Accessible Procurement Guide

Council of Ontario Universities

Accessible Procurement Working Group

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COUNCIL OF
**ONTARIO
UNIVERSITIES**

CONSEIL DES
**UNIVERSITÉS
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Accessible Procurement Guide

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CHAPTER 1 - BACKGROUND

In Ontario there are several major relevant pieces of legislation that address, in some capacity, barrier removal for people with disabilities. They are: (others have been removed or omitted)

- ***Broader Public Sector (BPS) Procurement Directive, 2011***
  Sets out requirements to ensure that designated BPS organizations acquire publicly funded goods and services through a process that is open, fair and transparent.

- ***Canada-European Comprehensive Economic and Trade Agreement (CETA), 2017***
  The Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA) is a progressive trade agreement that upholds and promotes the values that Canada shares with the EU.

- ***Accessibility for Ontarians with Disabilities Act, 2005 (AODA)***
  *The AODA sets out a process for developing and enforcing accessibility standards with the goal of an accessible Ontario by 2025. The **Integrated Accessibility Standards Regulation (IASR**) falls under the AODA and sets standards in the following five areas: information and communications; employment; transportation; design of public spaces; and customer service. The five standards are part of the Ontario's plan to remove barriers and create a province that is accessible for all residents.*

For the purposes of this guide, a heavy focus will be placed on the AODA as it specifically requires that accessibility be incorporated into procurement practices.

The Council of Universities (COU), through collaborative discussions in a working group have developed this **Accessible Procurement Guide** to assist universities in aligning with the legislation requirements for procurement policies and competitive bids while ideally providing our staff, faculty, students and visitors with disabilities a positive and supported experience.

The Guide should be considered in context. Each university may adapt or excerpt pieces. It is not to be used as a legal document. If assistance regarding Ontario's legislative regulations are needed, please consult with your organization's legal adviser.

It is also with thanks to the University of Toronto Libraries, the Ontario Council of University Libraries and with support from the Government of Ontario who have collaboratively shared documents, toolkits and information in order to help with preparing this accessibility procurement guide.

1.1 The Accessibility For Ontarians With Disabilities Act, 2005 (AODA)

The [Accessibility for Ontarians with Disabilities Act, 2005 (AODA)](#) aims to make Ontario accessible by 2025 through the development, implementation, and enforcement of standards to identify, remove and prevent barriers for people with disabilities in key areas of daily living.

The standards apply to private and public sector organizations across Ontario. Under the AODA, Ontario universities are identified as "large designated public sector organizations". As such, Universities are required to "incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so" (O. Reg. 191/11, s. 5 (1); O. Reg. 413/12, s. 4 (1).).

There are five specific accessibility standards contained in one regulation under the AODA called the Integrated Accessibility Standards Regulation 191/11 (IASR):

1. **Information and Communications**
   - Section 6 - Self-Serve Kiosks
   - Section 15 - Educational Training Resources and Materials
   - Producers of Educational or Training Material
   - Libraries of Educational and Training Institutions
2. **Employment**
3. **Transportation**
   - Section 39 - Existing Contracts
   - Section 40 - Existing Vehicles
4. **Design of Public Spaces**
   - Sections 80.6 - 80.44 - Design of Public Spaces
5. **Customer Service**
   - Sections 80.45 - 80.51 - Customer Service Standards

Therefore, it is important to consider the additional requirements set out in the IASR when considering procuring or purchasing goods, services, or facilities that may also fall under any of these five standard areas.

For more detailed information on requirements, compliance dates and how they may apply to individual institutions call the Service Ontario AODA Contact Centre at: Toll free: 1-866-515-2025 or TTY: (416) 325-3408/Toll free: 1-800-268-7095. It also recommended to consult your University's Procurement department for additional information on the IASR.

1.2 Upcoming / Changes to the AODA

This section highlights pending upcoming changes

Under the Information and Communication Standard, by January 1, 2020, universities will need to:

- Provide accessible school library resources when asked
- If available, provide accessible versions of Digital or Multimedia Resources.

- Make printed learning materials accessible
- If you produce other printed learning materials, make them accessible or easy to convert into other formats like accessible Microsoft Word files.

