

GUIDELINES FOR THE RECEIPT OF SUBMISSIONS VIA EMAIL

Public sector buyers may consider receiving submissions by e-mail for their competitive solicitations. The guidance below has been developed by corporate groups within the Province of BC, and is designed to reduce risks associated with this process, and provide practical guidance on each step of the process.

This guidance is designed for the Province's standard competitive processes where the solicitation process has a mandatory closing time and location (sometimes referred to a Contract "A" solicitation). If considering using e-mailed submissions for a non-standard process, please contact the [ministry's Procurement Specialist](#) or [Legal Services](#).

1. Scope

1. Email can be considered as a method for the Province to receive bids / proposals / responses (collectively known as submissions) from vendors (i.e. bidders, proponents or respondents) for all types of solicitation methods and contracts, with the exception of construction services. Email submissions are not recommended for contracts above a value of \$250,000; however, individual ministries have the discretion to increase or decrease that limit depending on their own unique circumstances. If using emailed submissions for contacts valued above \$250,000, advice from the [ministry's Procurement Specialist](#) or [Legal Services](#) is recommended.
2. When deciding whether or not to allow email responses, consider the following risks:
 - i. Although emails are usually received quickly, delays can and do happen. This can occur as an email moves from server to server between the sender and the recipient. Such delays are unpredictable, and may result in a late submission, which **must** be rejected by the Province.
 - ii. The Province of BC's Government Electronic Mail System (GEMS) gateway has technical and security limitations on the size and type of files that will be accepted. Although language will be included in the updated corporate solicitation templates informing vendors of these limitations, some vendors may still attempt to email restricted file types. If larger files are expected as part of the submissions (e.g. drawings, photographs, samples, etc.), email submissions may not be appropriate.
 - iii. The GEMS gateway has protocols whereby an email may be investigated as potential spam or containing a virus / malware. Such protocols may result in an email being sent to the recipient's inbox late, or in a false positive reading where the email is rejected (see section 4 *Administration of Emailed Submissions AFTER Closing* below for more information).
 - iv. Some emails are rejected due to actions on the part of the Province (e.g. an email is not recognized as a submission, the contact person is unexpectedly away and no one else can access the inbox, the GEMS gateway is unexpectedly unavailable, etc.). Care

should be taken to avoid or to be aware of all such causes for an emailed submission to be late or undeliverable.

- v. If the maximum space available in an inbox is exceeded, no further emails can be received by that inbox. Therefore, emailed submissions should not be considered if many submissions are expected for a specific opportunity or if large files are anticipated to be received. In addition, the same inbox should not be used for multiple opportunities closing on the same day.
 - vi. Although the Province has security measures in place for its email system, there is always a danger of inappropriate access (e.g. hacking). Consider what personal and / or confidential information may be contained in submissions and the harm that could result if this information was inappropriately accessed.
3. Ministries should carefully consider these risks and their possible consequences when determining whether or not to allow emailed submissions, and may wish to contact their [ministry Procurement Specialist](#) for assistance or the [Strategic Business and Procurement Transformation Branch](#).

2. General Administration of Emailed Submissions

The following steps should be taken to minimize risks associated with e-mailed submissions:

1. Where email is provided as an option, ministries should allow for at least one other means to submit bids / proposals / responses (e.g. BC Bid e-bidding, courier / in-person delivery).
2. Emailed submissions should only be received at a dedicated inbox established specifically, and solely, for those opportunities allowing emailed submissions. Instructions on how to set up a dedicated inbox can be found [here](#). Ministries are advised to test this inbox once it is created, to ensure that it works as intended.
3. Ministries should configure the designated inbox to generate an automatic message to anyone submitting an email. This message should state that the email has been received by the Province's server, but the sender may wish to follow up with the named Government contact person to confirm receipt. Instructions on how to set up an inbox with automated messaging can be found [here](#).
4. Only one email address should be provided in the solicitation document. This email address should be used for both receiving submissions and vendor questions while the opportunity is open. This will help to avoid the possibility of a vendor sending their submission to the wrong email address. Submissions that are sent to an email address that was not designated for the receipt of submissions may be rejected as missing a mandatory requirement, and vendors may become confused if multiple email addresses are included in the solicitation.

