



**REQUEST FOR QUALIFICATIONS**  
**Fairness Advisory Services Pre-qualified List**  
**for**  
**Partnerships British Columbia Inc.**

**RFQ #: 3717**

[Conformed October 05, 2011]

<b>Submission Time:</b>	<b>2:00 p.m. (local time) on March 23, 2011</b>
<b>Submission Location:</b>	<b>Partnerships British Columbia Inc. 300 – 707 Fort Street Victoria, BC V8W 3G3</b>
<b>Contact Person:</b>	<b>Shirin Purewal</b>
<b>Email address:</b>	<b>Shirin.Purewal@partnershipsbc.ca</b>

## SUMMARY OF KEY INFORMATION

<b>RFQ TITLE</b>	<p>The title of this RFQ is:</p> <p>Fairness Advisory Services Pre-qualified List</p> <p>Respondents should use this title on all correspondence.</p>
<b>CONTACT PERSON</b>	<p>The Contact Person for this RFQ is:</p> <p>Shirin Purewal</p> <p>Email: Shirin.Purewal@partnershipsbc.ca</p>
<b>INQUIRIES</b>	<p>Please direct all Inquiries, in writing, to the above-named Contact Person. No telephone or fax inquiries please.</p>
<b>SUBMISSION TIME</b>	<p>The Submission Time is:</p> <p>March 23, 2011</p> <p>At 2:00 p.m. (local time in Victoria)</p>
<b>SUBMISSION LOCATION</b>	<p>The Submission Location is:</p> <p>Partnerships British Columbia Inc.</p> <p>300 – 707 Fort Street</p> <p>Victoria, BC V8W 3G3</p> <p>Attention: Shirin Purewal</p>
<b>DELIVERY HOURS</b>	<p>Deliveries will be accepted at the Submission Location on weekdays (excluding Statutory Holidays) from 8:30 a.m. to 4:00 p.m. (local time in Victoria).</p>

## TABLE OF CONTENTS

<b>1. INTRODUCTION .....</b>	<b>1</b>
1.1 Purpose of this RFQ .....	1
1.2 Eligibility to Participate in this RFQ.....	1
1.3 Nature of the Work.....	1
1.4 Restrictive Participation.....	1
<b>2. ESTABLISHING THE LIST .....</b>	<b>1</b>
2.1 Establishing the List .....	1
2.2 Evaluation Criteria.....	2
2.3 Evaluation Process .....	2
2.4 Notification of Results .....	3
2.5 Maintaining the List .....	3
2.6 Use of the List.....	3
<b>3. NATURE OF ENGAGEMENTS .....</b>	<b>3</b>
<b>4. SUBMISSION INSTRUCTIONS.....</b>	<b>3</b>
4.1 Submission Location.....	3
4.2 Submission Time .....	3
4.3 Mandatory Requirement.....	4
4.4 Language of Proposals .....	4
4.5 Response Format and Content .....	4
4.6 Receipt of Complete RFQ.....	4
4.7 Designation of Authorized Representatives.....	4
4.8 Email Communication .....	5
4.9 Unofficial Information .....	5
4.10 Addenda .....	5
4.11 Inconsistency Between Paper and Electronic Form .....	6
4.12 Revisions to RFQ Responses .....	6
<b>5. RFQ TERMS AND CONDITIONS.....</b>	<b>6</b>
5.1 No Contract.....	6
5.2 Freedom of Information and Protection of Privacy Act.....	6
5.3 Cost of Preparing Responses .....	6
5.4 Limitation of Damages .....	6
5.5 Reservation of Rights.....	7
5.6 Ownership of Proposals.....	7
5.7 Disclosure.....	7
5.8 No Unauthorized Communication .....	8
5.9 Form of Contract.....	8
5.10 No Collusion .....	8
<b>6. DEFINITIONS .....</b>	<b>8</b>
<b>APPENDIX A MAINTENANCE AND USE OF THE LIST</b>	
<b>APPENDIX B RESPONSE GUIDELINES AND EVALUATION CRITERIA</b>	
<b>APPENDIX C DESIGNATION OF AUTHORIZED REPRESENTATIVE</b>	
<b>APPENDIX D SAMPLE TERMS OF REFERENCE</b>	

