Innovation Partnership Procurement by Co-Design

Provider Guidebook



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Overview

What is it?

The Innovation Partnership: Procurement by Co-Design Program (IPPCD) introduces an innovation procurement approach that enables healthcare providers to procure innovative service and technology solutions using design challenge principles.

In contrast to traditional procurement, providers seek solutions by publicizing a "Challenge Brief" that vendors can respond to. Following vendor selection, providers and selected vendors work together in a design and prototyping phase to co-design then evaluate solutions, leading to a procurement decision (positive or negative). It allows providers to collaborate with one or more vendors and work together before a procurement decision is made.

MaRS will act as a facilitator and educator, providing the guides, tools, templates, and workshops to ensure the successful implementation of the approach. The IPPCD is a pilot program that will be run as a competition, with a limited number of grants available for participating projects. Although procurement of co-designed and favorably evaluated solutions at the end of the process is highly encouraged, there is no requirement to follow through with procurement by the provider.

How does it work?

In contrast to the competitive bidding procurement approach commonly used in the healthcare system, this novel procurement approach allows providers to work directly with one or more vendors in a design challenge methodology to design, test, evaluate, then select a final solution for procurement. The approach consists of 3 phases:

1 Initiation

- a Healthcare provider publishes a challenge
- **b** Vendor responds
- c Shortlisted vendors invited to dialog day
- **d** Provider selects vendor(s) to move into the next phase, sign collaboration agreement

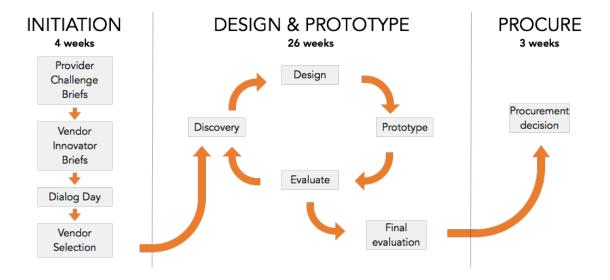
2 Design & Prototyping

- a Provider and vendor(s) collaborate together in a discovery > design > prototype > evaluation cycle
- **b** After a number of iterations, a final evaluation is conducted

3 Procure

- a Favorably evaluated solution(s) can then be procured
- **b** Procurement agreement, with specific terms, is signed

The design challenge approach has fueled major successes in business around the world¹. The process inspires competitive participation and is used by varied sets of organizations, from Fortune 500 companies to the US Department of Health and Human Services, and has more recently been scaled up by healthcare organizations through the work of Hacking Health and others.



Summary of the procurement by co-design approach

*NOTE: A provider may select multiple vendors to co-design multiple solutions for one challenge during the design and prototype phase.

Suitable projects

The design challenge approach to procurement works well with certain types of procurement needs. Below are some guidelines, but please reach out to us via email (<u>designchallenge@marsdd.com</u>) to discuss your specific challenge/project.

Suitability guidelines include:

- Meet a pressing provider challenge with clear outcomes
- Digital health and/or innovative process/service

¹ https://hbr.org/2014/11/to-encourage-innovation-make-it-a-competition

- Can be rapidly co-designed and prototyped/tested
- Are suitable for testing in context of intended use (e.g., clinical, back-office)
- Cost less than \$100k to procure
- Have minimal or no cost to design and micro-test

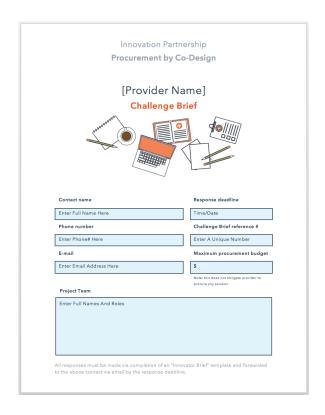
The Challenge Brief

At the core of this procurement approach is the Challenge Brief. The Challenge Brief is how a provider publicizes their intent to procure using the approach (instead of more traditional procurement approaches, which typically require a "Request For Proposals" document).

The Challenge Brief is a concise document that consists of:

- 1 Details of the team that will be involved in the project and procurement
- 2 The challenge the healthcare provider aims to procure a solution for
- 3 The desired outcome(s) to be achieved by a potential solution
- 4 Evaluation criteria used for initial vendor screening
- 5 Any other standard terms and conditions and/or legal considerations

Providers are expected to treat the Challenge Brief document as a key part of the procurement process - this means following all relevant procurement best practices and legislation, including being compliant with the Ontario Broader Public Sector (BPS) Procurement Directive, including the Supply Chain Code of Ethics. More details about procurement guidelines and considerations are found later in this document.



