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Accessible Procurement Process Map

The integration of accessibility into an ICT procurement process

This resource has been developed by Australian Network on Disability's Procurement Taskforce and distributed with their kind joint permission.



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Process Map overview

Purpose

This document explains how the use of the Technology Accessibility Selection Tool, developed by the Taskforce, can be used to remove the key perceived issues when including accessibility requirements into scope.

Key perceived issues during a procurement activity are;

1. What questions to ask,
2. How to evaluate the answers (without needing an accessibility subject matter expert),
3. How to easily contractualise the supplier's response.

Approach

In addition to the development of the Technology Accessibility Selection Tool, key tasks, responsibilities and detailed process flows have been documented to provide guidance during the procurement process.



Process Map overview continued

Scope

The approach and Technology Accessibility Selection Tool has been developed to assist in the purchasing of technology goods and services.

Processes have been developed for both tender and contract renewal activities.

The approach to renewals supports best practice ESG development i.e. first measure, then track progress.



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Procurement process – key task summary

Key task summary

A procurement process will normally consist of four steps.

| Step | Process Order | Key Accessibility Assessment Activities of the Contract Owner | Key Supplier Actions | Key Procurement Actions |
|------------------------|---|---|--|---|
| 1. Scope Definition | Engagements via tender: Activity occurs prior to tender release. Engagements directly with one supplier: Activity normally occurs prior to initial supplier discussions. | <ol style="list-style-type: none"> 1. Confirm that accessibility is relevant to scope 2. Determine if all accessibility questions in the tool are relevant 3. Agree minimum acceptable question scores 4. Agree accessibility weighting in the scoring matrix | Be visible by publishing which accessibility standards, products and services meet e.g. VPAT. Know if products and services meet stated minimum accessibility requirements. | Include accessibility questions identified by the Contract Owner into scope document. Finalise scoring matrix and minimum acceptable scores. |
| 2. Scope Clarification | For engagements via tender, this activity occurs after the tender is released but prior to supplier submissions. | <ol style="list-style-type: none"> 1. Run Q&A session for suppliers 2. Resolve any specialist accessibility questions that are raised. 3. Internally discuss any policy conflicts raised e.g. if it seems a supplier will not meet minimum acceptable score. | Clarify uncertainties. Internally agree the remediation approach to any “No” response. | Formally release scope document and relevant questions to supplier(s). Coordinate Q&A. |

Key task summary

| Step | Process Order | Key Accessibility Assessment Activities of the Contract Owner | Key Supplier Actions | Key Procurement Actions |
|-------------------|---|---|---|---|
| 3. Evaluation | Upon receiving the supplier's formal written response. | <ol style="list-style-type: none"> 1. Resolve any policy conflicts i.e. discuss with stakeholders and agree to remove suppliers who do not meet minimum accessibility scores. 2. Validate supplier's response | Provide self assessment on accessibility through formally responding to the accessibility scope questions, using the categories provided. | <p>Coordinate evaluation scoring. Confirm time/cost of remediating any gaps between policy and supplier solution. Supplier comms incl clarification of responses. Initiate negotiations e.g. remediation costs.</p> |
| 4. Contracting | This is the final negotiation step to document the formal response in a contract. | <ol style="list-style-type: none"> 1. Agree the detail behind any remediation activity. 2. Test supplier's solution delivers required accessibility requirements (as committed). | Contractually commit to accessibility scope and any remediation actions. Maintain compliance. | <p>Include clauses to enshrine accessibility commitments. Outcome communication to supplier(s).</p> |



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Accessible procurement process flow for pre-tender due diligence

Pre-tender due diligence

Pre tender due diligence should be done to help determine which suppliers to invite to a tender.

The accessibility of the supplier's goods or services should be one of the considerations on which suppliers to invite, however, determining this is not always easy.

Pre-tender due diligence

The following are two approaches that can be used to get a broad understanding of the accessibility of a supplier's goods and/or services;

1. Some suppliers have published a Voluntary Product Accessibility Template (VPAT) which can be useful.
 - While this can provide good insight VPATs can be complex to interpret and may not apply to the specific good or service you are looking to purchase.
 - OZeWAI are in the process of developing a database of reviewed VPATs that will greatly assist in this interpretation. Test usability with assistive technology users e.g., [makeitfable.com](https://www.makeitfable.com). The link will be included once this database is live.