## **PREAMBLE**

Partnerships British Columbia Inc. (Partnerships BC) is a company owned by the Province of British Columbia and governed by a board of directors reporting to its sole shareholder, the Minister of Finance. Partnerships BC's mandate is to assist public sector clients in the planning and procurement of complex infrastructure projects, specifically those involving the utilization of private sector expertise, services and capital such as transportation infrastructure, or sports and recreation, corrections, education, health facilities and utilities. Partnerships BC provides a full spectrum of services ranging from business planning and procurement management to design and construction advisory services. The company's clients are public sector agencies including ministries, Crown corporations, health authorities, advanced education institutions, boards of education, local governments and government entities outside of British Columbia.

### **1. INTRODUCTION**

#### **1.1 Purpose of this RFQ**

Partnerships BC and/or Partnerships BC's Clients engage Fairness Advisors in roles related to the procurement of innovative infrastructure and services delivery projects, including public private partnerships (PPP). To facilitate efficient procurement of qualified persons or firms, PBC is renewing the List of Qualified Fairness Advisors (the List). Although this List will not necessarily preclude a full public procurement process, the intention is that Fairness Advisors will be selected from this List for most projects. The selected consultants will be asked for a proposal related to the specific project.

#### **1.2 Eligibility to Participate in this RFQ**

Any interested party, or parties, may make a Response to this RFQ. Respondents may be individuals, corporations, joint ventures, partnerships, or any other legal entities.

#### **1.3 Nature of the Work**

The List will include procurement-phase services and other services as described in Section 3.

#### **1.4 Restrictive Participation**

Inclusion on the List does not preclude a party from working for any potential bidder on projects involving Partnerships BC or its Clients. However, if and when a party on the List enters into a contract with Partnerships BC or its Client, the advisor, its firm and potential affiliates may be restricted from working for any potential bidder on that project or other projects in which Partnerships BC or its Client is involved. Any such restrictions will be determined on a case-by-case basis and will depend on the nature of work undertaken through the contract.

### **2. ESTABLISHING THE LIST**

#### **2.1 Establishing the List**

This RFQ asks qualified individuals and firms interested in providing Fairness Advisory Services on behalf of Partnerships BC or its Clients to follow the Submission Instructions detailed in

Section 4, and to provide the information requested in Appendix B - Response Guidelines and Evaluation Criteria with respect to experience.

Partnerships BC's List was established in 2006 to facilitate the identification and engagement of suitably qualified Fairness Advisors for occasions when such services are required. Throughout the intervening period, the List has remained open to individuals and firms seeking to be added (as explained in Appendix A – Maintenance and Use of the List).

The Partnerships BC list established in 2006 is being discontinued and will be replaced with the List established under this RFQ. All individuals and firms interested in acting as Fairness Advisors on behalf of Partnerships BC or its Clients must respond to this RFQ to be considered for the new List.

This RFQ includes changes to submission requirements and Evaluation Criteria as compared to the RFQ for the list established in 2006. Partnerships BC will apply the Evaluation Criteria to select the Respondents that Partnerships BC judges to be qualified to provide services to projects in which Partnerships BC or its Clients are involved. The List is expected to be in place for a period of approximately two years from the Submission Time of this RFQ. At that time, the List may be refreshed by requesting new submissions or updates to submissions received from qualified Candidates already on the List.

## **2.2 Evaluation Criteria**

Partnerships BC will evaluate Responses by application of the Evaluation Criteria as outlined in Appendix B – Response Guidelines and Evaluation Criteria.

## **2.3 Evaluation Process**

Upon receipt, all Responses will be reviewed for completeness in accordance with Appendix B - Response Guidelines and Evaluation Criteria.

Each Response will be evaluated by Partnerships BC, in accordance with the Evaluation Criteria, taking into consideration the following:

- Documents submitted in response to this RFQ;
- Information, provided in writing, in response to questions asked by Partnerships BC;
- Interviews; and
- Reference and other checks.

