

Ontario Colleges AODA Procurement Toolkit

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A. Understanding the need for this toolkit

1. Legislative background

Disability is diverse; a disability can be permanent, temporary, visible or invisible. Accessibility is not merely an issue of legal compliance or of meeting policy-related targets, accessibility is about providing equal opportunity and equal access for all.

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) was enacted with the goal of developing enforceable accessibility standards that would prevent and remove barriers in Ontario and ensure accessibility for all Ontarians. The accessibility standards developed under the AODA contain specific requirements and deadlines.

Section 5 of the AODA requires colleges to incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. Section 6 applies the same requirements to designing, procuring or acquiring self-service kiosks. (Ontario Regulation 191/11 – Integrated Accessibility Standards Regulation)

2. Who this toolkit is for

All stakeholders should be aware that accessibility features need to be considered when preparing to procure or acquire goods, services or facilities.

Colleges encounter challenges in incorporating accessibility criteria and features into the procurement process due to

- the complexity of procurement under this legislated obligation.
- lack of awareness of appropriate accessibility criteria and features.
- lack of the necessary skills and tools to assess the accessibility of goods, services and facilities.

This toolkit has been developed for college employees responsible for carrying out and managing the procurement of goods, services and facilities on behalf of their college. It provides general considerations around incorporating accessibility into the procurement process, along with sample checklists and a list of resources.

Before you begin sourcing, you may need additional information about or access to specific accessibility standards, guidelines or best practices. Contact the person at your college responsible for ensuring AODA compliance and ask to be directed to the appropriate resource. You can also contact your college's procurement office and ask for help in obtaining additional information.

B. Incorporating accessibility into procurement policies and procedures

1. Recommendations about what to include

Colleges should embed policies and procedures for complying with Section 5 of the AODA into their procurement policies and procedures.

College procurement policies and procedures should:

- State, at the beginning, the college's commitment to include accessibility criteria or features in the procurement process, except where it is not practicable to do so.
- State the college's commitment to consider accessibility from the outset of the procurement process.
- State the college's commitment to consider accessibility over the entire lifecycle of the good, service or facility, so that the end result is robust and adaptable enough to be accessible in the future.
- Set out basic requirements around asking suppliers to demonstrate their knowledge of accessibility as it relates to their goods, services or facilities when tendering.
- Identify where to seek advice about accessible procurement by contacting the individual(s) involved in ensuring AODA compliance.

Sample commitment statement that could be embedded in a college procurement policy:

*"In accordance with section 5 of the AODA, Integrated Accessibility Standards Regulation, **Name of College** is committed to incorporating accessibility criteria or features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. **Name of College** recognizes that it might not always be possible to ensure that goods, services or facilities procured or acquired are accessible. In this regard, **Name of College** will provide an explanation, upon request, in accordance with this regulation."*

Suggestions around determining procurement procedures:

- Keep in mind that suppliers need to have a good understanding of accessibility as it relates to the college in order to provide appropriate goods or services.
- Include a procedure around how to establish the accessibility requirements for a proposed good, service or facility.
- Include an appropriate process for involving others within the college who can assist with determining the accessibility criteria or features.
- Ensure that external experts:

- Can demonstrate the skill level needed.
 - Are familiar with the required list of products, standards or guidelines.
 - Can provide references from other organizations to whom they have provided similar services.
- Ensure there is a clear procedure for evaluating the level of skill that an external expert on accessibility brings to the procurement process.

C. Understanding accessibility: everyone's responsibility

College procurement staff are not the only employees who need to take into account the accessibility criteria, features, guidelines or other technical requirements for all purchases on behalf of the college.

Anyone responsible for or involved in procuring goods, services or facilities on behalf of your college needs to understand which accessibility features or criteria to ask for and whether the proposed solutions will meet the accessibility requirements. Procurement staff can help facilitate this process.

The best approach is to consider flexible solutions that can meet multiple needs.

