



PROCUREMENT RELEASE OF INFORMATION PROTOCOL



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Record of Revision

Version	Revision	Revision Date	Inserted By

1.1 PURPOSE

The purpose of this protocol is to give an overview of the release of information related to Open and Invitational Competition.

1.2 INTERPRETATION

This protocol should be read in conjunction with the Nova Scotia Sustainable Procurement Policy. Terms used in this protocol are as defined in the Nova Scotia Sustainable Procurement Policy.

Additionally, for clarity in interpreting the information found within this protocol, the following terms are explained.

1.2.1 Prior to the Submission Deadline

During this time frame, potential bidders are reviewing published solicitation documents, asking questions and requesting clarifications related to the solicitation document, attending site visits or bidders' meetings (if applicable), developing and submitting bids, and related activities. Additionally, during this time, the public sector entity may issue addenda documents related to the solicitation.

1.2.2 After Submission Deadline / Pre-Award

This is the time frame from the submission deadline through to the evaluation and recommendation to award. During this time frame, bids are reviewed to ensure any and all submission and technical requirements were met, bids are evaluated based on the evaluation criteria outlined in the solicitation document, bids are ranked, and negotiations occur (if outlined explicitly in the solicitation document).

1.2.3 Post Award

This is the time frame commencing when a contract is signed, or a purchase order is issued. During this time frame, notification of award is placed on the Nova Scotia Procurement Web Portal, vendor debriefs occur, and initiation of the contract management cycle begins. Alternatively, this is following the cancellation of an RFX (i.e. over budget, no compliant bids etc.).

1.2.4 Material information

A fact or piece of information that would be important to a reasonable person in deciding whether to engage or not to engage in a particular transaction, which in this case would be deciding to submit a bid or enter into a contract.

1.2.5 Non-Material Information

A fact or piece of information that is not considered Material Information. Examples in an Open Competition would be questions received that are already answered in the solicitation document (e.g. closing date and time, or submission drop off location). When unsure of whether the information is Material or Non-Material, suggest treating it as Material.

1.2.6 Estimated contract value

In estimating the contract value, a Public Sector Entity shall:

- a) include the estimated maximum total value of the procurement over its entire duration, whether awarded to one or more vendors, taking into account all forms of remuneration, including:
 - i. premiums, fees, commissions and interest; and
 - ii. if the procurement provides for the possibility of options, the total value of such options.

- b) If an individual requirement for a procurement results in the award of more than one contract, or in the award of contracts in separate parts (“recurring contracts”) the calculation of the estimated maximum total value shall be based on:
 - i. the value of recurring contracts of the same type of good or service awarded during the preceding 12 months or the Public Sector Entity’s preceding fiscal year, adjusted, if possible, to take into account anticipated changes in the quantity or value of the good or service being procured over the following 12 months; or
 - ii. the estimated value of recurring contracts of the same type of good or service to be awarded during the 12 months following the initial contract award or the Public Sector Entity’s fiscal year.

- c) In the case of procurement by lease, rental or hire purchase of a good or a service, or procurement for which a total price is not specified, the basis for valuation shall be:
 - i. in the case of a fixed-term contract:
 - 1) if the term of the contract is 12 months or less, the total estimated maximum value for its duration; or
 - 2) if the term of the contract exceeds 12 months, the total estimated maximum value, including any estimated residual value

- ii. if the contract is for an indefinite period, the estimated monthly instalment multiplied by 48; and
- iii. if it is not certain whether the contract is to be a fixed-term contract, subparagraph ii. shall be used.

1.3 RELEASE OF INFORMATION

The following table describes the current practices of Procurement for handling requests for the release of information related to an Open Competition without engaging the FOIPOP process.

Wherever possible, information should be proactively released in order to increase capable vendors' interest in government opportunities to ensure consistent information is supplied to all potential vendors, provided that release of the information does not violate the privacy of any individual.

For any other records, the requestor must contact Information Access and Privacy Services or applicable Privacy Officer and make an application under the *Freedom of Information and Protection of Privacy Act* (FOIPOP).