Pre-tender due diligence

2. An alternative approach is to make a supplier's participation in a tender conditional on their confirmation that their products and/or services apply with your organization's Accessibility Policy/Standards.

- This approach, however, requires an organization to have a publishable Policy/ set of standards that are easy for a supplier to assess themselves on.
- If your organisation does not have a set of standards publicly available, then an alternative could be to send out the questions included in the Technology Accessibility Selection Tool pre-tender.



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Accessible procurement process flow for technology contracts – tenders

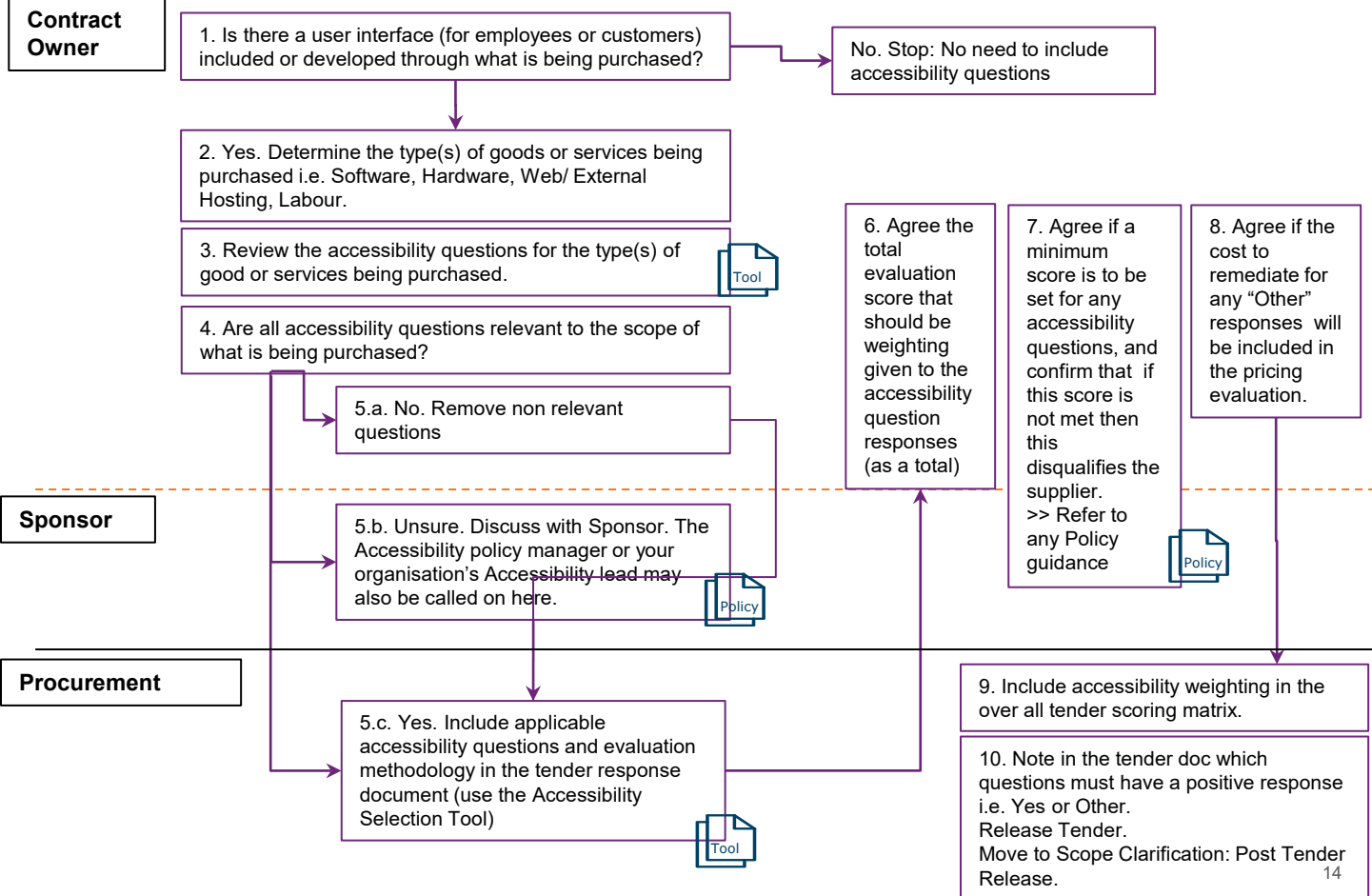
Technology contracts - tenders

For a procurement tender the following workflows provide the steps to define the accessibility evaluation criteria and evaluate supplier's responses.



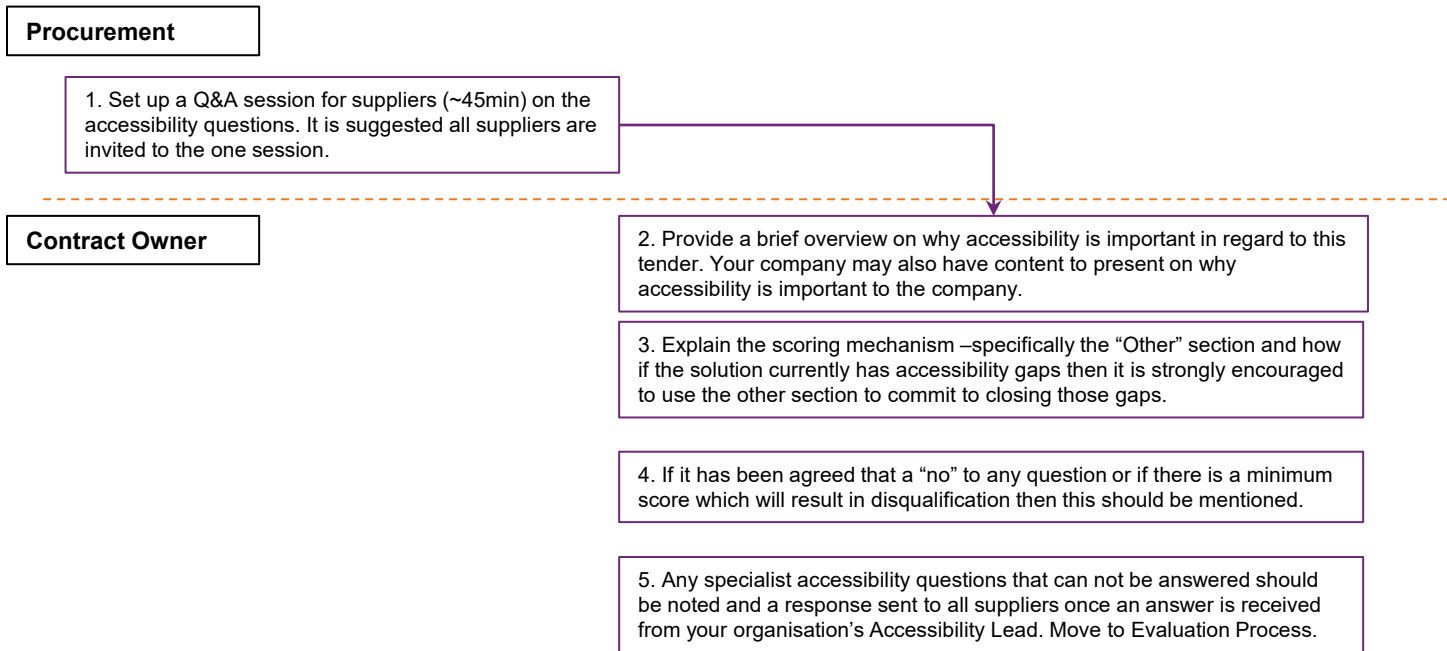
Tender Process

1. Scope Definition: Pre Tender Release



Tender Process

2. Scope Clarification: Post tender release





Tender Process 3. Evaluation

Procurement

1. Did any suppliers respond "No", or score below a pre-agreed minimum score for any question?

2a. Yes. Was it agreed before the tender release that a "no", or score below the minimum score would disqualify a supplier?