Beginning January 1, 2021, you need to:
- Make websites and web content accessible

1.2.1 Development of new standards: health care and education

Standards Development Committees will develop a new accessible Health Care and Education Standards as required by Section 9 of the AODA. Both Committees are required to determine the

measures, policies, practices and requirements to be implemented on or before January 1, 2025, and the timeframe for their implementation. All proposed accessibility standards are made public for consultation and receiving feedback prior to finalization.Universities should be cognizant of standard development timelines to be prepared for any changes that may impact procurement practices.

1.2.2 Standards review process

Per section 9 (9) of the AODA, every standard is required to to be reviewed five years after it becomes law to determine whether it works as intended and to adjust, if required. As such, universities should monitor upcoming changes of each standard and reflect on its relative impacts to procurement practices. . At the time of this publication, the following standards were under the following review timelines:

Customer Service standard: Reviewed in 2016

Transportation standard: Reviewed in 2016

Employment Standard: Reviewed in 2017

Information and Communication standard: Reviewed in 2017

Design of Public Spaces: anticipated to be reviewed in 2021

CHAPTER 2 - DEFINITIONS

Section 2.1: As defined by in the [Accessibility Information Toolkit for Libraries](#):

"Accessible procurement" involves determining what is required for a product or service to be accessible, and either finding ways to procure something that meets those requirements or, documenting why this is not possible and what will be done if an accessible alternative is requested. Drafting a checklist of procurement considerations and using assessment tools can help staff determine how accessible a product is.

Section 2.1: As defined in the Ontario Public Service (OPS) Diversity and Inclusion Lexicon:

"Accessibility" is, a general term used to describe the degree of ease that something (e.g. device, service, environment) can be used and enjoyed by persons with a disability. The term implies conscious planning, design and/or effort to ensure it is barrier-free to persons with a disability, and by extension, highly usable and practical for the general population as well.

Section 2.2: As defined in the Ontarians with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005:

"Assistive Technology" means any hardware, software or system that overcomes or reduces the barriers inherent in standard technology. For example, standard computer input devices such as keyboards and mice require a certain level of mobility and dexterity from users. The standard computer output device - a video display - requires the user to have adequate vision. Assistive technology overcomes such barriers by providing alternate modes of input and/or output suited to the abilities of different users. (The term does not include a medical device that is surgically implanted or the replacement of such device).

While often regarded as aids for people with disabilities, assistive technology can also be used by anyone in situations where the conditions or environment limit the usability of standard technology.

"Barrier" means, anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

Section 2.3: As defined in the Ontario Human Rights Code, Ontarians with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005:

"Consultant" means experienced professional who provides expert knowledge for a fee. He or she works in an advisory capacity only and is usually not accountable for the outcome of a project.

"Disability" "disability" has the same meaning as in the [Accessibility for Ontarians with Disabilities Act, 2005](#) and the [Ontario Human Rights Commission's Policy on ableism and discrimination based on disability, 2016.](#)

"Kiosk" means an interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

"Prime Contractor" refers to the primary or first contractor who has an agreement directly with the owner of a project. A Prime Contractor has the full responsibility for completing the work and and may employ one or more subcontractors to carry out specific parts of the contract.

"RFX" is a generic acronym in procurement that refers to all types of sourcing that include references to Request for Information (RFI), Request for Proposal (RFP), Request for Quote (RFQ), Request for Supplier Qualification (RFSQ) and Request for Bid (RFB).

"Subcontractor" means a contractor who is hired by the Prime Contractor to perform a specific task as part of the overall project and is normally paid for their services by the Prime Contractor.

CHAPTER 3 - POLICY AND PROCEDURES

The IASR of the AODA highlights the following areas, specifically related to procurement:

1. Section 5. (1)...shall incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so. O. Reg. 191/11, s. 5 (1); O. Reg. 413/12, s. 4 (1).

   In cases where it is not practicable to meet the above noted requirements, IASR Section 5(2) states that designated public sector organizations, "…shall provide, upon request, an explanation".

2. Section 6. (1)...shall incorporate accessibility features when designing, procuring or acquiring self-service kiosks. O. Reg. 191/11, s. 6 (1).