To assist in evaluating the Responses, Partnerships BC may, at its sole and absolute discretion:

- Conduct reference checks with any or all of the references cited in a Response, and conduct any background investigations that it considers necessary;
- Rely on and consider any information from such cited references;

- Take into consideration information from other sources;
- Seek clarification from any or all Respondents or seek further information from any or all Respondents; and,
- Request in-person meetings with any or all Respondents to clarify any questions and/or considerations based on the information included in the Responses.

## **2.4 Notification of Results**

When the evaluation process is completed and the List from this process finalized, Partnerships BC will notify Respondents in writing of the results.

## **2.5 Maintaining the List**

Any individual or firm may submit or update their qualifications for consideration to be added to the List at any time during the term of the List. Partnerships BC may, from time to time and at its sole discretion, receive and evaluate such Submissions received after the Submission Time.

In order to ensure consideration for Fairness Advisory Services engagements on upcoming projects, Respondents are strongly encouraged to submit their Responses by the Submission Time specified on the cover page to this RFQ.

## **2.6 Use of the List**

Information on how this List will be used is set out in Appendix A – Maintenance and Use of the List.

## **3. NATURE OF ENGAGEMENTS**

The nature and scope of Fairness Advisory Services engagements will vary to suit the requirements of each assignment. Please see Appendix D – Sample Terms of Reference for detail on the potential scope of an engagement.

## **4. SUBMISSION INSTRUCTIONS**

### **4.1 Submission Location**

Responses are to be received at the Submission Location as indicated on the cover page of this RFQ. Responses are to be submitted by hand, mail or courier. Each Response is to be delivered in a package or envelope clearly labelled with the “RFQ Title”, “Contact Person”, and “Submission Location” all as shown on this RFQ cover page. The name and mailing address of the Respondent should also be clearly shown.

Responses sent by fax or email will **not** be accepted.

### **4.2 Submission Time**

Responses received after the Submission Time will be reviewed at Partnership BC's convenience.

### **4.3 Mandatory Requirement**

Each Response must include a cover letter signed by the Authorized Representative.

Non-compliant Responses may not be evaluated, at the sole and absolute discretion of Partnerships BC.

### **4.4 Language of Proposals**

Responses should be in English. Any portion of a Response not in English will not be evaluated.

### **4.5 Response Format and Content**

Please submit five (5) hard copies and one (1) electronic copy (pdf version on CD or USB flash drive).

Detailed information on the format and content of Responses is included in Appendix B – Response Guidelines and Evaluation Criteria.

### **4.6 Receipt of Complete RFQ**

Respondents are responsible for ensuring that they have received the complete RFQ, as listed in the Table of Contents of this RFQ. Each Response is deemed to be made on the basis of the entire RFQ issued prior to the Submission Time. Partnerships BC accepts no responsibility for any Respondent that does not receive all RFQ information..

### **4.7 Designation of Authorized Representatives**

Respondents are advised to email the information stipulated in Appendix C – Designation of Authorized Representative. All subsequent information regarding this RFQ issued before the Submission Time, including changes made to this document will be posted on BC Bid and notification of the posting will be emailed only to those parties who have provided a Designation of Authorized Representative.

All communications or inquiries about this RFQ must be made by the Respondent's Authorized Representative in writing by email, to the Contact Person, as noted on the title page of this RFQ. No telephone inquiries or faxes will be accepted.

Partnerships BC reserves the right to:

- Not provide an answer; and
- Communicate the inquiry and the answer to other Respondents.

A Respondent may request that a response to an inquiry be kept confidential if the Respondent considers the inquiry to be commercially sensitive. If Partnerships BC decides that an inquiry must be distributed to all Respondents, then the Contact Person will permit the inquirer to withdraw the inquiry rather than receive a response.

Partnerships BC is not responsible for any error that may occur from submission of communications or enquiry.

Communications or inquiries directed to the Contact Person must clearly state "Request for Qualifications – Fairness Advisory Services Pre-qualified List –Inquiry".