- Consider accessibility from the start. Think about accessibility before the design phase. Waiting until later in the design process may make it impossible to address fundamental barriers cost-effectively. The retrofitted solution may be expensive and may not be the best approach to providing accessibility for all users.
- Consider accessibility over the entire lifecycle of the goods, services or facilities.
- Consult with people with disabilities. Involve the people who will use a product, service or facility in the design process. Their input is necessary and indispensable, and their suggestions may be cost-effective.

D. Building accessibility into the procurement process

1. What to consider in preparing the scope-of-work

Consult with internal expertise to determine the general features or criteria to include in an RFx.

- For example, to secure a vendor to create or refresh a college website, procurement staff may ask members of the college web team about specific standards that should be highlighted in the tender, specific questions to ask tenderers and how to best evaluate the tenderers.

Involve or consult with colleagues to determine the aspects of the goods, services or facilities that are most likely to pose a barrier for people with disabilities.

Involve or consult with the individual(s) at your college responsible for AODA compliance to determine the specific accessibility standards, guidelines, features or criteria to be considered.

Identify who will carry out an accessibility audit to validate the accessibility claims in a vendor's or supplier's proposal.

2. What to include in the RFx

First, contact, or include in the process, the person at the college who can help you determine or refer you to the appropriate accessibility features, criteria or guidelines.

It is not enough in the RFx to simply refer to the college policy, a technical standard or the legislation.

- Standards and legislative guidelines are not always clear, and may be open to different interpretations.
- A general reference may make it difficult to determine whether a proposed product, service or facility meets the standard.
- There may be no products, services or facilities available that fully meet the standard. You may miss opportunities to consider how what's available could be adapted.

Always state specific accessibility requirements as they relate to the goods, services or facilities you are putting out for tender.

a. When writing the RFx

Include the college accessibility policy or statement of commitment to accessibility.

Including the appropriate accessibility specifications, features or criteria, and consider setting them as a minimum requirement for winning the tender.

Consider including the weighting that the accessibility aspects of the proposal will receive as part of the evaluation criteria.

b. Including criteria in the RFx

State the specific accessibility standards, guidelines, features or criteria instead of using vague terms, such as “accessible” or “AODA-compliant.”

Specify existing accessibility standards or guidelines if they have been established for the item, service or facility.

- For example, when creating an RFx for a vendor to refresh or re-do your college website, you could include a statement such as: “Provide evidence as to how the new website will conform to the Level A guidelines.”

Specify that the tenderer include accessibility in the development process if you are procuring an item, service or facility that will be designed and developed.

c. Asking for evidence from tenderers

Ask the tenderer to describe the accessibility criteria or features of their goods or services.

Ask the tenderer to provide evidence in their tender that the proposed goods, services or facilities will satisfy the accessibility criteria or features set out in the RFx.

Ask tenderers to provide references from previous clients that demonstrate their knowledge and ability to fulfil accessibility criteria or features.

d. Reviewing tenders

Review the client references and evidence of the accessible goods, services or facilities that each tender has provided.

Consult with internal accessibility experts to review prototypes provided by the tenderer to see if they meet the accessibility requirements.

Ask people with disabilities to test any prototypes or samples, where possible, to determine accessibility.

- For example, people with disabilities could be asked to visit a sample website submitted by a tenderer.

e. Evaluating tenders

Determine whether the procurement team includes someone with sufficient knowledge to properly assess the accessibility dimensions of the tenderer's proposed solution. If sufficient expertise is not available in-house, consider

- seeking input from the sector-wide AODA committee.
- consulting with external accessibility experts.

Assess the tenderer's accessibility-related experience and credentials.

Assess the tenderer's skills, the plans, criteria or features of their proposed solution, and the processes they propose to undertake to meet the accessibility criteria or features stated in the RFX.

Validate the tenderer's accessibility claims. Consult with users, including people with disabilities, or gather evidence from the tenderer's clients or colleagues at other colleges.

E. Procuring goods, services or facilities

1. Goods

Accessibility criteria or features must be considered when purchasing goods, except where it is not practicable to do so.

