



Accessibility Procurement Pilot: Call for Proposals (CFP)

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CFP No.: 24062-180181/B

Amendment No.: 003

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Proposal submission details are included in this Call for Proposals document.

This document contains no security requirement.

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This amendment is raised to amend the Call for Proposals, including the insertion of the Summary of Feedback and Outcomes from the Consultative Process (<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-17-00804940>) as Attachment 4.

1. At Part 1 – General Information:

DELETE:

“The attachments include:

- the Questions from bidders and Canada’s answers
- the Proposal Submission Form
- the Stage 1 evaluation criteria”

INSERT:

“The attachments include:

- the Questions from bidders and Canada’s answers
- the Proposal Submission Form
- the Stage 1 evaluation criteria
- the Summary of Feedback and Outcomes from Letter of Interest No. 24062-180181/A”

2. After Attachment 3 – Evaluation Criteria:

INSERT:

Attachment 4 – Summary of Feedback and Outcomes from Letter of Interest No. 24062-180181/A appended to this document.

All other terms and conditions remain the same.



Attachment 4 - Summary of Feedback and Outcomes from Letter of Interest No. 24062-180181/A

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1. Introduction

On 23 November 2017, Public Works and Government Services Canada (PWGSC) published a Letter of Interest (LOI) on the Government Electronic Tendering Service (GETS) seeking to engage with the Industry on behalf of the Treasury Board of Canada Secretariat and the Public Service Commission of Canada.

As part of that engagement, respondents were asked to provide a written response to questions related to both the technical aspects of the Work to be undertaken and the high level procurement strategy.

The purpose of the Industry Engagement was threefold:

- a) to notify industry, academia and other stakeholders of Canada's intention to issue a Call for Proposals (CFP) in relation to the Treasury Board of Canada Secretariat's Open by Default Pilot Portal and the Public Service Commission of Canada's online recruitment system;
- b) to provide advance notice of the challenges for which Canada intends to seek proposals; and,
- c) to provide respondents the opportunity to give written feedback on the requirement and procurement strategy.

Participants were encouraged to ask questions and provide comments with the objective to receive feedback that may be incorporated into the solicitation document, creating a procurement that is fair and transparent to suppliers, enhances competition, and results in best value to Canada.

The publication of this document and any resulting CFP effectively concludes the Consultative Process. The information gathered through this process was considered when finalizing the procurement strategy and should meet the needs of the Government of Canada and be compatible with Industry standard practices.

2. Requirement

The Treasury Board of Canada Secretariat (TBS) and the Public Service Commission of Canada (PSC) have separate requirements for proposals to address the long standing barrier of accessibility in support of the Open by Default Pilot Portal and of job seekers searching for and applying to government jobs, respectively. The two challenges for which an open source software solution ("Solution") (existing or developmental but not proprietary) were identified in Attachment 3 and 4 of the LOI, which is available at the following website: <https://buyandsell.gc.ca/procurement-data/tender-notice/PW-17-00804940>.

3. Industry Engagement Process

3.1 Industry Engagement Period

- a) Posting of LOI: 23 November 2017
- b) Responses to LOI requested: 15 December 2017
- c) Publication of the CFP: 21 December 2017

3.2 Participants

The following organizations provided responses to the LOI:

1. OpenConcept Consulting Inc.
2. Macmout Inc.
3. Ciao technologies Inc.
4. MNP LLP
5. CGI Information Systems and Management Consultants Inc.
6. Inclusive Media and Design, Inc.

4. General Overview of the Consultative Process Feedback



The Consultative Process provided respondents with an opportunity to participate in the procurement process by providing comments, questions and recommendations for improvement of the requirement as well as seeking clarification on technical issues.

Following feedback received from respondents, Canada has adjusted some specific requirements as necessary to address technical concerns, and some changes have been made to the CFP to address key issues.

This document details the feedback received during the Consultative Process and the outcomes on the CFP.

5. Summary of Feedback and Outcomes

The following represent questions posed in the LOI and the resulting responses from respondents provided in written format. Administrative questions have been removed.

1. Question 1: Currently, three weeks have been allotted between when the contractors are invited to present and the date of presentation. At this time, the presentation is expected to include a demonstration of a working prototype of the proposed Solution (i.e., a preliminary version of the Solution with basic functionality).
 - a) We are seeking feedback from potential bidders as to whether three weeks is enough time to develop a working prototype for the presentation.

FEEDBACK

Most participants indicated that three weeks is enough time to develop a working prototype for the presentation. However, several participants suggested that additional time be added.