#### **4.8 Email Communication**

The following provisions shall apply to any communications with the Contact Person or the delivery of documents to the Contact:

- (a) Partnerships BC does not assume any risk or responsibility or liability whatsoever to any Respondent:
  - (i) for ensuring that any electronic email system being operated for Partnerships BC is in good working order, able to receive transmissions, or not engaged in receiving other transmissions such that a Respondent's transmission cannot be received and/or
  - (ii) if an email communication or delivery is not received by Partnerships BC, or received in less than its entirety, within any time limit specified by this RFQ.
- (b) All permitted email communications with or delivery of documents to the Contact Person will be deemed as having been received by the Contact Person on the dates and times indicated on the Contact Person's electronic equipment.

#### **4.9 Unofficial Information**

Information offered from sources other than the Contact Person with regard to the content, intent or interpretation of this RFQ is not official, may be inaccurate, and should not be relied on in any way, by any person or firm, for any purpose.

#### **4.10 Addenda**

Written Addenda are the only means of amending or clarifying this RFQ. Only Partnerships BC, through the Contact Person, is authorized to amend or clarify this RFQ by issuing an Addendum. No other employee or agent of Partnerships BC is authorized to amend or clarify this RFQ. Partnerships BC may, at its absolute discretion through the Contact Person, and with notice in writing to interested parties, amend or clarify the terms or contents of this RFQ before the Submission Time. Partnerships BC will post each Addendum issued before the Submission Time on BC Bid. Notification of the posting(s) will be sent to Respondents' Authorized Representatives. Any subsequent information issued after the Submission Time will be posted on Partnership BC's website. Partnerships BC makes no guarantee of timely delivery of any Addenda to any person or firm.

#### **4.11 Inconsistency Between Paper and Electronic Form**

If there is any inconsistency between the paper form of a document issued by or on behalf of Partnerships BC and the digital, electronic or other computer readable form, the paper form of the document prevails.

#### **4.12 Revisions to RFQ Responses**

A Respondent may amend any aspect of its Response at any time prior to and after the Submission Time by delivering written notice, or written amendments, to the Contact Person at the Submission Location.

### **5. RFQ TERMS AND CONDITIONS**

#### **5.1 No Contract**

This RFQ does not constitute an offer to enter into a Contract with any party and no Contract of any kind is formed under, or arises from, this RFQ.

#### **5.2 Freedom of Information and Protection of Privacy Act**

All documents and other records in the custody of or under the control of Partnerships BC are subject to the Freedom of Information and Protection of Privacy Act (FOIPPA) and other applicable legislation. Except as expressly stated in this RFQ and subject to the FOIPPA or other applicable legislation, all documents and other records submitted in response to this RFQ will be considered confidential. FOIPPA can be accessed at [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96165\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00).

#### **5.3 Cost of Preparing Responses**

Each Respondent is solely responsible for all costs it incurs in preparing a Response, including costs of providing information requested by Partnerships BC and for subsequent negotiations or competitions arising from, or in connection with, a Contract, if any.

#### **5.4 Limitation of Damages**

Each Respondent, by submitting a Response, agrees that:

- (a) in the event any or all Responses are rejected, or this RFQ is modified, suspended or cancelled for any reason, neither Partnerships BC nor any of its employees, advisors or representatives will be liable, under any circumstances, for any Claim or to reimburse or compensate the Respondent in any manner whatsoever, including but not limited to costs of preparation of the Response, loss of anticipated profits, loss of opportunity or for any other matter;
- (b) the Respondent waives any and all Claims whatsoever, including Claims for loss of profits or loss of opportunity, in the event that the Respondent is rejected or is not successful in this RFQ or for any other reason; and

- (c) with respect to circumstances not listed in the foregoing subsection 1 and 2, the Respondent will not make any Claim against Partnerships BC or its employees, advisors or representatives in excess of an amount equivalent to the reasonable costs of preparation of the Responses for any matter relating to the RFQ process.

## **5.5 Reservation of Rights**

Partnerships BC reserves the right, in its sole and absolute discretion, to:

- (a) amend the scope of work, modify, cancel or suspend this RFQ process or any or all stages, at any time for any reason;
- (b) accept or reject any Response based on the review and classification criteria as determined in the sole and absolute discretion of Partnerships BC;
- (c) not accept any or all Responses;
- (d) reject or Disqualify all or any Response without any obligation, compensation or reimbursement to any Respondent or any of its team members;
- (e) re-advertise for new Responses, call for tenders, or enter into negotiations for work of a similar nature;
- (f) make any changes to the terms of the business opportunity described in this RFQ;
- (g) extend, from time to time, any date, time period or deadline provided in this RFQ, upon written notice to all Respondents;
- (h) cancel the List at any time without entering into any Contracts.