5. Access to the designated inbox should be limited to only authorized administrative employees (i.e. not individuals involved in the evaluation or selection process). Questions received to this inbox should be forwarded to the contact person as they arrive. Submissions should be forwarded to the contact person after closing only.
6. Ministries should ensure that the inbox used for submissions has at least 20 MB of space available for each submission expected. For example, if six submissions are expected, the inbox should have at least 120 MB (6 x 20MB) of available space.
7. [Guidance for vendors](#) who want to respond to opportunities via email has been developed, that includes in part:
 - i. avoiding generic subject lines in the email submissions that do not clearly identify the opportunity name and / or number and the sender's organization name;
 - ii. wherever possible, avoiding multiple emails for the same opportunity;
 - iii. if multiple emails cannot be avoided, not assuming that the Province will understand how the submission is intended to be integrated – clear instructions should be included; and
 - iv. avoiding multiple submissions from the same vendor for the same opportunity, as this may result in rejection if the instructions on what constitutes the full submission are unclear.
8. Emailed submissions are not to be opened prior to the designated closing time.
9. Only those templates approved by the Legal Services Branch that specifically address emailed submissions should be used. Updates are planned for the corporate templates that will allow emailed submissions, which will be made available as they are approved. If using a template that does not allow or address emailed submissions, contact the [ministry's Procurement Specialist](#) or [Legal Services](#) for assistance prior to releasing the solicitation if emailed submissions are to be permitted.
10. Ministries should ensure that sufficient staff are on-hand prior to closing, and immediately after, to receive and respond to any inquiries regarding emailed submissions.
11. If multiple emails are received from the same vendor for the same opportunity, ministry staff should follow the directions given in all of these emails that were received on time. If the instructions are unclear, the ministry may request the vendor to clarify which of the emailed documents that were received on time should be considered as their final and full submission. Note that a vendor will not be able to submit additional information in response to this clarification.

12. Ministries should establish a process to regularly clear the dedicated inbox in order to ensure sufficient space for future use. For example, ministries may move emailed submissions to another inbox or archive folder after the opportunity is closed.

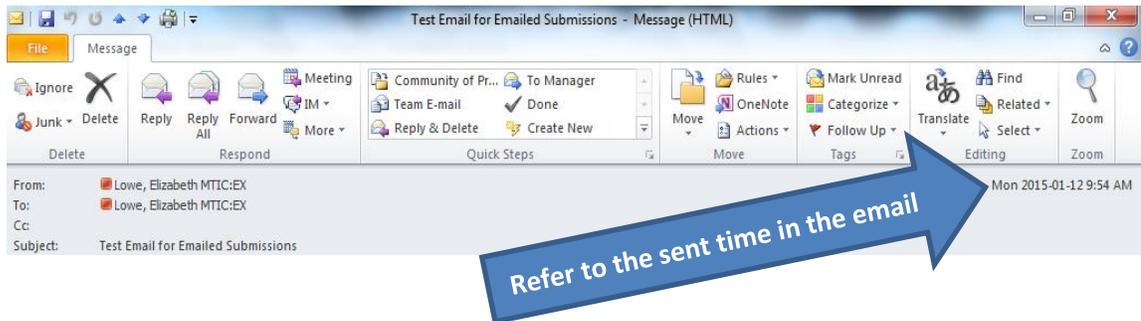
3. Responding to Vendor Inquiries Received BEFORE Closing

1. If a vendor contacts the ministry asking about their emailed submission, the administrative staff assigned should check the inbox and inform the vendor whether or not their email has been received and includes one or more attachments. The attached submission is not to be opened.
2. If a vendor requests confirmation of receipt of their submission and an emailed submission has not been received from the vendor, ministries should follow items ii) through viii) in point 3 below.
3. If a vendor contacts the ministry stating that their emailed submission has been rejected (see section 5 Administration of Rejected Submissions below) or that they have not received an email from the ministry confirming receipt of their emailed submission, the ministry should do the following (subject to time permitting prior to closing):
 - i. Confirm whether or not the email has been received;
 - ii. If an email has not been received, ask the vendor for the email address where the email was sent, and confirm that it matches the one provided in the solicitation document (if the email was sent to the wrong address and the opportunity has not yet closed, direct the vendor to the section of the solicitation document that identifies the correct email address);
 - iii. Confirm the size of attached files that the email contained, and if the attachment(s) is more than 20 MB, suggest the submission be re-sent as several emails rather than just one (note: all such emails must be received before closing in order for the submission to be accepted);
 - iv. Confirm the types of attached files sent, and if they include zip and / or executable files, suggest that the files be unzipped or the executable files removed, and the submission be resent as one or more emails (note: all such emails must be received before closing in order for the submission to be accepted);
 - v. Confirm that the designated government inbox is not full;
 - vi. Confirm that the Province's email server is fully functional (e.g. send a test email to a colleague and confirm that it was received), and, if a problem is discovered, confirm the outage with the Information Systems Branch, Ministry of Technology, Innovation and Citizens' Services (250-387-7000) and extend the closing date of the solicitation to allow time for the issue to be resolved;