1) The project team

Having a well-rounded project team will be important in the successful discovery of the organization's challenge(s), project execution (design, prototyping, and evaluation), and procurement. A project team should consist of:

- A project manager
- Clinical champion
- End-users (frontline staff, patients, volunteers, others)
- Senior management support and/or participation
- Procurement officer

In addition to the project team you should also engage relevant stakeholders at strategic points in the co-design process. Consider those directly and indirectly affected by the challenge and potential solution. Take a bird's eye view of your project's 'area of influence' and identify potential stakeholders that may need to be involved. For example, you will likely need to engage:

- Privacy officer
- IT department
- Department head



Finding the right stakeholders can be complicated in the maze of the healthcare environment - but getting the right team members is worth it! It's important to take a bird's eye view of your project's potential area of influence, identifying all the stakeholders that might be impacted by the challenge and potential solution

2) The challenge statement

A challenge statement is your "elevator pitch" to inspire the vendor community to respond with innovative solutions. Developing a good challenge statement is no easy task! Without proper research and rigor in identifying a challenge and properly articulating the challenge, providers will waste time and resources evaluating less relevant vendor responses to the challenge.

When developing a challenge statement, consider the following:

Provide context: why is this challenge important? What is the impact it is having now and the potential impact of finding a solution, and what has been tried in the past?
 Who else has this challenge? What is the scale of the problem?

- List key barriers experienced in the past (or anticipated)
- Keep it simple: articulate the problem in the simplest terms possible: "We are looking for X in order to achieve Z as measured by W in YY months."²
- Stay flexible: remember, your challenge statement is iterative (the more discovery and research you do, be ready to adjust your challenge framing)

Here's an example of a challenge statement:

In the context of trying to (improve X, get Y done, decide Z), we have (tried ABC but failed, do not know how to decide DEF, made progress but got stuck at GHI and cannot seem to get unstuck). This really matters because JKL and affects MNO. Our partners at PQR and others face similar issues. Therefore, we are seeking an innovative solution that can achieve METRIC as measure by W in TIMEPERIOD.

More on the metrics and measurements below.

3) Desired outcomes

The desired outcomes section is where you add your "outcome-based specifications" (OBS). An alternative to detailed product and/or solution specifications that may limit end-user options and limit the types of solutions proposed by the vendor community, OBS specify the ultimate outcomes and performance desired by the end user, allowing for flexibility in determining how a specific need can be met³. A more detailed guide about how OBS can be used in an innovation procurement process can be downloaded from the <u>Healthcare Supply Chain Network</u>. For the purposes of this Procurement by Co-Design program, limit your OBS to a maximum of 3.

OBS are an important component of the Challenge Brief. OBS should be:

- Specific: describe the goal in a clear and concise manner
- Measureable: choose goals and outcomes that can be measured
- Achievable & Realistic: keep in mind the 3-6 month timeline available for design and testing. Will this be enough time to measure and evaluate according to your desired outcomes?
- Time-based: specify the metric outcome desired with a specific target time period to achieve (i.e. 5% reduction in the available 3-6 months of this program)

² https://hbr.org/2012/09/are-you-solving-the-right-problem

 $^{^3 \ \}underline{\text{http://www.hscn.org/Data/Sites/1/resources/innovationprocurement/hscn-innovation-procurement-outcome-based-specification-guide-new-logo.pdf}$

Here's an example OBS:

OBS #1: HospitalX is interested in reducing appointment no-shows from the current rate of 17% to less than 10% as measure over a 3-month period.

OBS #2: Increase patient satisfaction compared to the status quo. A baseline metric will be established during testing, and a minimum of 20% increase in patient satisfaction over the status quo is expected from the solution during a 3-month testing period.

OBS #3: Decrease clinical administrative load as measure by time saved and/or increased efficiency by a minimum of 20% over a 3-month test period.

4) Evaluation criteria

The evaluation criteria are an important part of the Challenge Brief because they allow vendors to understand how you will conduct the vendor selection process. In order to keep this procurement approach open and transparent, vendor selection evaluation criteria must be published along with the challenge and outcomes.

