



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

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Non-Competitive Approval for Payment to AOYS Fire Training Ltd

Staff Report to Council

Report Number: 2025-23

Department(s): Central York Fire Services, Procurement Services

Author(s): Tracy Assis, Manager Procurement Services; Claude Duval, Assistant Deputy Chief; Shara-Marie Orsi, Senior Procurement Officer

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled “Non-Competitive Approval for Payment to AOYS Fire Training Ltd.” dated April 28, 2025, be received; and,
2. That staff continue to non-competitively acquire specialized Fire Training Services for CYFS staff from AOYS Fire Training Ltd; and,
3. That, subject to recommendation 4 below, the Fire Chief be given delegated authority to approve invoices from AOYS Fire Training Ltd. for fire training services for CYFS staff, subject to the amount being within CYFS approved budgets; and,
4. That staff be directed to diligently monitor the market for other training services for CYFS staff that meet the same standards as the AOYS Fire Training Ltd. service, and that upon a competitor service becoming available, that staff be directed to run a competitive process at that point; and,
5. That the Fire Chief and the Manager, Procurement Services be authorized to execute any agreements or documents that are necessary; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council’s approval to continue acquiring specialized Fire Services training from AOYS Fire Training Ltd. (“AOYS”) on a non-competitive basis for CFYS staff until another solution becomes available.

Background

AOYS is a Canadian owned and operated fire services training organization that is dedicated to reducing firefighter injury through the provision of up-to-date, interactive training programs designed to integrate the most recent scientific research with practical applications. The backbone of the AOYS interactive training program is the Blue Card Command Certifications on-line program that provides for an online training and certification program that standardizes local incident operations across fire and emergency response organizations. Using a combination of on-line and in-class simulation-based training provided by AOYS and their use of the Blue Card Command Certification Program produces proven results for Company Officers and Incident Commanders. AOYS is the exclusive provider of the Blue Card Command on-line portion of the training provided by AOYS.

CFYS engages AOYS on an ongoing basis for the training of approximately sixty (60) to sixty-five (65) CYFS staff.

Discussion

While there are other incident command training solutions in the market, AOYS exclusively provides online and an in-class Fire Training Services that incorporates the Blue Card Command Certification which provides for a standard of certification.

Council approval is required in accordance with the Town's Procurement By-Law

Staff are seeking Council approval to continue acquiring specialized Fire Services training from AOYS Fire Training Ltd. for CFYS staff because the cumulative spend with this vendor to date exceeds the current administrative approval threshold of \$133,799.99 for non-competitive procurements in Schedule D, Table 5 of the Town's Procurement Bylaw 2014-27.

Continuing to engage AOYS non-competitively to provide specialized Fire Services training for CFYS staff is supported by the Town's Procurement Bylaw 2014-27 and by the applicable trade treaties.

Section 13.5(iii) of the Town's Procurement By-Law 2014-27 permits the non-competitive purchase of services where a supplier has a unique capability.

Similarly, the government procurement provisions of the Canadian Free Trade Agreement (CFTA), Article 513, Paragraph (1), Section, (b) permits the acquisition of goods or services that can only be provided by a particular supplier and no reasonable or substitute exists, resulting in an absence of competition due to technical reasons.

These justifications support circumstances where there are no other reasonable alternatives to the deliverables provided by a supplier.

Monitoring for Best Value

CFYS staff maintain vendor accountability by monitoring the market for any emerging incident command training solutions. To date there are no comparable solutions to that provided by AOYS however to ensure costs are reasonable, staff monitor the consulting fees provided to ensure they are consistent with industry norms. If another competitive and compatible solution like AOYS becomes available in the future, staff will initiate a competitive process to secure a contract.

Canadian Preference

AOYS is a Canadian owned and operated fire services training organization headquartered at 121, 53017 Range Road, 223 Ardrossan, Alberta T8E 2M3.

Consultation

Staff from CYFS and Procurement Services collaborated in the preparation of this report.

Conclusion

Continuing to acquire specialized Fire Services training from AOYS Fire Training Ltd. for CYFS staff is critical to ensuring staff are adequately trained and is supported by the non-competitive provisions of the Town's Procurement By-law and applicable trade treaties. Staff will continue to diligently review any alternative options and will run a competitive process should another provider become an option in the future.

Council Priority Association

This report aligns with the following Council Priority: Customer-First Way of Life

Human Resource Considerations

None

Budget Impact

Sufficient funds have been allocated for this project under G/L # 21221.4474

Attachments

None

Approval for Submission

Rocco Volpe, Fire Chief

Karen Reynar, Director, Legal and Procurement Services

Esther Armchuk, Commissioner, Corporate Services

Ian McDougall, Chief Administrative Officer

Report Contact

For more information on this report, contact info@newmarket.ca.