



# CENTRAL YORK FIRE SERVICES

2019-04-25

## **FIRE SERVICES REPORT 2019-04**

To: Joint Council Committee

Origin: Central York Fire Services – Assistant Deputy Chief Claude Duval

Subject: **Fire Learning Management System Software**

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### **RECOMMENDATIONS**

**THAT Fire Services Report 2019-04 Fire Learning Management System Software dated 2019-04-18 be received;**

**And that Joint Council Committee (JCC) recommend seeking the required procurement related approvals for Central York Fire Service (CYFS) to enter into a long-term, non-competitive agreement with the current web based Fire Learning Management System (FLMS) service provider, being Stillwater Consulting Limited, at a cost of approximately \$153,000.00 over a ten (10) year time frame and renewable annually thereafter for support, maintenance and licence fees based on available approved budgets.**

### **COMMENTS**

The purpose of this report is to request that JCC approve and proceed with obtaining the required procurement related approvals, where necessary and as required, to secure a long term legacy agreement, over a ten (10) year time frame with the current FLMS provider, being Stillwater Consulting Limited, at a cost of approximately \$153,000.00, and renewable annually thereafter for support, maintenance and licence fees based on available approved budgets.

## **BACKGROUND**

The agreement with Stillwater Consulting was formed as a result of a competitive bid that was released in 2014 under reference number QBRFP2014-48 by the Town of Newmarket on behalf of CYFS. The successful proponent was Stillwater Consulting Limited. This contract has just expired.

The web based FLMS presently in place incorporates a training records management component and meets National Fire Protection Association (NFPA) standards. The software also addresses CYFS's training needs and the requirements under the Occupational Health and Safety Act.

Stillwater Consulting is the exclusive provider of the FLMS for Ontario Fire Departments. They are the only provider of a fire department blended e-learning management system whose content is customized to the Ontario Fire Service. In addition, much of the content of the CYFS system has been customized over several years at the direction of Central York Fire Services.

## **DISCUSSION**

With the expiration of the FLMS contract, Stillwater Consulting has proposed to keep the licence fee at the existing rate of \$7.50 CAD per firefighter.

CYFS proposes to maintain the present learning management solution as it is advantageous to the department for the following reasons:

- (i) Solid industry backing, including organizations such as International Association of Fire Chiefs (IAFC), the National Fire Protection Association (NFPA), the curriculum used by CYFS and the Province of Ontario (Ontario Fire Marshal and Emergency Management).
- (ii) Peer Networking - Currently used by many fire services in Ontario allowing for a large peer network to share and exchange entire training programs/information electronically.
- (iii) Organizational Reliability – reliable (99.9% uptime) and accessible online help 24/7. Stillwater Consulting Limited utilizes a state-of-the-art hosting facility for the primary web-based service. This facility incorporates data security and redundancy.
- (iv) Customization - Over the last five years, CYFS has customized the software to fit the needs of our training requirements. Going out for a competitive bid and the possibility of moving to a new provider will cause CYFS a setback

with our training programs. Purchased software are generic platforms that requires many staff hours of customization to meet our needs. In addition, over the last five years all 140 suppression personnel have been trained by the Training Division on its use.

- (v) Continuity of data - Current training records in FLMS could be jeopardized with the implementation of a different operating system. There is a risk that the training records outside the platform would be difficult to access and sort in a meaningful way. Furthermore, training programs designed within FLMS would have to be obtained from FLMS but might prove to be useless without the platform to run them.
- (vi) Implementation – A new software comes with an implementation process. This process is costly, both from a financial and a time point of view. Implementation cost is normally upwards of \$5000. Hundreds of hours are required to learn to use and manage the software.
- (vii) No tie to publishing company – Contrary to most Learning Management Software, FLMS caters strictly to the Fire Service. It is not publisher based and therefore does not tie the department to a certain publisher when it comes to reference material. In addition, it is the only platform that has Ontario specific material.