3. Section 15. (1)...1. Provide educational or training resources or materials in an accessible format that takes into account the accessibility needs due to a disability of the person with a disability to whom the material is to be provided by,

   i. procuring through purchase or obtaining by other means an accessible or conversion ready electronic format of educational or training resources or materials, where available, or

   ii. arranging for the provision of a comparable resource in an accessible or conversion ready electronic format, if educational or training resources or materials cannot be procured, obtained by other means or converted into an accessible format.

4. Section 18. (1)...the libraries of educational or training institutions that are obligated organizations shall provide, procure or acquire by other means an accessible or conversion ready format of print, digital or multimedia resources or materials for a person with a disability, upon request. O. Reg. 191/11, s. 18 (1).

   (2) Special collections, archival materials, rare books and donations are exempt from the requirements of subsection (1). O. Reg. 191/11, s. 18 (2)

It is recommended where possible to include the AODA into existing policies and procedures rather than as a separate additional requirement. Examples of purchasing policies which include accessibility considerations can be found in Appendix B.

CHAPTER 4 - PROCURING OR ACQUIRING GOODS, SERVICES, FACILITIES

In order to assist Ontario universities in ensuring that accessibility is incorporated into procurement processes, Chapter 4 of this Guide provides direction on how to procure

It is the responsibility of the University to incorporate accessible procurement practices, which includes reviewing whether the external/partnership organization's practices meet AODA. If the University is not able to find or use an accessible product, service or facility, it should be prepared to provide an explanation on why it is not practical to do so.

4.1 Seven (7) Principles of Universal Design

7 Principles of Universal Design (Copyright 1997 NC State University, The Center for Universal Design) was established to help guide the design process in creating more usable products and environments. The same principles can be used to evaluate the usability of existing designs.

1. **Equitable Use** - the design is useful and marketable to people with diverse abilities
2. **Flexibility in Use** - the design accommodates a wide range of individual preference and abilities
3. **Simple and Intuitive Use** - the design is easy to understand
4. **Perceptible information** - the design communicates necessary information effectively to the user, regardless of ambient conditions or user's sensory abilities
5. **Tolerance for error** - design minimizes hazards and adverse consequences of accidental or untended actions
6. **Low physical effort** - the design can be used efficiently and comfortably with minimal fatigue
7. **Size and space for approach and use** - there is appropriate size and space for approach, reach, manipulation and use regardless of body size, posture, or mobility

Universities should utilize the above 7 principles when considering the accessibility of a good, product, or service within its procurement process; these institutions should consider the "Principles of Universal Design", which recognize the broad diversity of people who use facilities, and promotes the design of environments that may be used by all people, without the need for adaption or specialized design if at all possible.

4.2 Facilities Management

Facilities Management consists of construction, renovation or maintenance work which has sufficient financial, technical or university impact to warrant the overhead costs associated with all Facilities Management work.

The Council of Ontario Universities Accessible Campus provides a list of Facility Accessible Design Standards resources that outline specific requirements for the areas listed above. These resources also contain a comprehensive accessibility design checklist than can be used in the development of technical specifications for facilities related procurement.

4.2.1 Construction / Design Services

Depending on your organizational structure, The Procurement Department may or may not have direct control over the process for hiring external Contractors, Subcontractors or Consultants. Most universities will have a capital operations or a facilities department with project managers assigned to work closely with the Procurement Department on renovation or large capital projects. Regardless of the respective university organizational structure, users should be prepared to work through the necessary procurement process to secure construction / design services

Accessible projects should incorporate the 7 principles of Universal Design by:

- Making it easier to approach, enter and use buildings and structures
- Providing an equal level of safety and opportunity for everyone, including methods of leaving a building and communicating during an emergency
- Providing features that allow all people to function optimally in their day-to-day activities. This may include designing shelves at varying heights or installing benches with side rails.

When considering a new project there are several pieces of legislation that could potentially impact work completed by contractors or subcontractors.

- The Ontario Human Rights Code
  o Legislation that is enforced largely by applying the concept of "reasonable accommodation" and "undue hardship".