Keep in mind that these evaluation criteria are NOT for evaluating potential solutions - that part comes much later (after design and prototyping). These evaluation criteria are for you the provider to select the a vendor you will want to enter the design and prototyping phase with. Evaluation categories are included in the Challenge Brief Template. You may add additional sub-criteria and weights according to your exact needs.

The evaluation categories are:

Company

Has the company demonstrated the competency to act as partner? Do they have an innovative vision? Do they have a strong leadership team? Do they have strong references?

Proposed approach

Is the proposed approach to the challenge innovative? Do you agree that it can tackle the challenge proposed? Will it have a significant impact on the end user (staff, patients, etc)?

Ability to execute

Has the company demonstrated the ability to deliver a solution to other complex challenges? What has been the outcomes of solutions they have implemented?

Ability to produce validation data

Has the company demonstrated their ability and expertise to produce validation data? Have they shared an example of data they have produced for any of their products or prototypes? Is the quality of that data sufficient enough to make a procurement decision?

Experience of project team

Does the team have experience working on innovative solutions? Did the company propose the right type of project team to take on this engagement?

Program Timelines

To qualify for funding, project teams must adhere to a strict schedule and make themselves available whenever necessary.

Key Dates	Milestones	Duration
Sept 28 – Oct 13	Program launch, providers invited to download and complete a Challenge Brief	2 weeks
Oct 13	Challenge Briefs due to MaRS team. All briefs must be submitted electronically to the designchallenge@marsdd.com inbox by 5:00 PM Eastern Standard Time	Document Submission Deadline
Oct 16 - 20	All challenges posted online, vendors begin to respond with Innovator Briefs	1 week
Oct 20	Innovator Briefs due to Providers. All briefs must be submitted according to conditions in the respective Challenge Brief.	Document Submission Deadline
Oct 23 - 27	Vendors have all submitted Innovator Briefs. Providers	1 week

	shortlist vendor selection.	
Nov 6	Dialog day. Each provider will hear their selected vendor pitches. Final vendor selection completed.	1 day
Nov 7 - 10	Teams prepare and submit co-design grant application.	1 week
Nov 13 - 17	External judging panel reviews grant applications. Meets on 17th to make final decision. Co-Design grant winners announced.	1 week
Nov 20	Co-Design Workshop #1: Discovery. Teams sign collaboration agreements.	1/2 to 1 day
Nov 20 - Dec 15	Teams work on discovery phase.	4 weeks
Jan 15, 2018	Co-Design Workshop #2: Ideation & Concept testing	1/2 to 1 day
Jan 15 - Mar 3	Teams work on ideation and concept testing phase.	8 weeks
Mar 5 - 8	Design review sessions. 1 - 2 hour sessions with each team to review learnings from discovery and concept testing results.	1 week
Mar 9	Co-Design Workshop #3: MVP prototyping and evaluation framework.	1/2 - 1 day
Mar 9 - Jun 15	Teams work on MVP development and evaluation phase.	14 weeks
Jun 18 - Jul 5	Teams make procurement decision and formalize agreements.	3 weeks
Jul 9 - 13	External judging panel conducts site visits.	1 week
Jul 20	Final solutions day. Judges award up to \$50k for procurement.	1 day

Procurement Considerations

The Procurement by Co-Design process can lead to procurement. If your organization chooses to procure using this approach, considerations related to the 25 mandatory requirements of the <u>BPS Procurement Directive</u> are highlighted below. It is your responsibility to ensure your process is BPS compliant, and compliant with CFTA and CETA as appropriate. When in doubt, seek legal counsel.

Approval Authority Levels

- 1. Segregation of Duties
 - ✓ Segregation of duties must be in place.
- 2. Approval Authority
 - ✓ Secure the appropriate internal approvals before issuing the Challenge, to ensure those approvals are in place if you move to procurement.

Procurement Thresholds

- 3. Competitive Procurement Thresholds
 - ✓ Because the solution must cost less than \$100,000 to procure, i.e., the maximum cost to procure is \$99,999.99 (including the potential procurement grant of up to \$50,000), it is not necessary to conduct an open competitive procurement.

Competitive Procurement

- 4. Information Gathering
- 5. Supplier Pre-Qualification

Purchasing

- 6. Posting Competitive Procurement Documents
 - a. The Challenge will be posted publicly on the MaRS website, which should satisfy the requirement related to invitational competitive procurement, i.e. to invite a minimum number of bidders to respond.
- 7. Timeline for Posting Competitive Procurements
 - ✓ The Challenges will be publicly posted for one week. Because this is not an open competitive procurement, there is no minimum posting requirement.