## **5.6 Ownership of Proposals**

All documents, including Responses submitted to Partnerships BC become the property of Partnerships BC. They will be received and held in confidence, subject to the provisions of this RFQ and the FOIPPA.

## **5.7 Disclosure**

- (a) Partnerships BC is committed to an open and transparent process, while understanding the Respondents' need for protection of confidential commercial information. To assist Partnerships BC in meeting its commitment, Respondents will cooperate and extend all reasonable accommodation to this endeavour.
- (b) To ensure that all public information generated about this RFQ process is fair and accurate and will not inadvertently or otherwise influence the outcome of this RFQ, all public information generated in relation to the process, including communications with the media and the public, must be coordinated with, and is subject to prior approval of Partnerships BC.

- (c) Respondents will notify Partnerships BC of requests for information or interviews from the media.

### **5.8 No Unauthorized Communication**

All communications with respect to this RFQ must be made by the Respondent's Authorized Representative (as identified in Appendix C – Designation of Authorized Representative) in writing, by email to the Contact Person, as noted on the title page of this RFQ. No telephone enquiries or fax inquiries are permitted.

Respondents will not communicate directly or indirectly on matters related to this RFQ with any representatives of Partnerships BC, elected officials, or any other government employees involved in the Competitive Selection Process.

Respondents will not engage in any form of political or other lobbying whatsoever with respect to this RFQ, or otherwise attempt to influence the outcome of this RFQ. In the event of any such lobbying or communications, Partnerships BC at its sole and absolute discretion, may at any time, but is not required to, reject any Response by that Respondent without further consideration, and either terminate that Respondent's right to continue participating in the RFQ stage, or impose such conditions on that Respondent's continued participation in the List as Partnerships BC, at its sole discretion, may consider to be in the public interest or otherwise appropriate.

### **5.9 Form of Contract**

It is expected that any Candidate retained by Partnerships BC will enter into a Contract with a Client. The basis of compensation and form of Contract between a Candidate and a Client will be as agreed between the parties.

### **5.10 No Collusion**

Each Respondent will be responsible to ensure that its participation in this RFQ process is conducted fairly and without collusion or fraud.

## **6. DEFINITIONS**

**Addenda or Addendum** means each and every written document issued by the Contact Person for the purpose of amending or clarifying this RFQ.

**Authorized Representative** means the person(s) or firm(s) having the authority to legally bind the Respondent.

**Candidate(s)** means any Respondent who is included in the List of Fairness Advisory Services service providers.

**Claim** means any claim, demand, liability, damage, loss, suit, action, or cause of action and all costs and expenses relating thereto.

**Client** means the Province of British Columbia, a Public Sector Agency, a municipality, regional district or any other public sector entity which has engaged, or proposes to engage, Partnerships BC.

**Competitive Selection Process** means the overall process for the selection of a preferred proponent for an engagement, including, but not limited to, the RFQ.

**Contact Person** means the person designated by Partnerships BC on the RFQ cover page.

**Contract** means a written contract executed by a Candidate, and by Partnerships BC or a Client as the case may be, for the engagement of Fairness Advisory Services.

**Designation of Authorized Representative** refers to the declaration in Appendix C.

**Disqualification** or **Disqualified** or **Disqualify** means exclusion of a Response from a Respondent by Partnerships BC from the Competitive Selection Process.

**Evaluation Criteria** means the criteria defined in Appendix B used to evaluate the Responses.

**List of Qualified Fairness Advisors or List** means the List of Candidates, prepared and maintained by Partnerships BC.

**Mandatory Requirement** means the requirement identified in Section 4.2.

**Partnerships BC** means Partnerships British Columbia Inc.

**Project Co** means the entity that enters into the project agreement with the Client generally for the design, construction, financing, maintenance and/or life cycle rehabilitation of an identified facility.

