



VPM Frequently Asked Questions

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FAQ for Vendors

General

Q-G1: When does VPM apply to my project?

All consultant projects valued above \$15K or construction projects value above \$100K will have VPM applied.

Q-G2: What other regions or municipalities have experience with VPM?

The MTO, Infrastructure Ontario, Calgary, Toronto, Hamilton, Oakville and Mississauga have all implemented VPM processes in their jurisdictions.

Q-G3: Is the City evaluating the consultants and contractors on the same project?

Provided the contract values meet the threshold (\$15K for consultants and \$100K for contractors) for the specific phase of work (consultant, CA or contractor), both will be evaluated individually.

Q-G4: What if there is a change in the City Project Manager?

The performance evaluation in MERX will be transferred to the new City Project Manager.

Q-G5: How will performance evaluations be dealt with when the City Project Manager is a consultant (or consulting Project Manager)?

Consultant Project Managers will complete evaluations of Vendors as part of their contracted role. Depending on the value of their contract with the City, Consultant PMs may also be subject to Vendor Performance; and in these cases, their performance shall be evaluated by the responsible Program Manager. Consultant PMs are expected to conform to the City of Ottawa's employee Code of Conduct and will be required to sign a Non-disclosure Agreement related to the information contained within the Vendor Performance Management system.

Additionally, the following guidelines for VPM will apply to Consultant Project Managers:

- Consultant Project Managers shall not evaluate their own firm
- Consultant Project Managers shall not evaluate a firm that they have worked for in the previous 3 years
- Consultant Project Managers shall not collude with others for mutual benefit and/or gain

- Consultant Project Managers shall not disclose and/or take advantage of any Vendor Performance information gleaned from their tenure at the City of Ottawa for their personal gain and/or for their company's gain
- Consultant Project Managers shall disclose in writing, to the City any influences on their objectivity or any conflicts of interest
- The Consultant Project Manager shall maintain the appropriate documentation to support successful project delivery as per the Infrastructure Services Department (ISD) protocol

Communication with the City Vendor Manager

Q-C1: Will the Vendor have opportunities to discuss the ratings? How will the evaluations be communicated?

Any required interim and all final evaluations will be published in MERX and an email notification of this will be sent to the vendor's MERX account user. Follow-up discussions to review the details of the evaluation can and should be requested by the vendor if not already arranged by the City Project Manager.

Q-C2: Will the Vendor have a similar process for performance issues and escalation?

Issues should first be discussed directly with the Project Manager. However, if there is a concern that is not being addressed or resolved to the vendor's satisfaction, they can contact the Program Manager or Branch Manager listed on the Expectations Overview Document.

The performance evaluation of the Project Manager is the responsibility of ISD management and therefore the Program Manager or Manager will provide any coaching or assistance that is required to deal with the situation.

Q-C3: Will performance above expectations also be communicated?

It is sometimes easy to forget to acknowledge the good things that happen on a project; however, positive performance should be documented by the City Project Manager and incorporated into the feedback during regular progress meetings.

Q-C4: When will performance be discussed?

At every progress meeting there should be an agenda item added to discuss performance of the project and of the Vendor.

Q-C5: Who is at the meeting when we discuss performance?

The City Project Manager and the vendor's Project Manager should be meeting to discuss performance. Alternatively this could be a second step to a progress meeting between the City Project Manager and Prime.

On occasion or when requested, the City Program Manager may also attend performance evaluation discussions.

Q-C6: When the Program Manager is reviewing the evaluation recommendation by the Project Manager, will they contact the vendor for more information?

The Program Manager will gather the appropriate level of information to ensure they are comfortable in approving the rating. This could include speaking to the Vendor.

MERX

Q-M1: Who receives the MERX notifications?

The Vendor's main MERX account user who holds the subscription and log-in information for MERX will receive all MERX notifications. If the vendor wishes to add multiple users to their company's account, this should be done by contacting MERX directly.

Q-M2: What if I am not a member of MERX?

If the Vendor is not already member of MERX, they will receive an email from MERX indicating that the company has been registered with MERX as a non-member so the project container can be opened. The vendor will also be asked whether they would like to subscribe to MERX. If the Vendor decides that is not necessary, they will still receive evaluation ratings in MERX, however they will be unable to view their scores or appeal any final evaluations in MERX.

All evaluations and supporting performance documentation should be shared directly with the Vendor by the City Project Manager regardless of MERX membership status.

Q-M3: At what point are vendors notified that their VPM eligible project has been entered in the MERX system?

An automated email notification will be sent to the vendor's MERX account user once the Purchase Order (PO) has been issued.

Q-M4: When is the Vendor notified that an evaluation is available for review in MERX?

An automated email notification will be sent to the vendor's MERX account user immediately following publication of interim and final evaluations. Only the MERX account user will be notified. Firms who have chosen to centralize this function may need to develop associated business processes to ensure that the correct contact receives the notification.