As part of the selection criteria, consider asking the vendor or supplier, for example, to:

- Provide evidence that the products are easy for all users to reach, see and operate.
- Provide options for you to evaluate with colleagues and users before committing to a final selection.
- List any specific accessibility standards or guidelines that the product must adhere to, and identify how the product complies with them.
- Identify how the product fulfills the specific accessibility features or criteria contained in the RFx.

The AODA does not preclude you from purchasing goods that do not meet the accessibility needs of all users. In this situation, recommended best practices include:

- Communicate to the college community that there are no goods available with the accessibility criteria or features that would meet the needs of all users. This ensures that you have conducted the procurement process with due diligence.
- Consider creating a form to provide evidence that the decision to not comply with the AODA requirements was given management approval.

2. Services

Services may be provided directly to students, employees or community members by college employees or by third-party service providers.

In accordance with the AODA Customer Service Standard, services must be provided in a manner consistent with the key principles of independence, dignity, integration and equality of opportunity.

If your college does not provide the AODA-required customer service training to third-party service providers, such as providers of janitorial or security services, you may want to include criteria asking potential service providers to provide evidence or a sign-off that their staff have been trained in accordance with all AODA requirements.

Accessibility standards for specific services

Websites

<http://www.w3.org/WAI/intro/accessibility.php>

Web Content Development

<http://www.w3.org/WAI/intro/wcag.php>

Guidelines for Mobile Accessibility

<http://www.w3.org/WAI/mobile/#covered>

3. Facilities

Colleges must consider accessibility criteria or features when they are renting, renovating, acquiring or building facilities. Everyone benefits when all users can easily navigate the internal and external college environment.

Accessibility standards for specific facilities

Public spaces

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_110191_e.htm

F. Best Practices

1. When accessibility isn't practicable

In some instances, there may be no suitable good or service that is fully accessible for all people with disabilities, or you may find a fully accessible solution that is not practicable, too expensive or will cause unreasonable delay for others.

Suggested best practices in situations like these include:

- consulting people with disabilities to identify the features that are most important to them, and the aspects that are most likely to be a barrier.
- selecting the most accessible goods or services based on that feedback.
- asking suppliers to contact you if fully accessible goods or services become available in future.
- informing users about the accessibility issues and about the most accessible alternative.
- determining whether an alternative solution might allow you to provide accessible service in a different way.

2. Checklists

Useful sample checklists are included in Appendix A:

- A1. Sample Accessibility Checklist for Procuring Goods and Services
- A2. Sample Accessibility Checklist for Preparing the Scope of Work
- A3. Sample Accessibility Checklist for RFx Document
- A4. Sample Accessibility Checklist for the Built Environment

3. Suggested Communication Material

Suggested text for communicating the need to consider accessibility when procuring goods, services or facilities is included in Appendix B.

Appendix A1: Sample Accessibility Checklist for Procuring Goods and Services

Consideration	N/A	Yes	No	Follow-up
Will the proposed goods or services reflect the college's commitment to accessibility?				
Have relevant stakeholders been consulted to address accessibility concerns?				
Have accessible features and criteria been included in the procurement process?				
Does the cost estimate reflect the need to integrate accessibility features and criteria?				
Have the possible impacts on people with disabilities been considered?				
Can people with disabilities use or benefit from the proposed goods or services on an equitable basis?				
Did people with disabilities participate in the decision-making process?				
Are there accessible feedback mechanisms so accessibility issues can be reported, monitored and evaluated?				
Are any relevant documents and communication materials written in plain language and available in an accessible format?				
Will online communication materials include accessible electronic formats of HTML, accessible PDF or Word?				
Colleges must notify the public about the availability of accessible formats and communication supports. Is relevant information in an accessible format posted on the premises or on the college website?				
Do departmental materials such as posters and brochures follow the Clear Print Guidelines?				
Do signage and information systems use the International Symbol of Accessibility where applicable?				