7. Yes. The supplier is removed from the tender process.

2b. No. If a supplier has responded "Other" is the remediation, including costs and effort clear?

3a. No. Seek clarification from the supplier before finalizing their score.

4. If supplier cannot clarify e.g. when the release including the fix will occur then the supplier's response should be revised down i.e. select an "Other" category which appropriately reflects what is certain about remediation effort. Note that in some cases this may mean the supplier response is now evaluated as a "No".

6a. No. Go back to step 1.

5. After clarification are all responses where a mandatory "Yes" or "Other" is required now a "Yes" or "Other"?

3b. Yes. Include finalized responses in the pre agreed tender scoring matrix.

End: Move to Contracting process.

Contract Owner

8. Sponsor should be advised. Continue evaluating other suppliers.



Tender Process

4. Contracting

Procurement

1. Include the supplier tender response to the accessibility questions into contracts Accessibility Schedule. It is suggested that the main body of the contract contains a clause that commits the supplier to delivering a product or service that meets the level of accessibility noted in their tender response. The table of questions and supplier's tender response (including any clarifications e.g. cost) can then be pasted into an Accessibility Schedule.

2. Does the supplier accept the concept of having clauses to hold the supplier to their specific commitment(s)?

3a. Yes. Does the supplier accept wording of clause(s).

4a. Yes. Include clauses. End

5b. No. Rework language with supplier.

6. Can a compromise be agreed that maintains the intent of the of the commitment to an accessible product (as specifically noted in the supplier's responses to the accessible questions)?

Unsure.

Contract Owner

4b. No. Escalate to Accessibility Policy Owner

7. Policy Owner accepts supplier position?

Sponsor

8. No. Policy Owner and Sponsor to resolve e.g. raise a formal step out from the organisation's accessibility policy or standard(s), or have an executive to executive conversation between the company and supplier in regard to the supplier's commitment to accessibility.



Accessible procurement process flow for technology contracts – direct negotiations/renegotiations

Technology contracts – direct negotiations / renegotiations

For a procurement direct negotiations i.e. with a single supplier (including contract renewals) the following workflows provide the steps to define the accessibility evaluation criteria and evaluate supplier's responses.

Direct negotiation often occurs when a product or service is already in an organisation i.e. the discussions are around a contract renewal. In this case the focus is understanding the current accessibility of the product or service and formalizing this (assuming this is not already formally known).