- Section 3.8 (Barrier-Free Design) of the Ontario Building Code (OBC).
  The OBC describes a minimum mandatory level of design standards for accessibility.
- Barrier-free Design Standard (CAN/CSA-B651-M95)
  o This Standard describes technical requirements that can be used in the design and construction of new facilities or modifications to existing facilities.

- Your university's own policies on accessibility, inclusion and or accommodation.

Supplemental Resources for Accessible Procurement with Design/Construction

1. City of Toronto Accessibility Design Guidelines, 2004
2. Brock University Facility Accessibility Design Standards, 2014

4.2.2 Procurement of Accessible Venues for Conferences and Events

It is important to plan for adding accessible features into conferences and events wherever possible. Universities hosting events should attempt to understand who is attending the event.

Create a process or means to provide notice that will give your participants the opportunity to identify their accommodation needs early in the process. This will allow you time to make the necessary accommodations prior to the event.

The Council of Ontario Universities Accessible Campus provides a checklist for selecting accessible venues for conferences and events.

COU's Accessible Campus – Checklist for Selecting an Accessible Facility

Supplemental Resources for Facilities Management

1. Integrated Accessibility Standards Regulation (IASR)
    a. Section 5 – Procuring or acquiring goods, services or facilities

4.3 For Goods

Purchasing goods that are usable by a wide range of users, regardless of their abilities or capacity, makes most economic sense. It is important to consider who the main user(s) of the goods are. If goods are for individual use, specific accessibility requirements should be considered however these may not actually be required. However consider whether items will be repurposed, Accessibility requirements are most critical to consider in common-use goods that will be shared or accessed by a variety of individuals.

Questions to consider when buying common-use goods (taken from Ontario's Rules for Accessibility):

- Can the product be used by someone:
    o in a seated position?
    o using one hand, with limited upper body strength?
    o with limited fine motor skills?
    o with vision loss or low vision?
    o with hearing loss?
- Does the product meet ergonomic standards?
- Can the product be customized to meet different needs?
- Are instructions for using the product clear and easy to follow?
- Are support materials (e.g., manuals or training materials) available in accessible formats at no extra charge?

Consider requesting the company/organization to provide you with information on its product's accessibility features. In some cases, companies may have Voluntary Product Accessibility Templates (VPATs) available (per Sec 508 of the Americans with Disabilities Act). Other times, companies may have an "accessible" version of the product, which may include add-ons or replacement pieces or parts. By requesting to review the accessibility information, it will allow the University to make an informed decision on whether to include accessibility as part of the final decision on purchasing products.

4.3.1 Kiosks

All organizations must consider accessibility when designing or buying self-service kiosks. There are many accessibility features available depending on the needs of your customers. The law does not specify which features you must include in your self-service kiosks. Here are some examples to consider.

4.3.1.1 Technical features
Some features can be technical, including:

- Customization: users can adjust the colours and contrast; Colours depicted for colour choices have audio and visual descriptions *(flexibility in use)*
- No patterned backgrounds used behind text or important graphics
- Buttons can be operated by feel with one hand and minimal force *(low physical effort)*
- The controls and keys are tactilely discernible on a touch screen
- Vendor instructions are available in accessible formats and plain language (*perceptible information*)
- Voice output for a person who is unable to see a visual display
- User can interrupt, pause and restart the audio at any time using a variety of controls such as voice recognition or keyboard *(tolerance for error)*
- Screen flicker frequency below 2 Hertz; flashing/blinking can be disabled
- Captioning of any audio/video content
- All outputs are accessible to users with low or zero vision and hearing *(equitable use)*
- If using cards, ensure that the card can be inserted into the card reader in its correct orientation without requiring vision (*simple and intuitive use*)
- Connectors for headsets to enable the user to operate the product in private

4.3.1.2 Structural features

Other accessibility features are structural, such as:

- height and stability of the kiosk *(size and space for approach and use)*
- headset jacks with volume control
- specialized keypads or keyboards (e.g. tactile keyboard)
- whether people with mobility aids, such as walkers or wheelchairs, can easily access the kiosk.