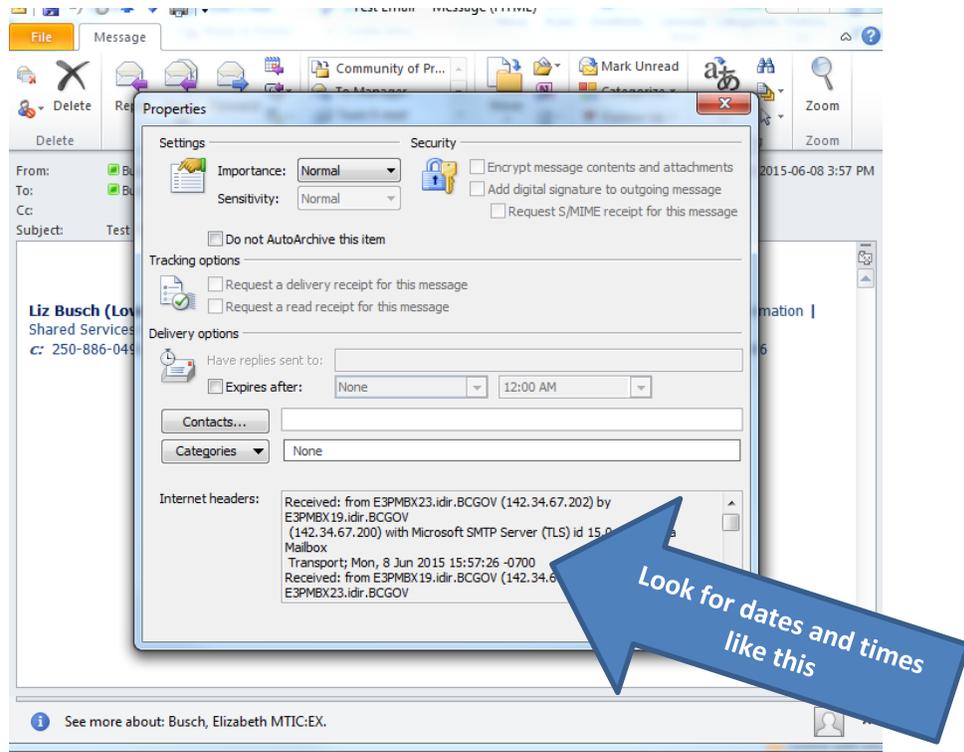
- vii. Suggest that the email be resent from a different email account; and/or,
- viii. Inform the vendor that they have alternative means of sending in their submission as identified in the solicitation (e.g. eBid on BC Bid).

4. Administration of Emailed Submissions Received AFTER Closing

1. If the time stamp in the header of the email (the “sent” time, as demonstrated in the picture below) in the designated inbox is before the closing date and time of the solicitation, accept the submission as being on time. For example if the closing time is before 2:00 pm, only accept submissions time stamped 1:59 pm or earlier.



2. If the timestamp in the header of an emailed submission is *not* before closing, the ministry should follow these steps:
 - i. Email the vendor to inform them that their submission was late and has been rejected.
 - ii. If the email was received within three hours of the closing time or if the vendor insists that they sent it prior to closing, inform the vendor that the rejection is subject to verification. Open the email that the vendor sent and:
 - Select “File” from the top left-hand corner;
 - Select “Properties” from the list of icons;
 - As demonstrated in the picture below, scroll through the text in the box called “Internet headers”, looking for dates and times (there may be more than one time indicated); and
 - Consider the earliest time in that header as the official received time into the GEMS gateway.



- iii. If the instructions in item (ii) above cannot be followed, or if more information is needed (e.g. the reason that an email may have been rejected), follow up with the Information Systems Branch, Ministry of Technology, Innovation and Citizens' Services, who are responsible for the Province's email system. Send an email to 77000@gov.bc.ca or phone 250-387-7000 requesting confirmation of the time that the email arrived in the Government Electronic Mail System (GEMS) gateway. Request a transcript of the *smtp* log that verifies the time that the email arrived at the GEMS gateway. Details of the email will be required, including the sender's email address, the recipient's email address, and the subject line of the email (if known). Note that a response may not be immediate, but it will be processed as soon as possible. Once confirmation is received, use this time to determine whether or not the submission was received on time. Retain a copy of the *smtp* log transcript in the procurement file as evidence proving when the email was received.
- iv. Accept the submission as arriving on time if: a) the email was received by the GEMS gateway prior to closing and b) any attachments can be opened and saved. Contact the vendor to inform them of this decision. If any uncertainty remains about how to proceed, contact the [ministry's Procurement Specialist](#) or [Legal Services](#).
- v. Do not accept the submission if these steps confirm that either the email was received after closing or that the GEMS gateway has no record of the email being received at all. Inform the vendor that the email was not received on time and cannot be accepted after closing.