Participants had the following comments and suggestions:

- (i) *Given the original scope of Phase 1, one participant suggested that the total period be increased to six weeks (3 weeks for finalizing the Design and Implementation Plan and 3 weeks to develop the prototype).*
- (ii) *One participant noted that given the limited time and limited resources, contractors may not focus on making their presentations accessible, which could put persons with disabilities at a disadvantage; engagement with the impacted communities is a key success factor.*
- (iii) *One participant noted that the time needed is directly related to the scale of a proposed solution, and suggested that Canada evaluate a concept rather than a functional prototype.*
- (iv) *One participant advised Canada that it could use components from proprietary software to develop a working prototype.*
- (v) *One participant suggested allowing more time for accessibility testing and security validation.*
- (vi) *One participant noted that for suppliers with experience delivering similar solutions, three weeks would be sufficient to present a mock-up and prototype.*



OUTCOME

Canada will maintain the three-week timeframe.

With respect to the comments and suggestions received from the participants, Canada offers the following information:

- (i) Canada has reorganized Phase 1: the Finalization of the draft Design and Release Plan (formerly Design and Implementation Plan) has been removed from Phase 1, and inserted at the outset of Phase 2.*
 - (ii) Presentations must be delivered in an accessible format. Canada has modified the Statements of Work to include and involve persons with disabilities, to the extent possible. Furthermore, Canada has added a provision to the Contract to ensure it has the option to extend the three-week period, should this be required to ensure full inclusion of persons with disabilities.*
 - (iii) Contractors will be required to present a functional prototype.*
 - (iv) The proposed solution must be open source; solutions leveraging proprietary software or components will not be accepted.*
 - (v) At the prototype phase, the proposed solution is not required to be fully compliant with accessibility testing and security validation; contractors should explain how these will be conducted, and demonstrate compliance with the requirements.*
 - (vi) The use of mock-ups and/or wireframes is not required as part of the presentation; however, their use could be beneficial to demonstrate non-functional aspects of the prototype.*
- b) We are seeking feedback from potential bidders as to whether \$15,000 is an appropriate amount to develop a working prototype as described above.

FEEDBACK

Half of the participants believed that \$15,000 could be an appropriate amount; the other half did not. Most participants noted a direct correlation between allowed time, maximum budget and prototype functionality.

Participants had the following comments and suggestions:

- (i) Given the limited budget, contractors may have to exclude the participation of persons with disabilities to avoid disability-related accommodation expenses.*
- (ii) One participant noted that the scale of a functional prototype is limited under the proposed budget, and suggested that Canada evaluate a concept rather than a functional prototype.*
- (iii) One participant considered the budget appropriate as it would leverage components of its proprietary software for its solution.*



- (iv) *One participant suggested doubling the available amount to allow for accessibility testing and security validation.*
- (v) *One participant considered the budget appropriate to present a mock-up and prototype.*

OUTCOME

Canada will maintain the \$15,000 budget.

With respect to the comments and suggestions received from the participants, Canada offers the following information:

- (i) *Presentations must be delivered in an accessible format. Canada has modified the solicitation to include and involve persons with disabilities to the extent possible throughout the evaluation, contractor selection and performance of the Work.*
 - (ii) *Contractors will be required to present a functional prototype.*
 - (iii) *Proprietary solutions will not be accepted, including solutions that leverage proprietary Artificial Intelligence or machine learning platforms. As per article 4.6 of the Call for Proposals, "Solutions developed (not pre-existing) for either challenge must be licensed under the MIT License. Where Bidders are leveraging existing open source projects, adopting the parent license of the open source software project is acceptable, where the license is approved by the Open Source Initiative. A list of approved licenses is available at the Open Source Initiative's web page."*
 - (iv) *At the prototype phase, the proposed solution is not required to be fully compliant however; contractors should explain how accessibility testing and security validation of their proposed solution will be conducted in their design and release plan in accordance with the requirements of the Statement of Work.*
 - (v) *The use of mock-ups and/or wireframes is not required as part of the presentation; however, their use could be beneficial to demonstrate non-functional aspects of the prototype.*
- c) We are seeking feedback from potential bidders as to whether the description of the working prototype is sufficiently clear to prepare the demonstration?

FEEDBACK

Most participants indicated that the description was sufficiently clear, although some areas could be further clarified.

Participants had the following questions, comments and suggestions:

- (i) *For the Open by Default Pilot Portal accessibility challenge, one participant asked if the term digital assets refers to information assets (applications, intranet, etc.) or rather to downloadable documents (PDF, EPUB3, etc.).*
- (ii) *For the Open by Default Pilot Portal challenge, one participant asked if it could propose a solution to enhance or develop new accessible and reusable components, and thereby*



help make digital assets accessible, or facilitate the creation of accessible digital documents.