Supplemental Resources for Self-Service Kiosks

1. Integrated Accessibility Standards Regulation (IASR)
   b. Section 6 – Self-service kiosks

4.4 Information Technology & Web Applications

Procuring IT hardware and software can involve a wide variety of accessibility-related considerations (i.e. availability, compatibility, etc.). Procuring these solutions can be complex; it is critical to understand and address, to the extent that may be possible, those key features and functions that impact accessibility. To appropriately address these requirements, consultation with key internal (campus end users, procurement, IT staff) and external (supplier partners) is highly recommended in order to ensure that key accessibility needs are achieved.

To assist with this process, there are a number of established resources (i.e. recommendations, checklists) that can be used for reference and are provided in links below.

Supplemental Resources for Technology & Web Applications

1. https://ocul.on.ca/accessibility/procurement/it-software-hardware-and-services
   a. General guidelines for software

b. General guidelines for hardware
    i.   o   Printers / copiers
    ii.   o   Display devices (monitors and digital signage) and e-kiosks
    iii.   o   Electronic readers
    iv.   o   LCD projectors and LCD or digital TV information screens

2. 508 American Web Law Versus WCAG recommendations
3. Georgia Tech - Accessibility Assistant (Procurement Tool)
4. How to Make your Website Accessible - Ontario Government
5. University of California - Accessibility Checklist.
6. University of Washington IT Accessibility Checklist

4.5 For Services

Services may be provided to students, employees, external community members or by third-party service providers. Services can vary substantially depending on the type provider.

Service providers who interact with employees, faculty, students and visitors on campus need to be aware of and informed about the AODA and how to meet its requirements. Inquire as to whether the provider has experience in providing accessible customer service and meeting AODA requirements. Essentially, accessible customer service is about how service is provided to customers with a range of disabilities. This can encompass a number of factors that need to be considered including the following:

- Who is your customer?
- What are their needs?
- How do you meet there service-related needs in a manner that promotes the principles of dignity, independence, integration and equal opportunity, as highlighted in the AODA?

Providing accessible service can mean using inclusive language and communicating in a manner that meets the customer's needs including using appropriate means and methods of communication.

Accessible customer service also encompasses several of the 7 principles of universal design including ensuring that services are provided in a manner that allows for:

- Participation by people with a range of disabilities.
- Services are easy to access and intuitive in terms of use. For example, the customer can easily understand where and how to receive services.
- There is tolerance for error and multiple means of access within the service model. For example, if a customer is unable to access services in one manner another option is available such as in-person and online.
- If services are provided in a physical space, the space must be accessible to those with varying abilities.

Some questions that may be considered when hiring and working with a service provider include the following:

- Can the service provider accommodate the needs of people of all abilities? For example, if you're hiring someone to do research for you, do their surveys and interviews accommodate people with different types of disabilities?
- Does the service provider adhere to diversity and inclusive practices that recognize how intersectionality of discrimination for those of marginalized or underrepresented groups impacts participation?
- Are feedback mechanisms accessible and available to all participants?

When thinking about services that will be provided consider if these will be accessible. For example, will the company use accessible signage, audio and/or print materials? For example, if you're hiring an event coordinator, will they use high contrast signs for the event?

Service providers themselves may have accessibility needs. Some questions to ask in meeting the needs of service providers include the following:

- Does your organization inquire about accommodation needs of the service provider?
- Are processes in place to meet accommodation needs of service providers?

Supplemental Resources for Services:

1. AODA Customer Service Standard and Guides
2. Inclusive Practices Toolkit
3. Guidelines for Accessible Service at Brock

4.6 For Libraries

OCUL has developed an accessible toolkit to aid University libraries in specific considerations when procuring library materials and meeting AODA Standards. This guide includes information on pertinent library issues such as:

- Issues around copyright law and disability including:
  - How the Canadian Copyright Act defines disability
  - What can be copied and to what extent under the Canadian Copyright Act
  - Who can make copies
  - The relationship between the AODA and the Canadian Copyright Act
  - Obtaining permission to copy.
- Understanding and procuring library related hardware and software in context of both Section 18 (Libraries of Educational and Training Institutions) and Section 14 (Accessible Websites and Web Content) of the AODA.
- The toolkit also examines issues of resource sharing and sector-wide support for libraries in meeting legislated accessibility requirements.

Section 18 of the AODA requires that libraries provide accessible versions of materials including print-based materials, and digital and multimedia resources when requested.

