirm, modify or withdraw the Notice of Performance Concern, Suspension Letter, or Vendor Performance Scorecard.
- 10.5. No further appeals will be considered following the decision of the BGIS Review Committee.

## 11. Removal of Vendor from Suspension List

- 11.1. Following the expiry of the Suspension Period, the Vendor will be removed from the Suspension List and is eligible to have its proposals evaluated on BGIS solicitations.

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- 11.2. At any time during the Suspension Period, and not more than once during the Suspension Period, a Vendor on the Suspension List may make a written request to the BGIS Review Committee to remove the Vendor from the Suspension List. Any such request shall include the following information:
- 11.2.1. how the Vendor has addressed all performance concerns identified in the relevant Suspension Letter; and
  - 11.2.2. an outline of any and all corrective actions the Vendor has taken to ensure that similar performance concerns will not recur.
- 11.3. The BGIS Review Committee shall review the removal request and may consult with any parties deemed necessary prior to making a decision to confirm, modify, or remove the Vendor from the Suspension List. BGIS will provide to the Vendor notice in writing of any decision regarding removal of the Vendor from the Suspension List.

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## Appendix A – Performance Survey Scoring Guidelines

| Score | Guideline   |
|-------|---|
| 1     | Assigned when a Vendor’s performance does not meet the expectations of the Contract requirements and has a significant material impact. |
| 2     | Assigned when a Vendor’s performance does not meet the expectations of the Contract requirements and has a moderate material impact.    |
| 3     | Assigned when a Vendor’s performance does not meet the expectations of the Contract requirements and has a minimal to no impact.        |
| 4     | Assigned when a Vendor’s performance meets the expectations of the Contract requirements.   |
| 5     | Assigned when a Vendor’s performance exceeds the expectations of the Contract requirements.   |
| NA    | The criterion is not applicable for the project.  |

## Appendix B – BGIS Review Committee Contact

A Vendor may contact the BGIS Review Committee regarding any of the following:

- A. appeal a Notice of Performance Concern;
- B. appeal a Suspension Letter;
- C. request a removal of the Vendor from the Suspension List; and
- D. any questions related to an issued Vendor Performance Scorecard.

Contact Email: [BGIS\\_VPM\\_Review\\_Committee@bgis.com](mailto:BGIS_VPM_Review_Committee@bgis.com)

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## Appendix C – Notice of Performance Concern

### Notice of Performance Concern

**Date:**

**Vendor Name:**

**Vendor Address:**

**Project Name:**

**Project Name:**

**Project Number:**

**Project Region:**

**Project Type OPDS/PDS:**

Pursuant to the BGIS Vendor Performance Management Program, this Notice of Performance Concern relates to the above noted project.

The following information provides details regarding the Notice of Performance Concern:

Date of Performance Concern:

Category of Performance Concern:

Criteria of Performance Concern:

Criteria score:

Vendor Performance Scorecard overall score:

Date of completed Vendor Performance Scorecard:

Vendor may respond to a Notice of Performance Concern by providing a written response to the BGIS Review Committee within fifteen (15) business days of receiving this Notice. The BGIS Review Committee shall review Vendor's appeal prior to making a decision to confirm, modify or withdraw the Notice of Performance Concern.

Upon request, Vendor may meet with the BGIS Review Committee to review the Vendor's Concerns with this Notice.

BGIS will provide written confirmation of any adjustments to the Notice of Performance Concern and/or adjusted Vendor Performance Scorecard. No further appeals to adjust the Vendor Performance Scorecard will be considered following BGIS's review of the appeal.

Yours truly,

[insert name of individual]

[insert BGIS Review Committee Contact information]

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## Appendix D – Suspension Letter

### SUSPENSION LETTER

**Date:**

**Vendor Name:**

**Vendor Address:**

**Project Name:**

**Project Name:**

**Project Number:**

**Project Region:**

**Project Type OPDS/PDS:**

**Suspension Period:** [identify period between 3 and 24 months]

Pursuant to the BGIS Vendor Performance Management Program, Vendor will be suspended for the Suspension Period from all procurement activity in the Region in respect of Projects procured by BGIS for the benefit of PWGSC. The Suspension of the Vendor applies regardless of whether the Vendor is a contractor, subcontractor or other tier of supplier.

The reason for the suspension is as follows:

VPS Category(s): [Insert the category(s) from the VPS with the unsatisfactory score]

VPS Date: [Insert the Date of completed VPS with unsatisfactory score]

A Vendor may respond to a Notice of Performance Concern, Suspension Letter, or Vendor Performance Scorecard (VPS) by providing a response to the BGIS Review Committee within fifteen (15) business days of delivery of the Suspension Letter.

If BGIS does not receive a response in writing to this Suspension Letter from the Vendor, the Suspension will be deemed to be accepted.

If a response is received from the Vendor, the BGIS Review Committee will review the response. BGIS may request additional information from the Vendor.

The Vendor may, upon request, meet with the BGIS Review Committee to discuss the Vendor's concerns with the Suspension Letter.

The BGIS Review Committee shall review the Vendor's appeal prior to making a decision to confirm, modify or withdraw the Suspension Letter. BGIS will provide to the Vendor written confirmation of any adjustments to the Suspension Letter. No further appeals will be considered following BGIS's review of the appeal.

At any time during the Suspension Period, and not more than once during the Suspension Period, a Vendor on the Suspension List may make a written request to the BGIS Review Committee to remove a Vendor from the Suspension List. Any such request shall include the following:

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- A. how the Vendor has addressed all performance concerns identified in the relevant Suspension Letter; and
- B. an outline of any and all corrective actions the Vendor has taken to ensure that similar performance concerns will not recur.

The BGIS Review Committee shall review the removal request and may consult with any parties deemed necessary prior to making a decision to confirm, modify or remove the Vendor from the Suspension List. BGIS will provide to the Vendor a notice in writing, of any decision regarding removal of the Vendor from the Suspension List.

Yours truly,  
[insert name of individual]  
[insert BGIS Review Committee Contact information]

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