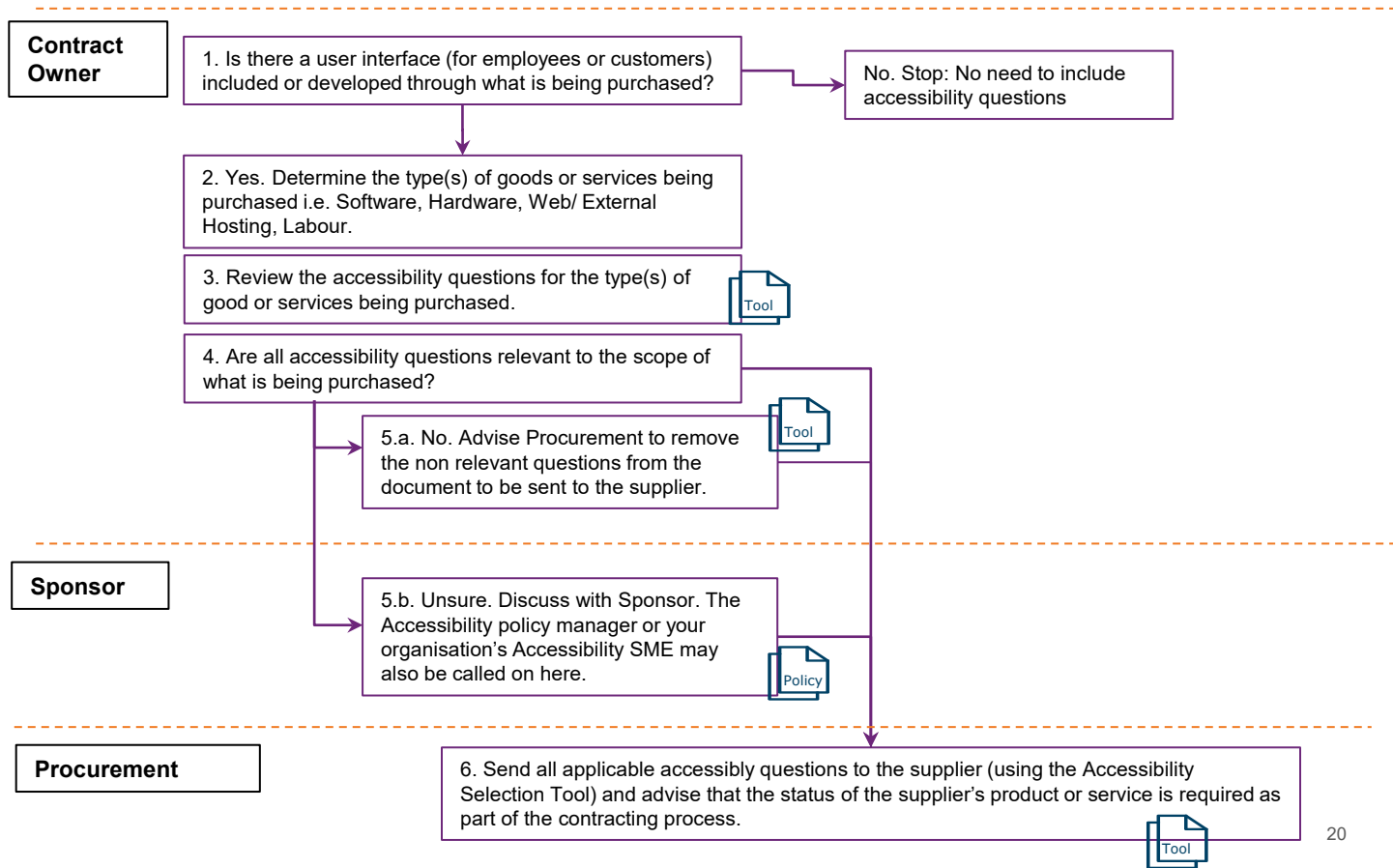
It is rare that an organisation will have the leverage in these cases to force the supplier to make large changes in their product or service before a new contract is signed, however, creating a formal baseline and gaining any commitment from the supplier to improve is a strong step forward.

If the product or service is significantly deficient then this process can create visibility in the organisation which in turn can be useful input into strategic lifecycle planning for the product or service i.e. if alternatives could/ should be looked for in the medium to long term.