CHAPTER 5 - DRAFTING AND EVALUATING PROCUREMENT DOCUMENTS

When creating procurement documents, Universities should wherever possible attempt to incorporate the technical requirements and evaluation criteria that will specifically address the accessibility aspects of the good or service being procured.

Input should be sought from a variety of stakeholders including end users, the general public, faculty, staff and students. Any proposed contract that may result from an RFx must also outline the awarded supplier's specific understanding of the project's requirements with regards to AODA.

5.1 Step by Step RFx Drafting

STEP 1

- Review definitions & legal requirements and determine the estimated budget of your purchase.
- Consult your own University purchasing policies and process. Some Universities may also have accessibility policies.
- Contact your university Procurement department to confirm procurement requirements.

STEP 2

Assess potential barriers

- Conduct an assessment to determine whether these types of goods or services could create barriers for people with disabilities.
- Asses who will be the end user of goods and services
  - Staff
  - Students
  - Public Staff
- How long will the good or service be used for?

STEP 3

Include accessibility considerations in your procurement

- University procurement policies and procedures, how many bids will be solicited?
- University policies on accessibility?
- A description of the need to provide accessible goods or services currently and in the future.
- The outcome of public consultations conducted by the University
- If possible gather input from individuals needing accommodation. Are there factors that you haven't considered yet?

STEP 4

Develop documents that include relevant accessibility specifications

- Build the accessibility requirements into the document specifications.
- Ask suppliers to provide their own recommendations if you aren't sure.

STEP 5

Build accessibility into the evaluation criteria of your procurement documents

- Accessibility should form a meaningful weight of your overall criteria.
- Approximately 5% - 10% is recommended, or unless determined otherwise as part of procurement process.
- Solicit background information on supplier policies. Do they have accessibility policies and procedures? Consider asking for this information as part of evaluation?

In preparation of your RFx documents, you may wish to include the following questions in the evaluation criteria:

[refer to Chapter 4 on the specific type of purchase to formulate your evaluation criteria. For example]:

1. Does the company train its employees in provided accessible service as required by the AODA Customer Service Standard?
2. Does the supplier have a plan for providing access or alternate accessible routes?
3. Are the routes wide enough for people using mobility devices (wheelchairs, etc)?
4. Are the routes free of obstacles?
5. Are obstructions (e.g. fences, steps) visible and clearly marked or identified?
6. Is there turning space for people using wheelchairs or other mobility devices?
7. Does the supplier use accessible signage which is visible and placed at an accessible height?
8. Does the supplier have emergency procedures to assist people with disabilities?
9. Does the supplier have after-hours accessibility and safety?
10. Does the supplier have a communication plan for service disruptions and if yes, by what method e.g. website?
11. For Ontario organizations, ask them to present their most recent AODA compliance report.
12. What is their process for regular review and updates on accessibility within their industry?
13. If good/services does not currently meet AODA standards, what is their action plan (including timelines) to reach AODA compliance?

Limitations

Procurement may be limited in implementing the AODA requirements due to:

- Limited availability of accessible goods, services or facilities
- Technological compatibility between older products and newer ones being procured
- Operational or business requirements
- Urgency

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

- Communicate to the University 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.

CHAPTER 6 - TRAINING SUPPLIERS AND EMPLOYEES

When negotiating with vendors who are not familiar with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requirements, it is helpful to be as specific as possible with regard to your requirements. It is important to be able to explain how your organization is expected to comply with the requirements of the law, what compliance measures have already taken place as well as what the potential penalties are for non-compliance.

Your organization has probably already set up internal training for new staff hires who are dealing with the public. It is also up to each organization to decide which suppliers visiting university campuses may be required to take the AODA training. This requirement may or may not be included as a criterion for scoring at the time of creating language for your competitive bids (RFx – Request for Proposal, Request for Quotation, and Request for Supplier Qualification etc). The supplier can be asked to demonstrate that the company employees have been AODA trained and it has been documented.

Under AODA, all employees, contract-staff and volunteers are required to receive training on providing accessible customer service. External contractors awarded a project by following the policy guidelines need to be aware of your organizations commitment to accessibility so that the work does not create additional barriers for people with disabilities.