Further to this, the Town of Newmarket's Procurement By-Law and the applicable trade treaties which are the Canadian Free Trade Agreement (CFTA) and the Canada-European Union Comprehensive and Economic Trade Agreement (CETA) permit the consideration of non-competitive acquisitions where appropriate.

In this specific case, the following non-competitive provisions are applicable to this acquisition:

- (viii) **The Town of Newmarket, Procurement By-Law 2014-27, Section 13.5, sub section (i) "*May be proprietary technology*".**

While other learning management solutions are available on the market, the solution presently in place with CYFS has been specifically customized to meet CYFS's needs. The solution itself is owned by Stillwater consulting only;

- (ix) **The Town of Newmarket, Procurement By-Law 2014-27, Section 13.6, sub-section (i) "*Where compatibility with an existing product equipment, facility or service is a paramount consideration*".**

Compatibility of FLMS with the existing CYFS "FireHouse" records management software is a critical consideration for this acquisition. The interaction between the two software programs was undertaken by Stillwater

at no cost to CYFS. Entering into a competitive process may result in losing the compatibility of the two existing programs;

- (x) **The Canada-European Union Comprehensive Economic and Trade Agreement (CETA), Article 19.12, Paragraph 1 and section (c) and the Canadian Free Trade Agreement (CFTA), Article 513, Paragraph 1, section (c) “for additional deliveries by the original supplier of goods or services that were not included in the initial procurement if a change of supplier for such additional goods or services: (i) cannot be made for economic or technical reason such as requirements of interchangeability or interoperability with existing equipment, software, services or installation procured under the initial procurement; and (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity”.**

Entering into a new competitive acquisition could result in the selection of a new solution and solution provider which would force the selection of one solution over the other as these solutions are not meant to work interchangeably. The cost to implement and new solution and to provide for the necessary customizations would supersede the cost to maintain the existing solution.

## **FINANCIAL IMPACT**

The estimated cost for the solution over a ten (10) year time frame is as follows:

Description	Cost per Personnel per month	Cost Per Month	Annual Cost	10 Year Estimated
<b>Fire Learning Management Services – Licenses and Support and Maintenance (based on current user levels –140)</b>	\$7.50	\$1050.00	\$12,600.00	\$126,000.00
<b>Contingency</b> Additional employees and services based on potential future staff levels – estimated at 170. (30 staff contingency)	\$7.50	\$225.00	\$2700.00	\$27,000.00
<b>Total Cost</b>	-	-	-	\$153,000.00

It is financially advantageous to maintain the present learning management solution as the costs associated with implementing a new solution, resulting required customizations and retraining of staff would far supersede the costs to maintain the present day solution.

Furthermore, during the relationship with Stillwater Consulting Limited, any indication that pricing is no longer deemed "of fair value" will result in seeking for alternative solutions.

### **CONCLUSION**

CYFS requests that the Joint Council Committee (JCC) recommend seeking the required procurement related approvals for Central York Fire Service (CYFS) to enter into a long-term, non-competitive legacy agreement with the current web based learning management system service provider, being Stillwater Consulting Limited, at a cost of approximately \$153,000.00 over a ten (10) year time frame, and renewable annually thereafter for support, maintenance and licence fees based on available approved budgets.

### **CONSULTATION**

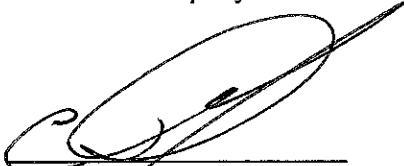
The CYFS Training Division consulted with the Town of Newmarket Procurement Services as well as the Senior Fire Management Team.

### **IMPACT ON THE MASTER FIRE PLAN**

This report has no impact on the Master Fire Plan.

### **CONTACT**

Assistant Deputy Chief Claude Duval

A handwritten signature in black ink, appearing to read 'Claude Duval', written over a horizontal line.

Claude Duval, Assistant Deputy Chief  
Central York Fire Services