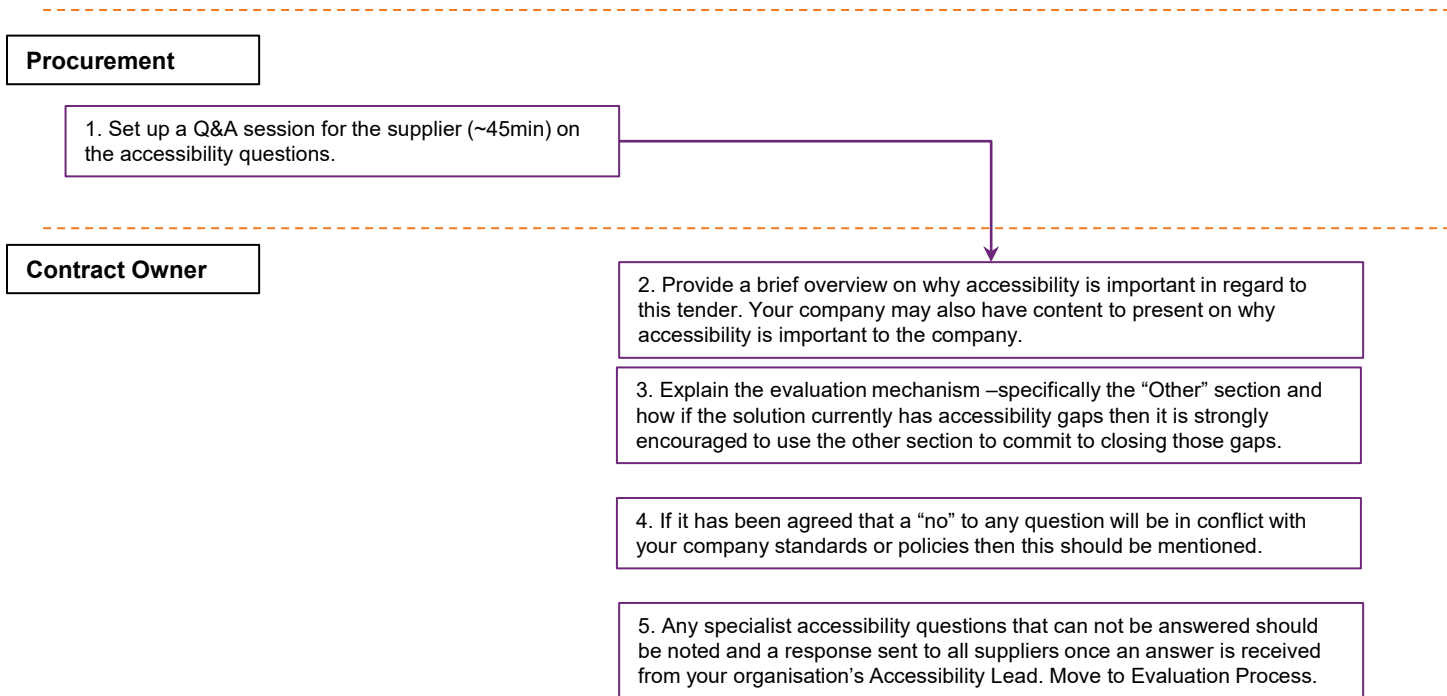
Direct Negotiations/ Contract Renewals

1. Pre supplier notification



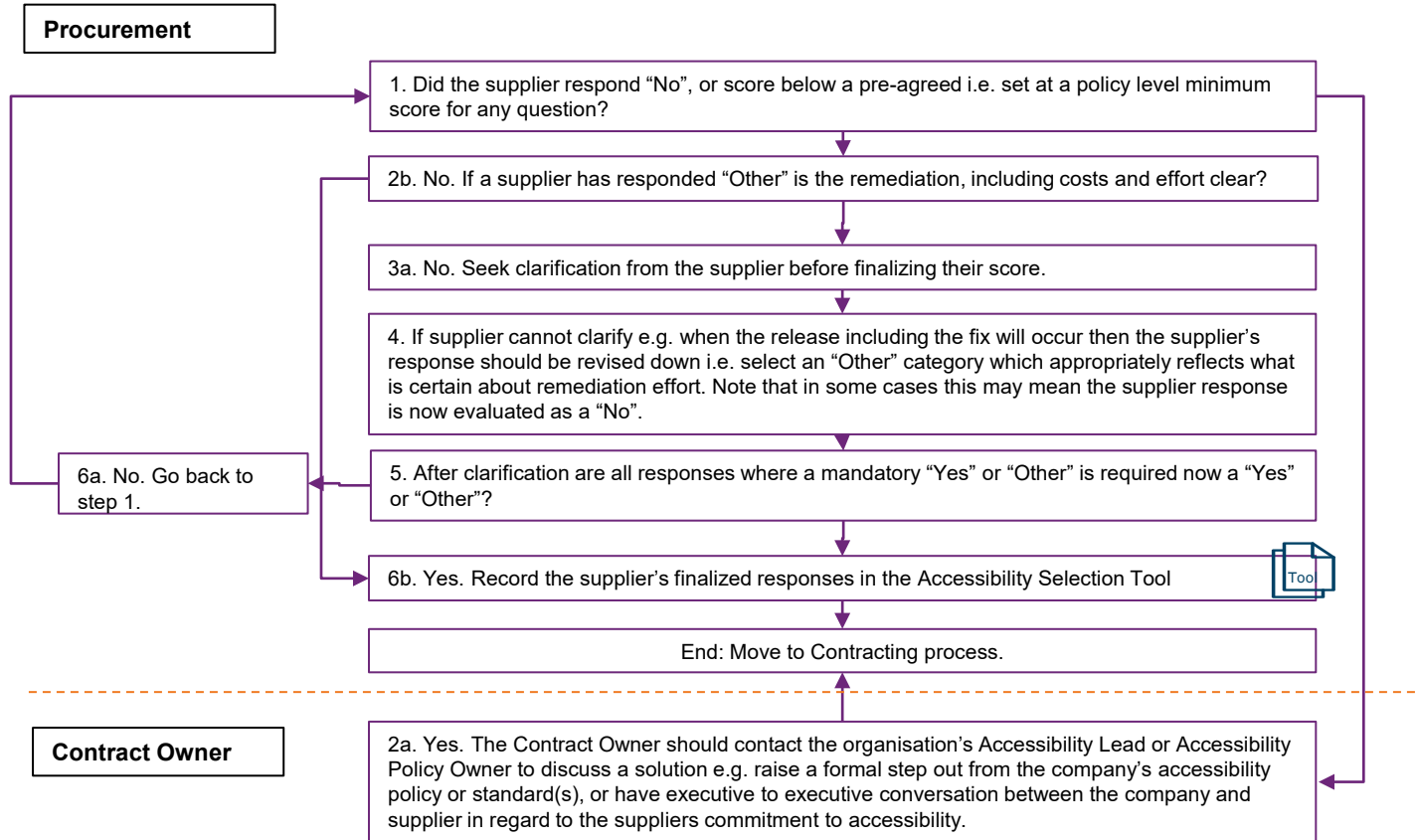
Direct Negotiations/ Contract Renewals

2. Scope Clarification



Direct Negotiations/ Contract Renewals

3. Evaluation



Direct Negotiations/ Contract Renewals

4. Contracting

Procurement

1. Ideally include the supplier tender response to the accessibility questions into an Accessibility Schedule in the contract. Noting that for renewals this may be particularly difficult to get agreement on and a “fail fast” approach is often the most appropriate.

2. It is suggested that the main body of the contract contains a clause that commits the supplier to delivering a product or service that meets the level of accessibility noted when they returned the Accessibility Selection Tool responses.
The table of questions and supplier’s response (including any clarifications e.g. cost) can then be pasted into an Accessibility Schedule.
Does the supplier accept the concept of having clauses to hold the supplier to their responses?

3a. Yes. Does the supplier accept wording of the clause(s).

4b. No. Rework language with supplier.

4. Yes. Include clauses. End

5. Can a compromise be agreed that maintains the intent of the clause(s)?

7a. Yes. Contractualise agreed approach. End

Contract Owner

3b. No. Escalate to Accessibility Policy Owner

6. Policy Owner accepts supplier position?

Sponsor

7b. No. Policy Owner and Sponsor to resolve, with the most likely scenario being that the non compliance is documented, and any resolution is worked through at a later date as part of ongoing strategy for this good or service.





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Example of supplier scoring

Example of Supplier Scoring

Below provides a worked example of what a response from a supplier should look like. This example includes 6 out of the total 14 questions that would be asked when evaluating software.

The supplier has provided their answers by marking their response for each question in the scoring template, provided explanatory notes in column L, and have added the appropriate score for each question in the Score column (column M).

Further details for each questions scoring are on the next page.