Appendix A2: Accessibility Checklist for Identifying Scope of Work

Consideration	N/A	Yes	No	Follow-up
1. Have you consulted internal experts about specifications for the product, service or facility?				
2. Have you consulted the person responsible for AODA compliance at your college about specific accessibility standards, guidelines, features or criteria?				
3. Are there existing accessibility standards or guidelines for this product, service or facility?				
4. Are you including accessibility features or criteria in the weighting for evaluating tenders?				
5. Is the tenderer asked to:				
<ul style="list-style-type: none"> include accessibility in the design and development process? 				
<ul style="list-style-type: none"> describe the accessibility features of the proposed goods or services? 				
<ul style="list-style-type: none"> provide evidence that the proposed solution will satisfy the accessibility requirements in the RFX? 				
<ul style="list-style-type: none"> provide references that demonstrate their ability to satisfy accessibility requirements? 				

Appendix A3: Sample Accessibility Checklist for Rfx Document

Consideration	N/A	Yes	No	Follow-up
1. Is the college accessibility policy or commitment to accessibility clearly stated?				
2. Have specific accessibility standards, guidelines, features or criteria been included?				
3. Are the accessibility features or criteria stated as a minimum requirement?				
4. Are the accessibility features or criteria included in the weighting for evaluating tenders?				

Appendix A4: Sample Accessibility Checklist for the Built Environment

Consideration	N/A	Yes	No	Follow-up
Is the proposed facility or infrastructure barrier-free?				
Will the changes to the proposed facility or infrastructure make it barrier-free?				
Have accessibility features been integrated into the planning process?				
Have agreements been reached to ensure accessibility features will be included during construction?				
Do ramps comply with the Ontario Building Code (Barrier Free Design section 3.8)?				
Are entrances accessible to people using wheelchairs or scooters?				
Are accessible entrances clearly marked with the International Symbol of Accessibility?				
Are mats securely positioned and level with the floor?				
Is there an accessible route of travel to all floors?				
Are elevator doorways wide enough to allow people using wheelchairs to pass through easily?				
Do elevator doors stay open long enough to permit people with disabilities to enter and exit safely?				
Are door thresholds bevelled so they do not create a tripping hazard?				
Can user stations be accessed by persons using a mobility device?				
Are there public information systems, auditory signals or way-finding so people with visual impairments can move safely and independently?				
Are building and route signage provided in large, high contrast lettering?				

Consideration	N/A	Yes	No	Follow-up
Have accessibility features been incorporated when designing or procuring items under s. 6 of the AODA?				
Are accessible routes marked to provide directional cues for people with vision disabilities?				
Are washroom features placed at an appropriate height and location for people with a wide range of disabilities?				
Has consideration been given to service/ guide dogs (comfort stations, water)?				

Note: The entries in the sample checklist are meant for guidance only, and are not representative of the build standard. Your municipality will have accessibility guidelines that you can use to further refine this checklist.

Appendix B: Suggested Communication Material

You may find the suggested text below useful in communicating college-wide about including accessibility features and criteria in purchasing decisions.

a. Purchasing on behalf of the college? Take accessibility into account.

As a college employee, you are responsible for ensuring that accessibility features and criteria are incorporated when purchasing goods, services or facilities, or when designing, procuring or acquiring self-service kiosks for the college. (Integrated Accessibility Standards Ontario Regulation 191/11, s.5 and s.6.)

b. Ensuring accessibility promotes equal participation.

A barrier is anything that prevents a person with a disability from fully participating because of the disability. Barriers can be physical, architectural, attitudinal, or technological, or they can source from information, communication, policies or procedures.

Accessibility refers to the degree to which a person with a disability is able to participate because barriers have been removed or overcome. Once possible barriers have been identified, it takes planning, design and effort to ensure that people with disabilities have barrier-free access.

c. Think about accessibility criteria in advance.

Goods, services or facilities that are not accessible may prevent people with disabilities from participating equally in accessing our programs and services. Questions to consider before procuring goods, services or facilities:

- Could a person with a disability use this item, service or facility? What barriers might a person with a disability face?
- Could a person with a disability use this item, service or facility as easily as a person without a disability?
- Could the item, service or facility be adapted to the needs of a person with a disability?

d. Get help to identify appropriate accessibility features and criteria.