The Government of Nova Scotia Access and Privacy Services can be contacted by email at IAPServices@novascotia.ca

1.3.1 Open Competition Release of Information Matrix

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
1.	Estimated contract value	Conditional	Conditional	Yes	There are certain situations where Procurement may choose to disclose the estimated contract value prior to tender closing, and in those situations, it would be included in the solicitation documents. These situations would be highly dependent on the competitiveness in the marketplace, and the confidence in the estimate.
2.	Budget value	Conditional	Conditional	Yes	Solicitation documents may include a project budget, a construction budget, affordability ceiling, or a range of expected costs. The benefits of releasing this information include attracting capable and interested vendors as the budget can help to define the scope.
3.	Estimated quantity	Yes	Yes	Yes	Information is to be included in the solicitation document (If applicable).

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
4.	Draft solicitation document (Open Competition)	Yes	Yes	Yes	In certain situations, Procurement may choose to post a draft RFP for comment publicly or may share portions of it for feedback at a publicly advertised bidders meeting, before officially posting it for bids.
5.	Solicitation document (Not including confidential information)	Yes	Yes	Yes	
6.	Solicitation document (Including confidential information)	Conditional	Conditional	Conditional	Where proprietary or confidential information is contained in the solicitation, potential bidders are required to sign a non-disclosure agreement prior to getting access to the full set or portion, of the solicitation documents. Only bidders and individuals that sign this non-disclosure agreement get access to the full set/or portion of the solicitation documents.
7.	Evaluation criteria weightings	Yes	Yes	Yes	Evaluation criteria weightings are included as part of the solicitation document; a description of what information is considered by evaluators to score a bidder's response is also included in the solicitation document.

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
8.	Correspondence received from bidders regarding the solicitation document: Non-Material in nature	No	No	No	
9.	Correspondence received from bidders regarding the solicitation document: Material in nature	Yes	Yes	Yes	Bidders' correspondence that materially impacts the solicitation document is addressed through an addendum document posted publicly (e.g. addendum document). The addendum document shall not identify which bidder asked the question. Duplicate questions may be consolidated.
10.	List of attendees at site visits/bidders' meetings (mandatory)	Yes	Yes	Yes	Lists of attendees at a site visit/bidders' meeting may be released provided that this is clearly explained to the participants in advance, or if a solicitation document identifies this process. In accordance with the Vendor Session Protocol.
11.	List of attendees at site visits/bidders'	No	No	Conditional	If a list is available for distribution and at the Public Sector Entity's discretion.

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
	meetings (non-mandatory)				In accordance with the Vendor Session Protocol.
12.	Mandatory site visits / bidders' meeting: minutes or transcripts	No	No	No	In accordance with the Vendor Session Protocol, vendors are encouraged to submit questions in writing to allow for the Public Sector Entity to respond through an addendum. The addendum document does not identify which bidder asked the question. Duplicate questions may be consolidated.
13.	Names of bidders (Best value solicitation)	N/A	No	Conditional	Standard practice is to not post or release this information. In the event information will be released, either after submission deadline/pre-award or post award, participants will be aware of this process by disclosing it in the solicitation. In this instance, the list of bidders may be disclosed or posted to the Nova Scotia Procurement Web Portal. We will not disclose individual resources (e.g. subcontractors) that may have been named in a bid.

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
14.	Names of bidders (Price based Solicitation)	N/A	Conditional	Conditional	<p>Standard practice is to not post or release this information. Some procurements, however, may be structured in a way that “plan takers lists” or “bidders lists” (e.g. construction) may be released, although participants should be aware of this process (i.e. because it’s a common construction practice or is disclosed in the solicitation).</p> <p>In the event information will be released, participants will be aware of this process because it is disclosed in the solicitation or it is standard industry practice.</p> <p>In this instance, the list of bidders may be disclosed or posted to the Nova Scotia Procurement Web Portal.</p> <p>We will not disclose individual resources (e.g. subcontractors) that may have been named in a bid.</p>
15.	Names of evaluators	No	No	Conditional	<p>Once this information cannot influence an award, it may be released but the requester will be required to go through the Information Access and Privacy Services or applicable Privacy Officer at the Public Sector Entity’s discretion.</p>