Evaluation

- 8. Bid Receipt
 - ✓ Bid submission date and closing time must be clearly stated. See relevant section in the Challenge Brief.

9. Evaluation Criteria

✓ Evaluation criteria for selecting the vendor (not evaluation criteria for assessing the solution) must be clearly stated. Reinforce that this process is intended to result in a procurement, based on a successful design phase, but may not. See relevant section in the Challenge Brief.

10. Evaluation Process Disclosure

✓ The evaluation process must be disclosed; failure to meet the mandatories will result in disqualification.

11. Evaluation Team

✓ An evaluation team will need to be established to evaluate the responses to the Challenge.

12. Evaluation Matrix

✓ Each response will need to be scored using an evaluation matrix, and evaluations must be fair, factual, and fully defensible. Scoring records must be maintained in the document file.

13. Winning Bid

14. Non-Discrimination

✓ The submission that receives the highest evaluation score and meets all mandatory requirements must be declared the winning bid, and you must not discriminate or exercise preferential treatment in making the award.

Contract Award

15. Executing the Contract

a. The Procurement Directive says: "The agreement between the Organization and the successful supplier must be formally defined in a signed written contract before the provision of supplying goods or services commences." An example of the type of agreement that would be signed must be provided with the Challenge Brief.

16. Establishing the Contract

- 17. Termination Clauses
- 18. Term of Agreement Modifications
- 19. Contract Award Notification
 - ✓ Awards will be posted on the MaRS site.

20. Vendor Debriefing

✓ Although technically not applicable because the award is less than \$100,000, it is always appropriate to provide a debriefing to unsuccessful proponents.

Non-Competitive Procurement

21. Non-Competitive Procurement

Procurement Documents and Records Retention

- 22. Contract Management
- 23. Procurement Records Retention
 - ✓ The contract must be managed responsibly and effectively.
 - ✓ All appropriate records must be maintained in the document file.

Conflict of Interest

- 24. Conflict of Interest
 - ✓ Conflict of Interest and Non-Disclosure Agreement provisions must be in place internally and with potential solution providers.

Please see a sample template Conflict of Interest and Non-Disclosure Agreement in the Appendix.

Dispute Resolution Process

25. Bid Dispute Resolution

✓ Include a bid dispute resolution clause in your Challenge Brief.

FAQ

About the program

What is co-design? What is the procurement by co-design process?

Co-design is an approach to solving problems that is based on the concept that solutions should be created with and not just for users. Each user is an expert of their own experiences and their knowledge, insight, and points of view should shape the development of products and services of which they are the ultimate benefactor.

For a full description of the procurement by co-design process, please go to www.marsdd.com/procurement-co-design

Can you please clarify what you mean by "provider", "vendor", and "solution"?

A *provider* is a healthcare delivery organization that is issuing a challenge and wants to procure a solution.

A *vendor* is an organization that is responding to a challenge and wants to supply the codesign solution or service.

A *solution* is the resulting product(s) and/or service(s) that are produced and procured as a result of the co-design process.

What were the results of the first cohort of the program?

17 teams participated in the co-design process. Three teams went on to procure the final solution. For more information on the first cohort please go to:

www.marsdd.com/procurement-co-design

Why should I use the procurement by co-design approach versus other approaches that I am familiar with like request for proposals or services?

Procurement by co-design is not an approach that is meant to replace existing traditional procurement approaches. It is meant to be used for when there is no existing solution on the market that fully satisfies your needs or there are no solutions that you can feasibly procure (i.e, due to expense, complexity of integration). A benefit of this approach is that it allows you to collaboratively co-design a solution with a partner vendor and your end-users which increases the ability of the solution to produce the impact that you wish to achieve. Working with end-users can also help empower them to feel more closely connected with your organization. This approach also allows for iteration and testing before a final procurement is made.

Participation requirements

Who is eligible to participate in the program and receive funding?

Any provider and vendor is eligible to participate in the program.

Only Ontario Broader Public-Sector (BPS) provider are eligible to receive the grants with the exception of Local Health Integration Networks (LHINS) and must be the lead applicant and initiate the challenge. Once received, the lead applicant should share the funds between the organizations involved including partnering non-BPS providers, based on mutual agreements.

If you are not an Ontario BPS provider but wish to lead a challenge you are still encouraged to participate to learn this novel procurement approach and form new innovation partnerships as solutions developed can be of significant benefit to the organizations involved.