- (iii) For the Accessibility 10.0 Recruitment challenge, one participant asked if this project involves fully replacing the existing system, or rather reworking the public web interface and managing its interoperability with the current platform.*
- (iv) One participant suggested that to extend, focus and enhance the capabilities of the CFP, Canada should include outcome-based statements.*
- (v) Several participants suggested that Canada include the participation of persons with disabilities in the evaluation phase.*
- (vi) One participant suggested that details be added on specific parameters to be used to quantify and measure the solution's improvements to accessibility issues.*

OUTCOME

The language used in the Call for Proposals (CFP) document will be modified to ensure all stakeholders, including potential bidders and persons with disabilities, have a clear understanding of the requirements.

With respect to the questions, comments and suggestions received from the participants, Canada offers the following information:

- (i) For the Open by Default Pilot Portal challenge, by digital assets, Canada means pieces of content managed separately from the site itself, i.e. "downloadable documents". This does not include the webpages, nor their interfaces.*
- (ii) For the Open by Default Pilot Portal challenge, the proposed solution must interact with digital assets that have already been pushed to the website.*
- (iii) This challenge is to inform the business requirements of the future GC Jobs site. We are currently seeking solutions by way of prototypes and code that will be incorporated into the future recruitment site. This project is still in the early conception stage.*
- (iv) Canada has included high level outcome statements in each Statement of Work.*
- (v) To the extent possible, the evaluation team will consist of technical and accessibility experts, as well as persons with disabilities.*
- (vi) To allow for a variety of solutions, Canada opted not to be overly prescriptive, and more permissive. However, parameters are provided in the evaluation criteria.*

2. Question 2: In your view, are the challenges presented in the Letter of Interest technically feasible?

FEEDBACK

Most participants indicated that the challenges are technically feasible.

Participants also had the following comments and suggestions:



- (i) *One participant commented that the list of accessibility issues includes non-beneficial or unattainable examples.*
- (ii) *One participant noted that the needs for persons with disabilities vary significantly, and that a “one-size fits all” solution is not feasible.*
- (iii) *One participant requested that Canada allow the use of PHP, Python or similar open source programming languages, rather than restricting programming languages to those listed.*

OUTCOME

The language used in the Call for Proposals (CFP) document has been reviewed to ensure all stakeholders, including potential bidders and persons with disabilities, have a clear understanding of the requirements.

With respect to the comments and suggestions received from the participants, Canada offers the following information:

- (i) *The range of accessibility issues that a solution addresses is not limited to the listed examples; the list is provided for illustrative purposes, and to inspire bidders.*
- (ii) *Although it welcomes it, Canada does not expect a single solution to meet the needs of all persons with disabilities.*
- (iii) *Any open source programming language is permitted, as long as the solution can be integrated, and has the ability to be interoperable with the existing infrastructure.*

3. Question 3: Do you have concerns with any of the proposed deliverables in either of the Statements of Work?

FEEDBACK

For the Open by Default Pilot Portal challenge and the Accessibility 10.0 Recruitment challenge

Participants raised the following concerns with the Statements of Work:

- (i) *For the Open by Default Pilot Portal challenge, one participant found it unusual that Canada requires the disclosure of profit and overhead in the financial proposal for Phase 2 and 3.*
- (ii) *For the Open by Default Pilot Portal challenge, one participant noted that agile methodologies and principles are not applied in Phases 2 and 3.*
- (iii) *For the Open by Default Pilot Portal challenge, one participant noted the omission of documentation related to integration testing is a risk factor for potential bidders.*
- (iv) *For the Open by Default Pilot Portal challenge, one participant recommended inclusion of testing frameworks that have previously been used and tests that can be leveraged.*
- (v) *One participant remarked that no reference for the Standard for Web Security was provided in either Statement of Work.*



- (vi) *One participant suggested that the Statement of Work for the Open by Default Pilot Portal challenge include major versions of software used.*
- (vii) *For both challenges, one participant noted that a contractor that performs both development and testing often overlooks critical accessibility user issues, and as such recommended that these activities be conducted by two different contractors.*
- (viii) *For both challenges, several participants highlighted that there appeared to be a lack of involvement of persons with disabilities in the evaluation phase.*
- (ix) *For both challenges, one participant noted that baseline business requirements for Accessibility and Security Testing were not included in the Statements of Work.*

OUTCOME

With respect to the concerns raised by the participants, Canada offers the following information:

- (i) *Canada has removed the requirement to provide a financial proposal under Phase 1.*
- (ii) *Canada's intent is to apply Agile methodologies and principles to the procurement component of the project, not during software development. Contractors are therefore free to select the most appropriate software development methodology, as long as it meets the requirements of the Statement of Work.*
- (iii) *The omission of this documentation was intentional, as no such documentation exists.*
- (iv) *This information is non-existent, and therefore unavailable.*
- (v) *Canada has added this information to the Statements of Work.*
- (vi) *Canada has added this information to the Statement of Work.*
- (vii) *Canada is open to joint ventures between two or more suppliers to ensure critical issues are not overlooked.*
- (viii) *Canada will ensure that persons with disabilities are involved throughout the process. Bidders are requested to provide proposals in an accessible format, and restrict the use of table to the extent possible.*
- (ix) *Canada has added this information to the Statement of Work.*

4. Question 4: Please provide any additional feedback that you have.

FEEDBACK

Participants had the following comments, suggestions and questions:

- (i) *One participant suggested not to default to PDF files as this perpetuates the problem of accessibility within the GC. The participant recommended to default to text and then offer more accessible document formats if people want more control over the formatting.*



- (ii) *One participant suggested that the language used in the Statements of Work be revised to ensure consistency between both challenges.*
- (iii) *One participant recommended that the reading level not be higher than high school grade.*
- (iv) *One participant recommended simplifying and consolidating information to make it easier for the reader, and to avoid duplication where possible.*
- (v) *One participant recommended providing specific links to resources referenced.*
- (vi) *One participant suggested trying to keep email addresses short.*
- (vii) *One participant recommended providing the Github url for direct access to project, rather than for the organizational profile.*
- (viii) *One participant commented that it is unclear how statements like the "Contractor will own Intellectual Property Rights in Foreground Information" compare with the open source commitments of the Open Government framework, or the information outlined in: <https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual/4/4007/3#ownership-of-intellectual-property-rights>.*
- (ix) *Several participants commented about the use of Github and how it will restrict the involvement of blind persons.*
- (x) *One participant asked if a single supplier could propose a solution for each of the challenges, or if a single supplier is limited to one challenge.*
- (xi) *One participant asked if a single supplier could propose multiple and different solutions under the same challenge.*
- (xii) *One participants commented about how medium and large businesses have comprehensive bid risk management frameworks that strongly discourage accepting unlimited risk or unlimited liability. As such, the participant recommended that Canada be open to discuss the draft Terms and Conditions that would be mutually agreeable for both parties prior to finalizing the contract terms.*

OUTCOME

With respect to the feedback provided by the participants, Canada offers the following information:

- (i) *Alternate accessible formats of the solicitation documents (e.g. .txt) have been provided.*
- (ii) *The CFP was reviewed and edited for consistency before release.*
- (iii) *The CFP was reviewed and edited to for clarity before release.*
- (iv) *Canada has simplified and consolidated information in the CFP, to the extent possible, to remove redundancies before release.*



- (v) *Specific links to resources referenced were included in the CFP.*
- (vi) *Canada was unable to shorten its email address.*
- (vii) *Canada has provided direct links to the project in Appendix 2 to Annex A.*
- (viii) *Proposed Solutions must be open source and licensed in accordance with the licensing provisions in the draft resulting contract clauses. The Contractor will own Intellectual Property Rights in Foreground Information in accordance with the General Conditions 2040; or, where General Conditions 2030 applies, supplemental conditions 4006 will be included.*
- (ix) *In the event of an accessibility barrier with GitHub, Canada will assist with depositing the code for the Contractors, as specified within the Open Source Code Repository Section of each challenges' Statement of Work.*
- (x) *A bidder, including related entities, will be permitted to submit only one proposal in response to each challenge under this CFP. If a bidder participates in a proposal for both challenges, the proposed Solutions submitted for each challenge must be significantly different from each other, such that there is no duplication of work between the proposals.*

For more information, please refer to Article 3.1 of the CFP.

- (xi) *A bidder may only propose one solution and submit one proposal per challenge. While bidders may submit only one proposal per challenge, the proposed solution may address multiple accessibility issues.*

For more information, please refer to Article 3.1 of the CFP.

- (xii) *Bidders are required to accept the Terms and Conditions of the resulting contract as they are stated, without the possibility of negotiating them. Furthermore, liability in the resulting contract has been limited in accordance with resulting contract clause 6.4 entitled Limitation of Liability - Information Management/Information Technology.*

6. Conclusion

Industry feedback has informed Canada of areas of potential concern for some respondents which resulted in improvement of the procurement process through the implementation of changes to the final CFP that will address the key concerns.

PWGSC, TBS and PSC would like to thank all respondents who provided responses. The two-way dialogue and information that resulted was invaluable in assisting Canada in finalizing the procurement strategy.