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
16.	Formal evaluation documents (incl. evaluation team notes)	N/A	No	No	<p>Bidders can request a vendor debriefing to provide feedback about how their bid was assessed in comparison with the evaluation criteria as published in the solicitation document.</p> <p>Summary documentation can be provided as part of the debrief process which may include scores achieved by the bidder and brief notes specific to the reasons for the scores.</p> <p>Information about bids submitted by other bidders will not be discussed or disclosed in the debriefing.</p>
17.	Summary of all evaluations	N/A	No	No	
18.	Negotiated information	N/A	No	No	
19.	Recommendation to award	N/A	No	No	
20.	Award letter	N/A	No	No	

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
21.	Name of successful bidder	N/A	No	Yes	Posted on the Nova Scotia Procurement Web Portal
22.	Overall score breakdown: successful submission	N/A	N/A	No	
23.	Overall aggregate score: successful submission	N/A	N/A	Conditional	Overall aggregate score of the successful submission may be released in accordance with the Public Sector Entity Debriefing process.
24.	Overall score breakdown: Own submission	N/A	N/A	Yes	Bidders can be provided with a breakdown of their scores as compared to the published criteria upon request through the vendor debrief process.
25.	Overall score breakdown: all bidders	N/A	No	No	
26.	Final award value	N/A	No	Yes	Upon award of the contract, aggregate pricing for the successful submission is posted to the Nova Scotia Procurement Web Portal if the information is available or known.

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
					No unit pricing is posted.
27.	Overall breakdown of unit price (s): all bidders	N/A	No	No	Aggregate pricing for the successful submission is posted to the Nova Scotia Procurement Web Portal. No unit pricing is posted.
28.	Contract end date	Yes	Yes	Yes	Approximate contract end date is normally included in the solicitation document. Final Contract end date can be disclosed upon request if the information is available or known.
29.	Bidder debrief	N/A	No	Yes	In accordance with the Public Sector Entity debriefing process.
30.	Ranking of other bids	N/A	N/A	No	

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
31.	Ranking of bidder's own submission	N/A	N/A	Yes	Bidder's own evaluation ranking (e.g., 3 rd out of 5) can be disclosed during a vendor debriefing.
32.	Information supplied in a bid	N/A	No	No	
33.	Final contract	N/A	N/A	No	Although who government contracts with and overall contract value are public information, actual contracts may contain confidential information that should not be routinely released to external parties.

1.3.2 Invitational Competition Release of Information Matrix

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
1.	Estimated contract value	Conditional	Conditional	Yes	There are certain situations where Procurement may choose to disclose the estimated contract value prior to tender closing, and in those situations, it would be included in the solicitation documents. These situations would be highly dependent on the

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
					competitiveness in the marketplace, and the confidence in the estimate.
2.	Budget value	Conditional	Conditional	Yes	Solicitation documents may include a project budget, a construction budget, affordability ceiling, or a range of expected costs. The benefits of releasing this information include attracting capable and interested vendors as the budget can help to define the scope.
3.	Estimated quantity	Disclosure will be to invited vendors only.	Disclosure will be to invited vendors only.	Yes	Information is to be included in the solicitation document.
4.	Solicitation document (Not including confidential material)	Disclosure will be to invited vendors only.	Yes	Yes	
5.	Solicitation document	Disclosure will be to invited vendors only.	Yes	Yes	Where proprietary or confidential information is contained in the solicitation, potential bidders are required to sign a non-disclosure agreement prior to getting access to the full set or portion, of the