To identify appropriate accessibility standards, guidelines, features and criteria, you can

- consult with [the name and title of the person at your college who is responsible for AODA compliance].

- consult with [the name and title of the person responsible for purchasing on behalf of the college].

These internal resources can help you answer questions such as

- What are the appropriate accessibility criteria and features to include?
- How can accessibility criteria and features be incorporated into the procurement process?

Sample criteria to consider when procuring goods

- Can the item be used by someone who is seated? Standing? Using a mobility aid?
- Does the item meet ergonomic standards?
- Can the item be adapted or customized to meet a variety of needs?
- Is written material in an accessible format?

Sample criteria to consider when procuring services

- Have the service provider's staff members completed the accessible customer service training required under the Customer Service Standard?
- Can the service provider accommodate the needs of people with disabilities?
- Does the service provider use accessible signage, audio or print materials?
- Is the service provider's website accessible?

Sample criteria to consider when procuring facilities

- Can a person using a mobility aid safely move around the facility?
- Are signs placed so that people with disabilities can read them?
- What emergency procedures are in place to help people with disabilities?

e. Understand what to do when accessibility isn't practicable.

You may not be able to incorporate accessibility features or criteria in all cases. However, if asked, you must be able to provide an explanation why accessibility features have not been included.

If you can't find goods, services or facilities that are accessible, you need to look at ways to accommodate people with disabilities. Contact [the name and title of the person at your college who is responsible for AODA compliance] to discuss accommodation options.

Appendix C: Expert Agency Listing

While non-profit agencies may be a good resource, Ontario's colleges now have a sector-wide AODA Committee that can serve as an expert resource for individual colleges. The person at your college who is responsible for AODA compliance can put you in touch with this committee if needed.

[Canadian National Institute for the Blind \(CNIB\)](#)

[Canadian Mental Health Association \(CMHA\)](#)

[Canadian Hearing Society](#)

Appendix D: Legislation, Policies and Standards

One of the motivations for making your procurement accessible is to be in compliance with relevant legislations and public policy. Below is a list of website where you can find additional information on AODA relevant legislations as well as standards for various goods and services.

Legislation

- [Accessibility for Ontarians with Disabilities Act, 2005](#)
- [Ontario Human Rights Code](#)

Policies

- Broader Public Sector Procurement Directive
[https://www.doingbusiness.mgs.gov.on.ca/mbs/psb/psb.nsf/Attachments/BPSProcDir-pdf-eng/\\$FILE/01%20BPS%20Procurement%20Directive.pdf](https://www.doingbusiness.mgs.gov.on.ca/mbs/psb/psb.nsf/Attachments/BPSProcDir-pdf-eng/$FILE/01%20BPS%20Procurement%20Directive.pdf)

Standards

- Making Ontario Accessible
<http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/index.aspx>
- New Accessibility Amendments to Ontario's Building Code
<http://www.mah.gov.on.ca/Page10546.aspx>
- WAI-ARIA Overview (Web Accessibility Initiative)
<http://www.w3.org/WAI/intro/aria.php>
- Mobile Accessibility
<http://www.w3.org/WAI/mobile/>
- Mobile Web Best Practices 1.0
<http://www.w3.org/TR/2008/REC-mobile-bp-20080729/>
- Web Content Accessibility Guidelines
<http://www.w3.org/WAI/intro/accessibility.php>
- Authoring Tool Accessibility Guidelines Overview
<http://www.w3.org/WAI/intro/atag.php>
- User Agent Accessibility Guidelines Overview
<http://www.w3.org/WAI/intro/uaag.php>

Appendix E: Resources

City of Ottawa

[City of Ottawa Accessibility Plan](#)

Center for Excellence in Universal Design

[Centre for Excellence in Universal Design – Procurement Toolkit](#)

National Disability Authority

[Procurement and Accessibility](#)