For additional details on the training requirements mandated AODA please refer to Chapter 7 of the IASR.

CHAPTER 7 - FREQUENTLY ASKED QUESTIONS

Q1: Do the the accessibility requirements/regulations apply to the procurement of all goods and services?

A1: Yes. The accessibility requirements apply to the acquisition of all goods, services and facilities, including those that may be acquired through Vendor of Record arrangements, regardless of value.

Q2: How can I be sure that I am meeting my accessibility obligations in procurement?

A2: In order to meet your accessibility obligations in procurement-related activities, there are three key questions for consideration:

- What are the barriers that people with disabilities might face in trying to use the goods, services or facilities you are planning to acquire?
- Will these goods, services or facilities be used by members of the public or by individual employees?
- What are the appropriate accessibility criteria and how can they be incorporated into the procurement process?
- Confirm obligations with your Procurement department?

Q3: What is an accessible product or service?

A3: An accessible product or service is one that can be used efficiently and effectively by anyone, regardless of their abilities. For example, a computer can be made accessible for a person who is blind by having on-screen text converted to audio or Braille. Similarly, a desk can be modified to accommodate a person using a wheelchair or scooter.

Q4: Why is it important to have accessibility in an office environment?

A4: If products and services in an office are not accessible they cannot be used by everyone. This in turn can deny people the opportunity to become employees or customers of your organization.

Q5: What can you do when accessible procurement is not possible?

A5: Considerations will depend on what your organization is looking to procure; however, documenting procurement decisions is important especially as it relates to accessibility compliance. This means your university is responsible for documenting why an accessible format may not have been an option, and will also help your department with vendor assessment when making future procurement decisions.

Q6: What is required if a non-compliant resource must be purchased?

A6: If a product does not meet the AODA standard, you must take the following action:

- Document steps taken to identify alternative
- Document a plan for obtaining alternative if one is requested

Q7: When do vendors have to make their products accessible?

A7: See section 1.2 for upcoming dates. Section 17: Producers of educational or training material of the IASR states that:

14. Every obligated organization that is a producer of educational or training textbooks for educational or training institutions shall upon request make accessible or conversion ready versions of the textbooks available to the institutions.
15. Every obligated organization that is a producer of print-based educational or training supplementary learning resources for educational or training institutions shall upon request make accessible or conversion ready versions of the printed materials available to the institutions.
16. Obligated organizations to which this section applies shall meet the requirements of this section in accordance with the following schedule:
    a. In respect of accessible or conversion ready versions of textbooks, January 1, 2015.
    b. In respect of accessible or conversion ready versions of printed materials that are educational or training supplementary learning resources, January 1, 2020.
    c. Web material must be accessible by January 1, 2021

APPENDICES

Appendix A - Accessibility Checklist

(Adapted from AccessON) (Queen's University)

Source: [Accessible Event and Meeting Planning - Queen's University](#)

Purchase of Goods - Criteria to Consider

Can the good be used by someone:

- in a seated position?
- using one hand, with limited upper body strength, or limited fine motor skills?
- with vision loss or low vision?
- with hearing loss?
- Can the product be customized to meet a variety of needs?
- Are support materials, such as manuals, training or service calls, available in accessible formats at no additional charge?
- Does it work with common assistive technologies?

Purchase of Services - Criteria to Consider

- Does the firm provide accessible customer service, as required under the Customer Service Standard?
- Can the service provider accommodate the needs of people of all abilities? For example, if you're hiring someone to conduct research, do their surveys and interviews accommodate people with different types of disabilities?
- Will the company use accessible signage, audio and/or print materials? For example, if you're hiring an event coordinator, will they use high contrast signage for the event?

Purchase of Facilities - Criteria to Consider

- Can someone using a mobility aid, like a wheelchair or walker, get around the facility?
- Are signs placed at an accessible height?
- Does the facility have emergency procedures to assist people with disabilities?
- Can someone with a disability use the facility as quickly and easily as a person without a disability?

Appendix B - Suggested Purchasing Policy/Procedure Language

Suggested Language and Considerations for Accessibility in Procurement Practices

The following language was shared by OCAD University, and was adapted by COU to fit the needs of this Guide.