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
	(Including confidential material)				solicitation documents. Only bidders and individuals that sign this non-disclosure agreement get access to the full set/or portion of the solicitation documents.
6.	Evaluation criteria weightings	Disclosure will be to invited vendors only.	Yes	Yes	Evaluation criteria weightings are included as part of the solicitation document; a description of what information is considered by evaluators to score a bidder's response is also included in the solicitation document.
7.	Correspondence received from bidders regarding the solicitation document: Non-Material in nature	No	No	No	
8.	Correspondence received from bidders regarding the solicitation document:	Disclosure will be to invited vendors only.	Disclosure will be to invited vendors only.	Disclosure will be to invited vendors only.	Bidders' correspondence that materially impacts the solicitation document is addressed through an addendum document. Distribution will be to invited vendors only. The addendum document shall not

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
	Material in nature				identify which bidder asked the question. Duplicate questions may be consolidated.
9.	List of attendees at site visits/bidders' meetings (mandatory)	Disclosure will be to participating vendors only.	Disclosure will be to participating vendors only.	Disclosure will be to participating vendors only.	Lists of attendees at a site visit/bidders' meeting may be released provided that this is clearly explained to the participants in advance, or if a solicitation document identifies this process. In accordance with the Vendor Session Protocol.
10.	List of attendees at site visits/bidders' meetings (non-mandatory)	No	No	No	
11.	Mandatory site visits / bidders' meeting: minutes or transcripts	No	No	No	In accordance with the Vendor Session Protocol, vendors are encouraged to submit questions in writing to allow for the Public Sector Entity to respond through an addendum. The addendum document does not identify which bidder asked the question. Duplicate questions may be consolidated.
12.	Names of bidders	N/A	No	Conditional	Standard practice is to not release this information. Some procurements, however, may be structured in a

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
					<p>way that “plan takers lists” or “bidders lists” (e.g. construction) may be released, although participants should be aware of this process (i.e. because it’s a common construction practice or is disclosed in the solicitation)</p> <p>In the event information will be released, the list of bidders will be disclosed to invited vendors only.</p> <p>We will not disclose individual resources (e.g. subcontractors) that may have been named in a bid.</p>
13.	Value of bids	No	No	Conditional	<p>Successful bid will be disclosed.</p> <p>In limited circumstances, all bids will be disclosed where required for operational needs and where specifically identified in the solicitation.</p>
14.	Names of evaluators	No	No	Conditional	<p>Once this information cannot influence an award, it may be released but the requester will be required to go through the Information Access and Privacy Services or applicable Privacy Officer at the Public Sector Entity’s discretion.</p>

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
15.	Formal evaluation documents (including evaluation team notes)	N/A	No	No	Bidders can request a bidder Debriefing to provide feedback about how their bid was assessed in comparison with the evaluation criteria as published in the solicitation document. Summary documentation can be provided as part of the bidder Debriefing process which may include scores achieved by the bidder and brief notes specific to the reasons for the scores. Information about bids submitted by other bidders will not be discussed or disclosed in the debriefing.
16.	Summary of all evaluations	N/A	No	No	
17.	Negotiated information	N/A	No	No	
18.	Recommendation to award	N/A	No	No	
19.	Award letter	N/A	No	No	
20.	Name of successful bidder	N/A	No	Yes	Disclosure of awarded bidder will be to invited vendors only.

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
21.	Overall score breakdown: successful submission	N/A	N/A	No	
22.	Overall aggregate score: successful submission	N/A	N/A	Conditional	Overall aggregate score of the successful submission may be released in accordance with the Public Sector Entity Debriefing process.
23.	Overall score breakdown: Own submission	N/A	N/A	Yes	Bidders can be provided with a breakdown of their scores as compared to the published criteria upon request through the bidder Debriefing process.
24.	Overall score breakdown: all bidders	N/A	No	No	
25.	Final award value	N/A	No	Yes	Upon award of the contract, aggregate pricing for the successful submission can be provided if the information is available or known. No unit pricing is provided.
26.	Overall breakdown of unit price (s): all bidders	N/A	No	No	

