AODA Information regarding Procurement and Acquisition of Goods, Services and Facilities

# What is AODA?

**ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA)**

The Accessibility of Ontarians with Disabilities Act, 2005 (AODA), is a law passed by the Ontario legislature that allows the government to develop specific standards of accessibility and to enforce them. The standards are made into regulations, and they provide the details to help meet the goal of the AODA, which is a fully accessible Ontario by 2025. The AODA is the foundation on which the subsequent accessibility standards are built.  These standards include:

* Accessible Customer Service Standard

The Accessibility Standard for Customer Service also applies to third parties that provide goods and services to members of the public on behalf of a public sector organization.

* Integrated Accessibility Standards (encompassing Information and Communications, Employment, Transportation and Design of Public Spaces), ***Ontario Regulation 191/11***

Further information see the [Accessibility e- laws website](http://www.e-laws.gov.on.ca/html/source/regs/english/2011/elaws_src_regs_r11191_e.htm)

New Procurement Responsibilities:

(1)  The Government of Ontario, Legislative Assembly and designated public sector organizations shall incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

(2)  If the Government of Ontario, Legislative Assembly or a designated public sector organization determines that it is not practicable to incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities, it shall provide, upon request, an explanation.

(3)  The Government of Ontario, Legislative Assembly and designated public sector organizations shall meet the requirements of this section in accordance with the following schedule:

For large designated public sector organizations, January 1, 2013 (this applies to Fleming College).

# How do I set accessibility criteria for my purchases?

The law doesn’t specify what accessibility criteria to use when purchasing products and services. Every organization and situation is different: so the law is flexible to help you buy what meets the needs of the College, employees and customers.

Think about any barriers the product or service might present for people with different types of disabilities and how you can avoid them. Consider general principles of accessibility, such as;

**Accessible**: can a person with a disability use the good/service at all?

**Equitable**; can someone with a disability use the facility as quickly and easily as a person without a disability?

**Adaptable**: can a user configure the item to meet their specific needs and preferences and will it work with common assistive technologies?

Here are some accessibility criteria to consider with different types of purchases:

**Type of Purchase Criteria to consider**

Goods - 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

- Does the product meet ergonomic standards and can it 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?

Services - Does the College 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?

Facilities - Can someone using a mobility aid, like a wheelchair or walker get around the facility?

 - Are signs placed an accessible height?

- Does the facility have emergency procedures to assist people with disabilities?

When procuring goods, services and facilities, Fleming College is required to incorporate accessibility criteria and features into the purchasing criteria. Where applicable, procurement documents will specify the desired accessibility criteria to be met and provide guidelines for the evaluation of proposals in respect of those criteria. We could be audited in the future.

# Roles and Responsibilities

When it is a competitive process (RFX) is managed through the Purchasing Department, e.g. Formal Request for Tender (RFT), Formal Request for Proposal (RFP) or Request for Quote (RFQ):

**Project Lead** – from the individual College Department who is spending the money:

**The Project Lead supplies the technical, functional and performance specifications; AODA specifications and evaluation criteria will also now be required**

* research the product(s) or service(s) for AODA criteria
* walk through the questions provided above
* creates the specification and evaluation criteria
* Where it is impractical to incorporate accessibility criteria and features when procuring or acquiring specific goods, services, facilities, the Project Lead will provide written direction that it is “Not Applicable” with a brief explanation as to why.

**Purchasing-** TheLead from the Purchasing Department who is managing the formal competitive project:

* ensure AODA specifications and evaluation criteria are included in the RFX document (as provided by the Project Lead)
* if there is no AODA criteria ensure that there is an explanation of why not, provided by the Project Lead
* will ensure this criterion is ranked as part of the evaluation process, by the evaluation team
* retain the RFX documents for the legally required time period.

When the end users and individual college department are buying on their own and the process is not being managed by the Purchasing Department e.g. Blanket PO, Low Value Quote, Visa, Petty Cash…

**End User and Budget Manager Responsibility:**

* research the product(s) or service(s) for AODA criteria
* walk through the questions provided above
* ensure your purchase incorporates accessibility criteria or decide that accessibility criteria are not applicable.
* may be requested to provide an explanation as to why there was no AODA criteria, so must make notes or be able to defend the purchase, we may be audited.

# FAQS:

Q: Does this apply to all purchases?

A: Yes, the procurement of all goods, services or facilities is included.

Q: Why do we have to do this?

A: Effective January 1, 2013 large designated public sector organizations must comply (Fleming College is included).

Q: Where can I find more information on this?

A: <http://www.ap-toolkit.info/>

Q: What has changed from how we buy things now?

A: AODA criteria now needs to be included in specifications and evaluation criteria when considering the purchase of goods, services or facilities. If AODA is “Non Applicable” after you have reviewed it, it’s recommended to document that it is Non Applicable with a brief reason why.