5. Administration of Rejected Submissions

1. If a vendor contacts the Province regarding an emailed submission and it is found that this email was received by the GEMS gateway prior to closing but was rejected, ministries should inform the vendor that the Province is unable to consider their submission because it failed to meet the standards that government has in place to address system security.
2. Possible reasons for the rejection include:
 - i. the email exceeded the maximum size (20 MB);
 - ii. the email contained an attachment in a format not accepted by government, such as a zip file or executable file type;
 - iii. the subject line matched a known phishing subject line;
 - iv. the sender's email contained a known phishing URL or the email originated from a server associated with phishing;
 - v. the sender's outbound mail server was present on a subscribed blacklist; or,
 - vi. the email contained a virus or malware.
3. Ministries should advise the vendor that if an emailed submission is rejected by the government's email system for any reason, the Province will not allow the vendor to resend their submission after closing, even if the rejection was due to an error in the Province's system (e.g. a false positive for a virus).
4. If the opportunity has not yet closed, ministries should inform the vendor that they can resend their submission and that it will be considered if it arrives prior to closing (see section 3 *Responding to Vendor Inquiries BEFORE Closing* above).
5. The procurement file should include full documentation of the process, including the reason for the rejection of the message by the GEMS gateway, if applicable, as noted in section 4 *Administration of Emailed Submissions Received AFTER Closing* above.
6. Be prepared for a vendor to challenge a decision to not accept a rejected email, particularly if the rejection is perceived to be due to an error by the Province. This may include informing the ministry's management of the situation, contacting [Legal Services](#) and/or the [ministry's Procurement Specialist](#). Be sure to document any rationale for accepting or rejecting a e-mail which has come into question.
7. If the reason for rejection is due to the GEMs gateway server being unavailable during the closing time of the solicitation, and this was not discovered prior to closing, contact the [ministry's Procurement Specialist](#) and [Legal Services](#).

6. Templates

Corporate templates will be updated to allow for emailed proposals. If a solicitation process will be issued that permits emailed submissions before these templates are available, ministries will

require Legal Services to approve the language incorporated. The modifications required to allow emailed submissions will address the following and other points:

- i. limitations to emailed submissions, such as maximum size of each email (i.e. up to 20 MB), and strategies for any files that are larger (e.g. multiple emails);
- ii. consideration of only those emails that are received on time, which may mean that only some emailed documents are considered in the event that a submission is sent in multiple emails;
- iii. restrictions on file types;
- iv. subject lines that should be used to clearly identify the email as a submission, including the opportunity name and number and the sender's name in the subject line;
- v. risks associated with sending submissions via email, including but not limited to delays in transmission between the sender's computer and the Government Electronic Mail System (GEMS) gateway;
- vi. recommending that vendors send one email with their complete submission wherever possible, and where this isn't possible, clearly explain what the Province should consider as the final and full submission;
- vii. recommending that vendors confirm with the government contact person prior to closing that emailed submissions were received;
- viii. recommending that the email be sent with a delivery receipt request;
- ix. contacting the named Government Contact immediately if an email is rejected or if an automated email is not received confirming that the email was received;
- x. confirmation that any email containing a virus or malware will be rejected;
- xi. disclaimer language stating that the Province will not open any emailed attachments prior to closing, and in the event that one or more files cannot be opened (e.g. are corrupted), the vendors will not have an opportunity to resend such files after closing;
- xii. disclaimer language stating that the vendor is responsible for the choice of "channel" they use to submit a bid / proposal /response and that the Province does not assume any responsibility for delayed or rejected emails, or for any files that cannot be opened; and,
- xiii. vendor acknowledgement that all risks associated with emailed submissions are their sole responsibility, and that late submissions, regardless of the reason, will be rejected.

In addition, the template instructions will include a hyperlink to this guidance, to assist the writer when determining whether or not to allow emailed submissions.

If a ministry intends to allow emailed submissions prior to the templates being updated, ensure that [Legal Services](#) approves the solicitation document being used.