#	INFORMATION	PRIOR TO SUBMISSION DEADLINE	AFTER SUBMISSION DEADLINE / PRE-AWARD	POST AWARD	EXCEPTIONS / NOTES
27.	Contract end date	Disclosure will be to invited vendors only.	Yes	Yes	Approximate contract end date is normally included in the solicitation document. Final Contract end date can be disclosed upon request if the information is available or known.
28.	Bidder debrief	N/A	No	Yes	In accordance with the Public Sector Entity Debriefing process.
29.	Ranking of other bids	N/A	N/A	No	
30.	Ranking of bidder's own submission	N/A	N/A	Yes	Bidder's own evaluation ranking (e.g., 3 rd out of 5) can be disclosed during a bidder debriefing.
31.	Information supplied in a bid	N/A	No	No	
32.	Final contract	N/A	N/A	No	Although who government contracts with and overall contract value are public information, actual contracts may contain confidential information that should not be routinely released to external parties.

1.4 POSTING OF AWARD INFORMATION

Posting award Information is central to the transparent public procurement process Nova Scotia is striving to achieve. **If we publicly tender, we publicly award.**

All Public Sector Entities are obligated to post successful vendors names and, when appropriate, their bid amounts for public tenders on the Nova Scotia Procurement Web Portal. For reporting purposes, at the end of the fiscal year, ISD Procurement may ask for project amounts for those tenders without award amounts. Unsuccessful vendors and bids are not posted.

The goal of posting awards is to be as transparent as possible without compromising vendors' competitiveness. Unit prices, per diems, and noncompliant bids are generally not posted.

The posting for a split award for an RFX where different vendors are awarded work in different regions may resemble this:

Vendor X, Region A

Vendor Y, Region B.

1.4.1 Posting Award Information Requirement

TYPE	DESCRIPTION	POSTING INFORMATION
Invitational Request for Quotation	Solicitation Document is issued to a minimum of three vendors, not publicly posted.	None
Request for Quotation	The lowest bid or highest-rated bid meeting the published specifications wins.	Successful vendor and total aggregate price (unit prices, per diems, etc. are not broken down)
Request for Proposal	Best value often weighs several criteria, not just price.	Successful vendor and total contract value or estimated award amount.
Request for Supplier Qualifications	To establish a standing offer for the provision of Goods, Services or Construction.	Successful vendor(s) No value is identified.

TYPE	DESCRIPTION	POSTING INFORMATION
Request for Supplier Qualification (RFSQ - Project)	RFSQ's (for prequalification) do not weigh price. This is the first stage of a two-stage competition process.	Shortlisted vendors names
Request for Supplier Qualification (RFSQ - Prequalification of Suppliers)	RFSQ's (for prequalification) do not weigh price. The first stage of a two-stage competition process.	Successful vendor(s)
Request for Expression of Interest	Price is not evaluated.	Successful vendor(s) only if a shortlist of some type is created from the Request for Expression of Interest.
Request for Information	Request for Information's are open a dialogue between buyers and vendors with specific expertise. No criteria are weighed. There is no expectation of an award.	None

1.5 ALTERNATIVE PROCUREMENT PRACTICES (ALTP) - POSTING INFORMATION

After a contract has been entered into for an ALTP (Limited Competitions or high-value Non-Competitive procurement), a Public Sector Entity must post the name of the successful vendor, a description of the work, and the value identified on the ALTP on the Nova Scotia Procurement Web Portal in accordance with the applicable trade agreements.

Should a previously approved ALTP be amended, the amendment information shall be posted to the Nova Scotia Procurement Web Portal.

Only procurements relating to ALTP Circumstances 01 and 03 through 16 inclusive are required to be posted to the Nova Scotia Procurement Web Portal.

For a description of ALTP circumstances and process, please refer to [Nova Scotia Sustainable Procurement Policy](#) and [Nova Scotia and Procurement Protocols](#).

1.6 POSTING INFORMATION TIMELINE

Award information (Competitive and ALTP) shall be posted to the Nova Scotia Procurement Web Portal no later than 72 calendar days after the award.

1.7 REFERENCES AND DEFINITIONS

All procedures, protocols, and forms referred to in this policy can be found on the internal site of the Nova Scotia Procurement Web Portal.

Public site: www.novascotia.ca/tenders