Q-M5: Will vendors see the comments and attachments?

Yes. When the evaluation is published, all comments and attachments associated with the evaluation are available to the vendor.

Q-M6: Can Vendors put comments on any evaluation categories?

Vendors may choose to appeal any number of categories within their evaluation if they do not agree with the score in their final evaluation. The specific category must be referenced in the overall appeal comment section and supporting rationale must be included as to why the category is being appealed.

Q-M7: Can Vendors request additional documentation be posted to MERX?

Yes, but keep in mind that the project file is the primary source for all project documentation and storage. There are only specific documents that need to be uploaded into MERX, over and above what City Project Managers share with the vendor directly.

Q-M8: Is there an opportunity for the Vendor to upload documents or add comments in MERX directly?

The opportunity to add comments or upload documents comes during the appeal process when a vendor makes the decision to appeal a category (or multiple categories). At that point, the Vendor will need to add comments to support the desired rating change and attach supporting documentation to support this appeal.

Evaluations

Q-E1: Do Contractors provide input into the performance evaluation of the Consultant (and vice versa)?

Project Managers have been encouraged to consider input from Consultants, Contract Administrators, Contractors, client groups, etc. who have been involved in the project when completing a vendor's performance evaluation.

Q-E2: Will the City be evaluating sub-contractors?

Evaluations are completed for the Prime contractor or consultant only. Sub-contractors are not evaluated independently as their performance is considered in the evaluation of the Prime.

Q-E3: How will Vendors know what we are being evaluated on?

ISD Project Managers have been asked to discuss and set clear expectations with the Vendor at the beginning of the project. Setting expectations is the most important part of the VPM process. The contractual documentation outlines outcomes and contractual obligation. In addition, this discussion should also include the timelines for delivery, expected conduct during the project, frequency and mode of communication, and how performance will be evaluated.

As part of this initial performance discussion to set expectations, the Vendor should identify what they need in order to be successful. This continued, on-going dialogue with the Project Manager is important and will improve overall communication.

Q-E4: How will the City ensure that the evaluations are scored in a consistent manner?

Project Managers are provided with standardized evaluation templates and criteria within MERX. Program Managers will review all the scores for their teams to provide consistency to the scoring across their units. In addition, Branch Managers will review all outlier (>89% or <70%) scores across the branch in order to provide further consistency for the organization. Over time, consistency will improve as the City gains more experience with this process.

Q-E5: Other sub-contractors, representatives from the utilities, etc. may have impact on ratings. Can they be involved or included in the performance meetings?

Yes, if there is agreement with the City Project Managers that others should be invited or involved in these discussions.

Q-E6: What if a Vendor is doing both the design work and also acting as the Contract Administrator (CA) on the same project?

If the same consultant is conducting 2 different phases of work on the same Purchase Order or for the same project, they will be evaluated separately for each phase. For example, the consultant will be provided clear expectations and an evaluation for the work performed during the design phase and then again for the CA phase through 2 individual MERX containers.

Q-E7: Is it possible to have more frequent interim evaluations?

The ISD process includes an interim evaluation generally around the mid-point of the project (for projects >6 months) and following agreed upon milestone(s) determined between the City Project Manager and the Vendor's Project Manager. An interim evaluation provides a numeric indication of how the project is being assessed by the Project Manager.

As part of regular progress meetings, the Vendor will be given feedback about performance on the project. The on-going discussions should provide more specific detail about the status of the Vendor's performance throughout the project.

Q-E8: Can a Project Manager re-open an evaluation and modify the score after the evaluation is submitted?

Project Managers may need to re-open published evaluations if:

- Design Errors and Omissions were discovered during Construction and/or during the Design phase
- Issues emerged during the warranty period
- Discussion with the vendor at the close-out meeting led to revised scores based on performance

The Vendor will receive a notification from MERX when an evaluation has been withdrawn, and again when the new evaluation has been published. Upon review, Vendors will have the opportunity to accept or appeal the revised score.

Q-E9: Will Vendor scores be made public? Who can see the scores?

No, Vendor scores are not public. Through the MERX VPM module, Vendors will be able to see their own overall score (Vendor Score) and their scores on individual projects (Project Scores). They will not be able to see the scores of other Vendors.

Appeals

Q-A1: How long do Vendors have to submit an appeal?

The Vendor must initiate the appeal process in MERX within 15 calendar days of publication of the final evaluation from the City.

Q-A2: Can any score be appealed?

Vendors can initiate the appeal process if they are in disagreement of their final evaluation score. Once an appeal decision has been reached, the score is considered final and cannot be appealed a second time. Interim evaluation scores cannot be appealed as they are intended as a communication tool and do not contribute to the final score.

If the Vendor is submitting an appeal, they must include supporting documentation and comments that provide the rationale for the request to review the evaluation score.

Q-A3: What is the City's standard response time for appeals?