**Public Sector Agency** means a government body as defined in the Financial Administration Act R.S.B.C. 1996, c.138, including taxpayer-supported and commercial Crown corporations and their subsidiaries, and local agencies such as school districts, health authorities, universities and colleges.

**Request for Qualifications or RFQ** means this document, and any appendices attached to it, as they may be amended from time to time by Partnerships BC.

**Respondent(s)** means an individual or firm who intends to submit a Submission to this RFQ.

**Response** means the formal Response by a Respondent to this RFQ and is the statement of information that substantially complies with the form and content requirements of this RFQ.

**Submission Location** means the location, as described on the RFQ cover page, to which Responses must be submitted before the Submission Time.

**Submission Time** means the time and date, as described on the RFQ cover page, for the submission of Responses.

## **APPENDIX A**

### **MAINTENANCE AND USE OF THE LIST**

#### **1. MAINTENANCE OF THE LIST**

##### **1.1 Changes to the List**

Partnerships BC may, at its sole discretion, and from time to time:

- (a) extend the period during which the List is valid;
- (b) invite additional Respondents to submit their materials for consideration of being added to the List;
- (c) request or require one or more Respondents to submit additional information, including updated experience, availability and fee information;
- (d) update the List at any time by adding new Candidates and removing Candidates from the List;
- (e) update the List based on revised eligibility criteria; and
- (f) categorize Candidates on the basis of their stated areas of expertise.

##### **1.2 Candidate Changes**

Candidates named to the List are requested to promptly notify the Contact Person in writing of any material changes to the information contained in their Submission. Partnerships BC may, but will not be obligated to, update the List, at any time, in its discretion, to reflect such changes.

Candidates named to the List who wish to make any addition, deletion, or other change to their Submission, will notify the Contact Person as to the proposed change in writing.

Any proposed change may result in removal from the List.

##### **1.3 Withdrawal or Removal from the List**

Any Candidate may withdraw its name from the List at any time by notifying the Contact Person in writing.

Partnerships BC may remove any Candidate from the List at any time, by notifying the Candidate in writing.

#### **2. USE OF THE LIST**

Partnerships BC may, at its discretion, and from time to time:

- (g) use the List to identify providers of Fairness Advisory Services with relevant expertise in connection with specific projects or distinct tasks in connection with such projects or proposed projects, or related project or policy development,
- (h) use the List on behalf of a Client; or
- (i) make the List available to a Client. If the List is provided to a Client, the use, if any, of the List and the selection, retention and instruction of Candidates in association with specific projects will be at the discretion of the Client.

Each of Partnerships BC, the Client and the Client shall have the right, at its discretion, to:

- (a) invite any or all of the Candidates on the List to participate in selection processes for one or more Contracts;
- (b) develop and implement processes and criteria for identifying, classifying, and selecting Candidates from the List;
- (c) develop shortlists of Candidates in connection with specific tasks and projects and invite the shortlisted Candidates to be considered for one or more Contracts in connection with the tasks and projects;
- (d) select Candidates to enter into one or more Contracts directly from the List; in accordance with applicable direct award policies.
- (e) not engage any Candidates in connection with a project or task;
- (f) not utilize the List in any way whatsoever, including without limitation, by not selecting any Candidates to enter into, or by not inviting any Candidates to compete for any one or more Contracts;
- (g) employ other means or mechanisms to identify prospective Fairness Advisory Services external to the List or otherwise engage Fairness Advisory Services with relevant expertise in connection with specific projects or distinct tasks in connection to projects or proposed projects, or related policy development; or
- (h) screen Candidates for conflicts of interest or other relationships that require them to commit to strict confidentiality obligations.

There is no obligation whatsoever on Partnerships BC or the Client to:

- (a) contact any one or more Candidates on the List;
- (b) to consider or invite any one or more Candidates to enter into, or compete to enter into, any Contracts; or
- (c) to enter into one or more Contracts.