This language may be used in consideration of updating your purchasing procedures for AODA compliance:

[Name of institution] should document how accessibility criteria and features were considered in all purchases in a format that can be provided to the public upon request. One or more of the following accessibility criteria may apply depending on the nature of the product/service being purchased:

(a) If the purchase involves contractors who will interact with [name of institution] students, faculty, staff or members of the general public on [name of institution] behalf, then all of the contractors must provide proof of having completed training on the AODA Accessibility Standards for Customer Service. Proof of training should be included in the Appendix.

(b) If the purchase involves new construction or redevelopments of buildings or public spaces, then consideration of built environment accessibility guidelines, such as the Ontario Building Code and the IASR Design of Public Spaces Standards, should be added to the evaluation criteria of the RFx.

(c) If the purchase involves web-based software (e.g. websites, web-based applications, web services, etc.) then consideration of the AODA Information and Communication Standards must be documented. In particular, web-based materials must conform with WCAG 2.0, initially at Level A and increasing to Level AA (other than success criterion 1.2.4 and 1.2.5). See IASR 14(2) for deadlines.

(d) If the purchase involves self-service kiosks (i.e. "an interactive electronic terminal, including point-of-sale device, intended for public use that allows users to access one or more services or products or both", then accessibility features must be incorporated [IASR 6(1)]. For the purposes of the RFx, vendors are required to document the accessibility features that were incorporated.

(e) If the purchase involves educational or training resources or materials (e.g. websites, web-based applications, web services, etc.) then attempts to purchase or obtain the resources or materials (or comparable resources or materials) in accessible or conversion-ready formats must be documented IASR 15(1)1i,ii.

(f) If the purchase involves non-web-based goods and services to be used for the provision of information and/or communication to [name of institution] students, faculty, staff or members of the general public (e.g., desktop software, printed material, etc.), then consideration of the AODA Information and Communication Standards and the "Accessible Procurement Toolkit" must be documented.

 (g) If the purchase involves other types of goods/services (e.g., office furniture, etc.) consideration of the criteria listed in the "Accessible Procurement Toolkit" must be documented.

If the [name of institution] judges accessibility features to be "not practicable" for the purchase or if multiple options are available for a purchase and the [name of institution] selects the less accessible option, then explanations should be provided in the Appendix.

Suppliers/contractors will need to describe and certify how the product/service meets and/or does not meet the accessibility criteria identified by the [name of institution].

Suppliers/contractors will need to be prepared to demonstrate the accessibility of the product/service or, if the product/service has not been fully developed (e.g., a website, custom software, etc.), then a similar product/service must be demonstrated, or how they are going to meet accessibility-requirements.

If the purchase involves a product or service that may be change over time (e.g., due to staff changes, software updates, etc.), then the supplier/contractor must ensure that the accessibility of the product or service does not decline. If, during the warranty period of the product/service, the accessibility of the product or service is found to have declined below the originally-certified level, then the decline must be corrected at the expense of the supplier/contractor.

It is expected that all electronic documents sent from the [name of institution] to the supplier/contractor and vice versa will meet the requirements of the AODA Information and Communication Standards.

LINKS & RESOURCES

The Accessible Procurement Toolkit formerly produced by Industry Canada is an interactive resource, which covers a wide variety of products ranging from furniture to documentation and software. The Toolkit can be searched by keyword or the type of product.

The AODA Customer Service Standard:
http://www.elaws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm

Information and Communication Standard:

http://www.elaws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm #BK12

Use this link to search by type of disability, available by product category and disability type: http://www.wa-toolkit.info/

To locate the Checklist: Meeting Accessibility Obligations in Procurement:

http://www.doingbusiness.mgs.gov.on.ca/mbs/psb/psb.nsf/Attachments/Accessibility-Checklist/$FILE/Checklist-MeetingAccessibilityObligations.doc

The Ontario Building Code – Section 3.8 deals with Barrier-free design.

https://www.ontario.ca/laws/regulation/r13368

Making Buildings and Spaces Accessible (developed by the Ontario Accessibility Directorate of Ontario).

https://www.ontario.ca/page/how-make-public-spaces-accessible

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