| | | Scoring Template | | | | | | | | SCORE | |
|---------------|-----------|---|----|-------|--|---------------------------------------|--|--|---|---|---|
| SCORING NOTES | QUESTIONS | (TO BE POPULATED BY THE SUPPLIER) | | | | | | OTHER explanatory or supporting text which may be considered to support your response, this section will contribute to your score. | | | |
| | | RESPONSES: YES = 5 NO = 0 OTHER = Range 1 to 4 depending on desirability of reply | | | | | | | | | |
| | | YES | NO | OTHER | OTHER Resolved by a release determined in less than 1 year (3) | Resolved through configuration (2) | Resolved via software updates, free of charge (1) | | Resolved via customisation (charged for) (1) | | |
| | | SOFTWARE | | | | | | | | | |
| 7 | | | | | | | | | | | |
| 8 | Q1 | Software: Assistive Technology. Is the software natively compatible with assistive technology? | | | | X | | | | Release 4.5 due in October which includes a fit so that the product is natively compatible with all assistive technology. | 4 |
| 9 | Q2 | Software: Standards. Are all user interfaces rendered using HTML compliant W3CAG to minimum AA standard? | X | | | | | | | | 5 |
| 10 | Q3 | Software: Activation of accessibility features. Where the software has accessibility features, is it possible to activate those features that are required to meet a specific need without relying on a method that does not support that need? (For example: Activation of large-size font in a database should not require you to first have to read small-size font) | | | | | X | | | Configuration is required to enable accessibility features to be activated from the login screen | 3 |
| 11 | Q4 | Software: Biometrics. Where the software uses biometrics, does it use more than one type of biometric as the means of user identification or for control? (For example: In addition to voice recognition, can it also be activated using iris recognition?) | | | | | | | | | |
| 12 | Q5 | Software: Use of sensory modalities. Where the software conveys information by sound, touch, text or visual notification, does it have an equivalent notification that uses another modality? (For example: If there is a beep, is there also a text notification?) | | | | X | | | | This product can only provide visual notification when data is entered correctly (field turns from red to green). | 4 |

Worked Example for Supplier Scoring

- Question 1 (row 8 of the table)
- The supplier has marked their product as Other, Resolved By A Release Delivered In Less Than 1 year. As articulated in the evaluation template this type of response attracts a score of 4 marks.
- A score in this category indicates that while the product is currently lacking the supplier is committing to remediating the issue for free as part of a standard product improvement.
- Including features as standard (sometimes called native) is often more desirable than configuration as future changes to the product are likely to retain these features, and they are less likely to be over-written.
- Further detail is provided by the supplier in the explanatory notes section, column L.

- Question 2 (row 9)
- The supplier has answered Yes to the question and so attracts the full 5 marks.

- Question 3 (row 10)
- The supplier has responded that configuration is needed to achieve the scope requirement. This evaluation criteria shows the supplier that this response gets 3 marks.
- In this case it would be worth clarifying with the supplier what and how to do the configuration. Specifically it is good to know if a subject matter expert in the product is required to do it, or if it is a simple task.

Worked Example for Supplier Scoring

- Question 4 (row 11) is shown for demonstration only. This question would not be sent to the supplier as, in this example, it was determined to not be relevant to scope as the solution did not need biometrics.
- Question 5 (row 11)
- The supplier has responded No, their product does not provide this functionality. As such the supplier will score no marks for this question.
- It should be checked as to if this functionality was set as a mandatory requirement (during the step 1. Pre Supplier Notification), if it is then the workflow should be followed to address this issue i.e. be resolved between Contract Owner and Policy Owner.
- Question 6 (row 12)
- The supplier has answered Yes to the question and so has given themselves the full 5 marks, however, they have indicated in the notes section (column L) that there are caveats where accessibility is not provided.
- This score should be reevaluated and changed, if appropriate i.e. the supplier's self score is not final.
- In this case the organisation's evaluation team need to decide if the response is required to apply to the whole product, or if partial coverage is acceptable.
- It is possible that in this case the evaluation team would seek the guidance of the organisation's Accessibility Lead.



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Glossary



| Term | Definition / explanation |
|----------------|---|
| Contract Owner | The main beneficiary of the goods and/or services in the contract when finalized. Often delegates activities in the procurement process flow within their team. Is not in Procurement or normally the organisation's Accessibility SME or policy owner. |
| Sponsor | Normally the senior leadership role within the Contract Manager's line who is escalated to for assistance in the resolution of any material issues e.g. conflicts with policy. |
| Tool | The Technology Accessibility Selection Tool. The set of accessibility questions and the evaluation mechanism included which have been developed by BDI and further enhanced by AND's Accessible Procurement Taskforce. The Accessibility Selection Tool can be found on the AND web site here |
| Policy | Is used as a general term to refer to an organisation's formally stated intent in regard to accessibility e.g. acceptable minimum standards. In this process flow Policy refers to any relevant Procedures, Standards or formal Policy document that an organisation has. |
| Policy Owner | In most organisations any step out or deviation from policy/procedure/standards requires the formal approval of the owner. Ideally there is clear guidance regarding what would make an acceptable business case to step out from an Accessibility Policy. |