What about vendors that do not have a solution but can co-design and build a solution for our organization?

Teams can take advantage of an existing co-designed and modified to fit the provider's exact needs and environment are encouraged since they are likely able to deliver in the timeframes we have set out for this program. However, you are also free to work with vendors can confidently build a solution from scratch in the timeframes proposed for this program.

Who is responsible for the execution of the project? What will the time commitment be like? What are the important deadlines?

Partnered providers and vendors are expected work collaboratively as part of the co-design team. Teams will be expected to work on their projects from September 28, 2018 to July 20, 2018. Teams should keep in mind that the amount of effort required to complete the project will depend on the complexity of the challenge being addressed and the proposed solution.

Can a single provider work with multiple vendors on the same challenge and form multiple teams that compete against each other? Can multiple providers and multiple vendors work on the same team?

This procurement approach was designed and curated the tools for teams made up of a single provider and a single vendor. This does not preclude teams of multiple providers and/or multiple vendors who wish to compete on the same challenge or form a team that works collaboratively on the same project. We will still provide support and guidance.

Who owns the intellectual property of the solution?

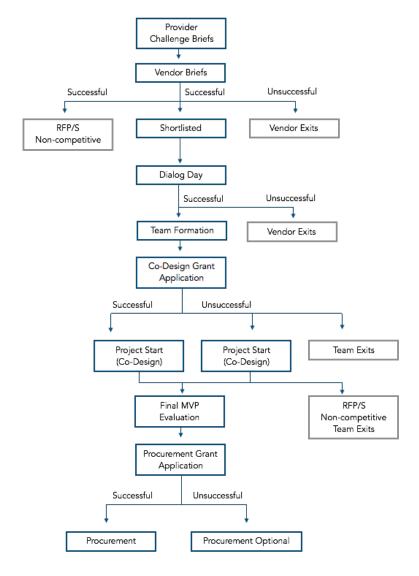
Any intellectual property considerations should be discussed amongst the project team. As the involvement of both the provider and vendor likely will help to shape the minimal viable product it is likely that the organizations will share the intellectual property rights for any new discoveries.

As a provider, do I have to procure a solution at the end of this process?

There is no requirement for procurement at the end of this process (except if your team is awarded a procurement award by MaRS - then you are required to use that funding for procurement). Ideally, you will submit challenges that are in your future procurement pipelines, but this is not a requirement.

As a vendor, will my solution be procured at the end of this program?

There is no requirement for procurement at the end of this process (except if the project is awarded a procurement award by MaRS - then the provider is required to use that funding for procurement). This program is an experiment in novel procurement approaches, and as such, does not require the provider to procure at the end of the process. However, unlike a proof of concept or traditional pilot project, this process is structured to facilitate a procurement at the end, should the provider decide to do so. Ideally, you will respond to challenges that align with your platform, product or service development pipelines, but this is not a requirement. There are a number of potential outcomes from participation in this program, and are summarized by the figure below.



Do I have to consult with the MaRS team before I submit my Challenge Brief or Vendor Brief?

We highly encourage you consult with MaRS before submitting your Challenge Brief or Vendor Brief so that we ensure your project meets the requirements of the program.

Submitting and responding to a challenge

As a provider, does my procurement process need to be compliant with the BPS Procurement Directive?

All procurements in Ontario must be compliant with the Directive. If you are in doubt about your approach, seek legal counsel.

As a provider, must I use the evaluation criteria provided in the challenge brief? Can I modify them in any way?

You must use all of the evaluation categories provided. You can add sub-criteria to the categories and adjust the weight of each category to suit your needs.

As a vendor, must I use the vendor brief? Can I modify it in any way?

You must use the template vendor brief as designed as this aids in ensuring a fair and transparent evaluation process.

Do I have to consult with the MaRS team before I submit my Challenge Brief or Vendor Brief?

We highly encourage you consult with MaRS before submitting your Challenge Brief or Vendor Brief so that we ensure your project meets the requirements of the program?

Program grants

What grants are available and what are they for?

A co-design grant will be awarded upon submission of a team application after Dialog Day. Selected teams will be awarded between \$15,000 - \$25,000 out of a total pool of \$100,000. The co-design grant will be awarded to teams in recognition of their commitment to the procurement by co-design approach and program. The teams can decide how to spend the funding at their discretion.

A procurement grant will be awarded to select teams who wish to move to a procurement of the solution at Solutions Pitch day. There is a pool of \$50,000 for the procurement grants. These grants must be spent on the actual procurement of the solution.