### **3. LIMITATIONS**

Partnerships BC, in establishing and maintaining the List and the information contained in the List, in classifying Candidates on the List, in distributing or giving access to the List as contemplated in this RFQ, and in permitting the Client to utilize and give access to the List to others, is neither intending to, nor endorsing, recommending or otherwise making any representation, express or implied as to the List, the information (including its accuracy or completeness) contained in the List, the suitability of Candidates classified on the List, or the use that may be made of the List or the information on the List. The information contained in the List, or the classification of any or all Candidates on the List must not be held out as an endorsement, recommendation, or representation whatsoever, express or implied by Partnerships BC.

**APPENDIX B**  
**RESPONSE GUIDELINES AND EVALUATION CRITERIA**

**TABLE 1 – RESPONSE GUIDELINES**

Response Guidelines			
1	Mandatory Requirements	Each Proposal <b>must</b> include a cover letter signed by the Authorized Representative.	
2	Response Form and Content	Submit five (5) hard copies and one (1) electronic copy (pdf version on CD/USB flash drive).	
3	Contact Information	<p>Provide the name and contact details for the Authorized Representative of the Respondent.</p> <p><b>Please note:</b> The Authorized Representative of the Respondent will be the <u>only</u> contact person to receive communication from Partnerships BC regarding this RFQ.</p> <p><u>Authorized Representative:</u></p> <ol style="list-style-type: none"> <li>1. Name</li> <li>2. Company</li> <li>3. Mailing/Courier Address</li> <li>4. Telephone Number</li> <li>5. Facsimile Number</li> <li>6. Email address</li> </ol>	
4	Insurance Information	Provide a listing of insurance coverage.	
5	Areas of Experience	Complete Table 2 "AREAS OF EXPERIENCE"	
Section	Title	Contents	Evaluation Criteria
1	Experience on assignments of significant scope, scale or complexity	<p>Provide a current CV <b>for each individual</b> who would typically be the Fairness Advisor. Please include, at a minimum, the following information:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Professional or technical designation(s), if any</li> <li>• Education/Qualifications</li> <li>• Other testaments to reputation &amp; community standing (such as: awards, directorships, community recognition, and publications)</li> <li>• Relevant experience</li> </ul>	Demonstrates specialized knowledge or skills and experience that bring clear value to the project team.

		<ul style="list-style-type: none"> <li>• Provide the following information for relevant fairness advisory assignments completed within the last five years. Please limit assignment information to 2 pages or less, per project. Please include:           <ul style="list-style-type: none"> <li>○ Project name and location (City, Province/State, Country);</li> <li>○ Project description (including date, contract method, i.e. public private partnership; design build etc) and current status;</li> <li>○ Project capital cost (estimated in C\$); and,</li> <li>○ A paragraph describing the individual's role in the procurement process.</li> </ul> </li> </ul>	
2.	Professional reputation as a credible provider of Fairness Advisory Services.	Client reference (including client name, contact name, location, phone number, and email address) for each of the above projects, who can verify the information in the Submission and attest to the Respondent's relevant professional experience.	Positive responses received from references provided by consultant and industry contacts made at the discretion of PBC.

Please submit one table per Candidate.

**TABLE 2 – AREAS OF KNOWLEDGE AND EXPERIENCE**

Each Candidate is asked to identify in the table below the project characteristics for which they have knowledge and experience by placing a check mark (✓) in the box.

Candidate's Name:	PROJECT SIZE		
	< \$100M	\$100 - \$250M	\$250M+
EXPERIENCE	(✓)	(✓)	(✓)
CATEGORY OF SERVICES:	(✓)	(✓)	(✓)
1. Advisory Experience			
Previous Fairness Advisor Experience			
Experience with alternative dispute resolution processes including mediation and arbitration			
Experience with administrative judicial processes and decision making			
2. Procurement Knowledge and Experience			
Public Private Partnerships			
Public Sector Traditional			
Private Sector			

## APPENDIX C

### DESIGNATION OF AUTHORIZED REPRESENTATIVE

For any further distributed information about this RFQ, return this information in an email as soon as possible to:

**Attention:** Shirin Purewal

**Email:** Shirin.Purewal@partnershipsbc.ca

**Subject:** RFQ #3717 – Fairness Advisory Services Pre-qualified List

- Company
- Mailing Address
- Name of Authorized Representative
- Phone Number of Authorized Representative
- Email Address of Authorized Representative

