

INTERIOR HEALTH AUTHORITY
INTERIOR HEART & SURGICAL CENTRE PROJECT
RFQ Process

Report of the Fairness Advisor

Introduction

I was retained as Fairness Advisor for the Interior Heart & Surgical Centre Project (the “Project”). My mandate is to act as an independent observer with respect to fairness of the implementation of the Project’s procurement processes, and report to the Chair of the Project Board.

This is my report on the procurement process including evaluation of Responses submitted in relation to the Project’s Request For Qualifications (the “RFQ”).

RFQ, Evaluation Manual, and Early Process

The RFQ was issued in February, 2011 (and various addenda were issued subsequently), and requested private sector entities to submit Responses describing their experience, track record and capability relative to the Project. The RFQ included details of the information required, the format for submissions, and a summary of the process and criteria for evaluation of Responses.

I attended the bidders’ meeting held March 8, 2011 at the Kelowna site. At the meeting, prospective respondents were provided with information concerning the Project, including by way of presentations, answers to questions from the floor, and a site tour.

After issuance of the RFQ, Project staff answered specific questions from potential respondents related to RFQ content and the process. I observed that questions submitted to the Project were handled in a manner consistent with the process described in the RFQ.

Project staff produced a detailed Evaluation Manual setting out:

- the method for evaluating Responses, with scoring guidelines, procedures and methods
- procedures for receipt of Responses
- security measures for custody of and access to Responses (including secured premises and a secure website, restrictions on copying, arrangements for recording access to the Responses, and other matters)
- procedures for review of relationships of the evaluators to eliminate potential conflicts
- methods for communicating with respondents during the evaluation

and other matters. The Evaluation Manual was prepared with assistance from evaluators and advisors who had appropriate expertise in project finance, technical aspects of the RFQ submission

requirements, and related matters. I reviewed the Evaluation Manual and was satisfied that it described a reasonable basis for evaluation of Responses, consistent with the RFQ.

Responses to RFQ

Six respondents filed Responses to the RFQ by the closing time. I observed that the processes documented in the Evaluation Manual for receipt and initial completeness review were followed. I monitored the subsequent storage and review of the Responses and confirmed those processes were conducted in accordance with the security and confidentiality provisions of the Evaluation Manual.

A Relationship Review Committee conducted a process to elicit details of relationships among members of respondent teams, and members of the team evaluating the Responses, to ensure that evaluators were free of bias with regard to any of the respondents. I observed that the process established in the Evaluation Manual for relationship review was followed.

Evaluation

During the evaluation, I had access to all the Responses and the evaluation premises at all times. I reviewed all correspondence between the Project team and respondents. I attended a selection of the meetings related to the evaluation.

Each Response was reviewed by three teams, each with responsibility for a specified aspect of the Responses – finance, design / construction, or operations / maintenance. Members of each team had expertise in matters related to the material they were to consider. The teams were provided appropriate resources for their review, including meeting rooms and electronic equipment, and access to expert advisors. The three teams provided comments on the strengths and weaknesses of each Response in relation to their assigned area. Each team's comments consisted of the team's consensus view of the materials provided.

The Evaluation Committee met with the evaluators and satisfied itself as to the process followed by each team and its methods, rationales, diligence and consistency.

The Evaluation Committee included members with appropriate expertise in the matters under consideration. The Evaluation Committee received the comments prepared by the review teams, but conducted its own evaluation of each Response in accordance with the process and criteria described in the RFQ and the Evaluation Manual.

The Evaluation Committee held meetings with representatives of each of the Respondents. I attended all of those meetings, and observed that the meetings were conducted consistently with all Respondents, including as to timing, use of a pre-determined script of questions, and handling of the information received.

In connection with the evaluation, I observed that:

- Prior to commencement of their work, all members of the Evaluation Committee and the review teams received copies of the RFQ and the Evaluation Manual and were introduced to the contents of those documents, including the evaluation procedures and standards.
- Prior to the evaluation, and periodically during their work, participants discussed the matters set out in the Evaluation Manual, including issues as to consistency and fairness.
- Clarification questions were asked of respondents as the Evaluation Committee considered necessary, following the procedures set out in the Manual.
- Team members were familiar with each of the Responses, such that each member could fully discuss and compare the Responses in meetings.
- Reference checks were conducted in accordance with pre-determined procedures including consistent questions to referees.
- There was vigorous but respectful debate among team members with regard to the scoring of each aspect of the Responses. Scoring results represented the consensus of the entire Evaluation Committee. I am satisfied that the final scores are squarely based in the requirements and measures described in the RFQ and the Evaluation Manual.


Following its scoring of the Responses, the Evaluation Committee met with a Due Diligence Committee, which tested the Evaluation Committee's conclusions with regard to consistency of approach and conformity to the pre-established criteria and processes, and verified that the Evaluation Committee's report fully reflected the evidence underlying its conclusions.

Conclusion

The Project team has occasionally sought my advice on specific questions. I have also periodically offered advice or comments on matters that I felt involved fairness issues. In each such case, the Project team has carefully considered my advice and I have been satisfied with the resolution.

I am satisfied that the procurement processes of the Project in relation to the RFQ have been reasonable, and have been fairly implemented by the Project team.

Signed and dated at Vancouver, June 16, 2011.



Jane Shackell, QC
Fairness Advisor