Note: It is not guaranteed that projects awarded the co-design grant in the will also receive a procurement grant.

How do we get the grant funding?

The co-design grants will be awarded based on the submission of the Team Grant application due November 10. The teams will be selected by the Innovation Partnership: Procurement by Co-Design Advisory Board. Selected teams will be announced on November 17. The funds for the grants will be released upon completion of a design review session between March 5-8 between the selected teams and Advisory Board

The procurement grants will be awarded on July 20 during the Solutions Pitch Day.

Who awards the grants?

The Innovation Partnership: Procurement by Co-Design Advisory Board, an independent third party of individuals.

Who receives the grant funding if awarded?

Grants are issued to the provider. The provider and vendors will decide together how the initial co-design grants will be spent or shared. Grants awarded at the end of the program are only eligible for procurement of the solution.

What if we do if our team does not receive one of the co-design grants?

We recommend you continue working on the projects to the end of the program, so that your team learns this novel procurement approach and to continue efforts in addressing the program challenge. It is up to you and your vendor partners to decide when to end participation in the program.

Contact Us

Please email any additional questions to the MaRS Procurement by Co-Design team at designchallenge@marsdd.com

Appendix

Sample COI NDA Template

The following is an example of a Conflict of Interest and Non-Disclosure Agreement that you should use when evaluating your potential innovation partners. Consult your organization's legal counsel to provide the appropriate document to use for the design challenge.

I am a participant of the Innovation Partnership Procurement by Co-Design initiative, working on the following Challenge Brief on behalf of [insert name]

I acknowledge that I will acquire certain knowledge or receive certain written or oral information (collectively, the "Information") which is non-public, confidential or proprietary to the proponents responding to the Procurement, disclosure of which could be detrimental to their interests or those of [insert name].

I agree that, unless required by law or as authorized by [insert name], I will keep all the Information confidential and will not use the Information directly or indirectly for any purpose other than for the Procurement. I further agree not to make copies of or circulate the Information unless authorized by [insert name].

I agree to safeguard the Information and all Procurement documents at all times. I will not disclose to any person (other than those persons authorized by [insert name]) any information about the Procurement or the proposals submitted in response to the Procurement, including terms, conditions or any other facts related to the Procurement or the evaluation of the proposals.

I agree not to initiate any discussion with the proponents and external stakeholders about the Procurement, and I will not initiate or respond to any external inquiry relating to the Procurement.

I have read the Supply Chain Code of Ethics (attached) and understand the expectations for ethical conduct. Consistent with the Supply Chain Code of Ethics, I am capable of identifying a situation that constitutes a Conflict of Interest, such as but not limited to:

- Engaging in outside employment with a proponent
- Not disclosing an existing relationship that may be perceived as being a real or apparent influence on my objectivity in carrying out my role as an Evaluation Team Member
- Providing assistance or advice to any proponent participating in the Procurement
- Having an ownership, investment interest, or compensation arrangement with any proponent participating in the Procurement
- Having access to confidential information related to the Procurement
- Accepting favours or gratuities from those doing business with [insert name]

procurement activities. I de	Chain Code of Ethics and the Procurement Policies and Procedures in all of my clare that there are no actual or potential conflicts of interest arising out of my nt activities, except for the following:
If I become aware of a confl immediately.	ict of interest during the course of the Procurement, I will notify [insert name]
Further, I understand my ob	oligations under this agreement continue in perpetuity.
Evaluation Team Member N	lame and Title (print):
Capacity (check one):	
Evaluator Observer	
Cianatura	Deter

Supply Chain Code of Ethics

Goal: To ensure an ethical, professional and accountable supply chain.

I. Personal Integrity and Professionalism

All individuals involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between health care organizations, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Individuals must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

II. Accountability and Transparency

Supply Chain Activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public money. All contracts are to be awarded based on product or service suitability, economic value, delivery, and quality. All individuals must ensure that public sector resources are used in a responsible, efficient and effective manner.

III. Compliance and Continuous Improvement

All individuals involved in purchasing or other Supply Chain Activities must comply with this Code of Ethics, the organization's policies and procedures, the laws of Canada and Ontario and contractual obligations. Individuals should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.

Definitions:

Supply Chain Activities: All activities, whether directly or indirectly related to an organization's plan, source and procure, move and pay processes. It includes everything starting from scoping and defining needs by end-users until the final payment.