## APPENDIX D

### FAIRNESS ADVISORY SAMPLE TERMS OF REFERENCE

*Please note that capitalized terms in this section are not defined for the purposes of the Fairness Advisor Prequalified List RFQ.*

The role of the Fairness Advisor will include:

#### **Scope**

- The Fairness Advisor will report to the Chair of the Project Senior Governance Body composed of senior officials within the responsible Authority and Partnerships BC, overseeing the Project.
- The Fairness Advisor will act as an independent observer with respect to the fairness of the implementation of the Project's procurement processes.
- The Fairness Advisor will provide advice to the Project Team on matters of fairness.
- The Fairness Advisor will be available to Proponents to answer queries relating to fairness.
- The Fairness Advisor will provide formal written reports at specific points during the Procurement Process as described below.
- The Fairness Advisor appointment will commence immediately and will continue until the completion of the Project Competitive Selection Process at the end of the Project RFP evaluation stage. The deliverables are written milestone reports on fairness of the procurement presented to the Project Senior Governance Body, and/or the Owner's senior employee responsible for project delivery and governance, at the end of the RFQ and RFP processes, as well as ad hoc reports if requested or required. At the discretion of the Chair of the Project Senior Governance Body, the Fairness Advisor appointment may be extended to the completion of the Financial Close stage.

It is expected that the activities of the Fairness Advisor will be self-determined but are likely to include the following and should be sufficient to enable the delivery of the reports described below:

- Review RFQ and RFP documentation and comment on whether and the extent to which the process described may potentially cause a fairness issue.
- Observe and/or monitor that consideration, communications, and responses undertaken during the RFP and RFP process and are undertaken in accordance with the RFP terms.
- Observe and/or monitor bilateral discussions and meetings.
- Observe and/or monitor the RFQ and RFP evaluation process.
- Observe and/or monitor relevant (as determined by the Fairness Advisor) meetings where proponent comparisons are made and the criteria, weighting and rating systems are applied.

## **Reports**

- The deliverables are written milestone reports on fairness of the procurement process, as well as ad hoc reports as requested or required.
- The Fairness Advisor will prepare and deliver two written reports to the Project Senior Governance body, as follows:
  - A first report at the completion of the selection of the shortlisted Proponents under the Project Request for Qualifications, a copy of which will be provided to the Partnerships BC Project Director; and
  - A second report at the completion of the selection of the final Proponent under the Project Request for Proposals process, a copy of which will be provided to the Partnerships BC Project Director. If, at the discretion of the Steering Committee, the Fairness Advisor appointment is extended to the completion of the Financial Close stage, the second report will be due at the completion of the Financial Close stage.
- The Fairness Advisor's reports will be available to the public subject to the applicable legislative requirements (including the Freedom of Information and Protection of Privacy Act and regulations).

## **Access to Information**

The Fairness Advisor will be:

- Provided full access to all information related to the Project Competitive Selection Processes as the Fairness Advisor decides is required, including documentation, personnel, premises, meetings, reports and minutes;
- Permitted full access to any and all meetings, telephone conferences or other events as, in the discretion of the Fairness Advisor, are appropriate; and
- Kept fully informed by the Partnerships BC Project Director of all documents and activities associated with the Project RFQ and RFP process.

The contact person with the Project team, when and as needed, will be the Partnerships BC Project Director.

## **Enquiries**

- The Project Team, through the Partnerships BC Project Director, may invite the Fairness Advisor to provide comment from time to time on issues related to the evaluation processes during the Project Competitive Selection Processes. The Fairness Advisor will not provide any comment or advice on any matter other than fairness.
- During the Project Competitive Selection Processes, the Project Team, through the Partnerships BC Project Director, may request comment on proposed action or circumstance related to the administration of the Project Request for Qualifications and the Project Request for Proposals.

None of the above duties of the Fairness Advisor shall be delegated to any other person without the written approval of the Partnerships BC Project Director.

The information obtained by the Fairness Advisor in the performance of their duties is commercially sensitive and shall at all times be treated as confidential.