

# EMILY CARR UNIVERSITY OF ART + DESIGN

## Campus Redevelopment Project RFQ Process

### Report of the Fairness Advisor

#### Introduction

I was retained as Fairness Advisor for the Emily Carr University of Art + Design Campus Redevelopment Project (the "Project"). My mandate is to act as an independent observer with respect to fairness of the implementation of the Project's competitive selection process, and report to 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 and Evaluation Manual

The RFQ was issued in March, 2013, requesting interested persons to submit Responses describing their experience, track record and capability relevant to the Project. The RFQ included details of the information required, the format for submissions, and a summary of the criteria for evaluation of Responses. I had the opportunity to comment on the RFQ before it was published, and my comments were addressed in the final version of the document.

The Project team conducted a registration process for prospective respondents and held an introductory meeting for those who registered. After issuance of the RFQ, Project staff answered written questions submitted by potential respondents, and addressed requests for rulings on membership of respondent teams. I observed that the questions and ruling requests were handled in a manner consistent with the processes 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, and security measures for custody of and access to Responses (including secured premises and a secure website, confidentiality agreements with all persons who would have 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
- worksheets for each evaluation team indicating how responses were to be evaluated

and other matters. I reviewed and commented on the Evaluation Manual including the draft worksheets before they were provided to evaluators; I was satisfied that the final versions of these documents formed a proper basis for evaluation of Responses, consistent with the RFQ.

## Responses to RFQ

I attended the closing time for receipt of Responses, and confirmed that eight respondents filed Responses to the RFQ by the closing time. I observed that the processes set out 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 applicable 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 Responses, to ensure that evaluators were free of bias with regard to any of the respondents. I observed that the processes established in the Evaluation Manual for relationship review and confidentiality agreements were followed.

## Evaluation

The Project team held orientation meetings for all participants in the evaluation before receipt of the Responses; I attended some of these meetings. At the orientation meetings, project leaders reviewed highlights of the Evaluation Manual and the worksheets, and outlined the procedures to be followed by participants and standards to be applied to the Responses. The orientation included specific discussion of issues related to fairness in the process.

During the evaluation, I had access to all the Responses and the evaluation premises at all times. I was provided copies of all correspondence between the Project team and respondents, and was invited to attend all meetings of the Project team and the evaluation participants. I reviewed all of the correspondence, and attended many of the meetings related to the evaluation.

Each Response was reviewed by teams of evaluators with responsibility for specified aspects of the Responses – Finance, Design and construction, Respondent team lead, and Services. The Evaluation Committee itself, in addition to overall scoring, took responsibility for initial review of the 'Respondent Team Lead' aspect of Responses. I attended meetings of each of the teams, as well as meetings of the Evaluation Committee.

Members of each evaluation team had appropriate expertise to evaluate the material they were to consider. The teams were provided appropriate resources for their review, including meeting rooms, electronic equipment, and access to expert advisors. The teams provided comments and recommendations on the features of each Response that related to their assigned area; each team's comments and recommendations consisted of their consensus view of the Responses.

Evaluation Committee members periodically monitored the work of evaluation teams during the process; in addition the Evaluation Committee as a whole met with the evaluators' team leads to review their completed worksheets, and satisfied itself as to each team's methods, rationales, and consistency. The Evaluation Committee carefully considered the comments prepared by the teams, but conducted its own evaluation as described in the RFQ and the Evaluation Manual.

The Evaluation Committee also conducted reference checks for the in accordance with the Evaluation Manual. I attended a selection of the reference checks, and observed that the conversations were handled in accordance with the procedures outlined in the Evaluation Manual.

The Due Diligence Committee met with the evaluation teams, and also with the Evaluation Committee, to test the processes that were followed and the conclusions reached. I attended a selection of these meetings.

I observed that:

- Periodically during their work, evaluators discussed and instructed themselves in issues described 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 Evaluation Manual.
- All evaluators were familiar with each of the Responses, and each member participated fully in discussion and scoring of each of the Responses.
- Each evaluation team reached consensus with regard to its recommendations to the Evaluation Committee.
- Reference checks were conducted in accordance with pre-determined procedures including consistent questions to referees.
- Scoring results represented the consensus of the entire Evaluation Committee.

I am satisfied that the final scores for all respondents are properly based in the requirements and measures described in the RFQ and the Evaluation Manual.

### **Conclusion**

The Project team has occasionally sought my advice on specific questions. I have also periodically offered advice or comments on matters of fairness. In each such case, I have been satisfied with the handling of my recommendations.

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 20, 2013.



Jane Shackell, QC  
Fairness Advisor