The City shall endeavor to respond to appeals within 15 business days. Appeals that must escalate to the Management Advisory Committee (MAC) or are more complex may take longer to render a decision. The Vendor should be informed in writing if the appeal review process will take longer than 15 days and an estimated timeframe for resolution should be provided.

Q-A4: If a Vendor submits an appeal for an increased score in a certain category, is it possible that we could receive a lower score instead?

Yes, the appeal could result in a lower score. This is why if a Vendor submits an appeal, it is important to have documented rationale to support it.

Q-A5: What if we are not happy with the interim rating, can we appeal?

Appeals are only possible following a final evaluation, not an interim rating. The Vendor can provide feedback during the review of the interim evaluation with the City Project Manager.

If the Vendor feels the evaluation outcome requires further escalation, they may contact the Program Manager indicated on the Expectations Overview document.

FAQ for City Project Managers

Communication with Vendors

Q-PC1: Is there supporting documentation about how the Vendors will be evaluated under the VPM program that Project Managers?

Yes. Project Managers are expected to review and complete the Expectations Overview Document relevant to your project with the Vendor during the initial start-up of the project.

Q-PC2: What is the difference between a letter of non-performance and a letter of default?

The letter of non-performance is the first level of escalation and details the specific areas that a Vendor needs to address or has not met, as outlined in the contractual documentation. A letter of non-performance is issued only after a performance discussion detailing the issues and expectations for resolution has been conducted by the Project Manager. Formal documentation should be obtained from the contractor outlining how they propose to address the non-performance to the satisfaction of the City.

The letter of default is a notification that the Vendor is in default of their contractual obligations. A letter of default's purpose is to enforce the contract, not to cancel it. Formal documentation should be obtained from the contractor outlining how they propose to resolve the default to the satisfaction of the City. If the corrective actions are acceptable, the Vendor would no longer be in default and the contract can be concluded as proposed. This is a process that is managed by the Supply Branch.

MERX

Q-PM-1: Is it possible for Vendors who are not members of MERX to be evaluated?

They will still be included and added as non-members so the project container can be opened, but they cannot see their evaluations in MERX and they cannot appeal until they register with MERX. All evaluations and supporting performance documentation should be shared directly with the vendor, regardless of MERX membership.

Q-PM2: The project information entered in MERX is incorrect and changes to the project information in MERX are required?

Contact your departmental SuperUser who can assist you with changes to the project information entered in MERX.

Q-PM3: I am having trouble using MERX, who can help me?

If you require assistance with the system please contact your departmental SuperUser. You can also contact your VPM Coordinator or review the “Navigating MERX” procedural documents stored on Ozone as a quick reference to operating the tool.

Evaluations

Q-PS1: Is the City evaluating the consultants and contractors on the same project?

Provided the contract values meet the threshold (\$15K for consultants and \$100K for contractors) for the specific phase of work (consultant, CA or contractor), both will be evaluated individually.

Q-PS2: How will a Project Manager know if their scores are consistent with other Project Manager’s scores?

Project Managers are provided with standardized evaluation templates within MERX. Program Managers will review all the scores for their teams to provide consistency to the scoring across their units. Managers will review all outlier scores across the branch in order to provide further consistency for the organization. Over time the consistency will improve as the department gains more experience with this process.

Q-PS3: If the Vendor meets the conditions of the Contract should this be scored at a 70% or an 85%?

If the Vendor meets the conditions of the Contract, they are considered to be in good standing with the City (70%).

Project Managers should evaluate the performance of the Vendor on each of the performance factors outlined in the evaluation and arrive at a final score based on the expectations they provided to the Vendor and the actual performance. The sum total of each performance factor provides the final score.

Q-PS4: Can Vendors see their detailed interim evaluation and score?

Yes, Vendors will receive an email notification from MERX and can see an interim evaluation as soon as it is published in the MERX system following the evaluation approval by your management. The interim evaluation is a formal record on the project file but does not count toward the final Vendor score.

Q-PS5: How long do I have to complete my final evaluation?

Final evaluations need to be completed within 20 business days of receipt of the tender package (for Design evaluations), substantial completion or receipt of final deliverables (for studies or other assignments).

Appeals

Q-PA1: When a Vendor has made an appeal, how long does the City have to respond?

The City has 15 business days to respond to the appeal.

Q-PA2: Is there an appeal process for interim evaluations?

No. Since the interim evaluation doesn't count towards the final evaluation score, vendors cannot appeal an interim evaluation.

Q-PA3: If the Vendor wants to bid on another project and they are under appeal, can they still bid?

Yes, the Vendor will still be able to bid on the project. The current evaluation score under appeal will be "suspended" in MERX until an appeal decision is entered and will not impact the Vendor's ability to bid on further projects.

Q-PA4: When a score is published, how long does the Vendor have to appeal?

The vendor has 15 calendar days before the score is automatically accepted by the system.