

## **ISLAND HEALTH**

### **Cowichan District Hospital Replacement Project ADA RFP Process**

#### **Report of the Fairness Reviewer**

##### **Introduction**

I was retained as Fairness Reviewer for the Cowichan District Hospital Replacement Project (the “Project”). My mandate is to act as an independent observer with respect to fairness of implementation of the Project’s competitive selection process, and report to the Project Board.

I reported previously on the Request for Qualifications phase of procurement. This is my report on the procurement process to date, including evaluation of those Interactive Processes that have been evaluated, and the ADA Submissions received in response to the Project’s Alliance Development Agreement Request For Proposals (the “ADA RFP”).

##### **ADA RFP Process**

The ADA RFP was issued in April, 2021 to the Proponents selected through the RFQ process. The ADA RFP included detailed submission requirements, a summary of the process and criteria for evaluation of ADA Submissions, and other terms of the competition.

After publication of the ADA RFP, the Project team provided information to Proponents in accordance with processes outlined in the ADA RFP including responding to written requests, and conducting the Interactive Processes. I reviewed all written communications between the Project team and Proponents. I was invited to, and attended, all Interactive Processes. I was satisfied that all communications including the Interactive Processes were conducted in accordance with the ADA RFP, that both Proponents had equal access to the same information, and that the Proponents had equal opportunities during the Interactive Processes to present their teams and skills.

##### **Evaluation Manual**

At the outset of the procurement process, the Project Team prepared a detailed Evaluation Manual and scoring guidelines to cover all phases of the procurement including the RFQ, Interactive Processes, the ADA RFP, and processes yet to come. The Evaluation Manual set out:

- procedures for receipt of, and access to, ADA Submissions
- procedures for review of relationships of evaluation participants to identify and manage potential conflicts
- responsibilities of all evaluation participants
- the methods for evaluating Interactive Processes and ADA Submissions, with procedures and methods
- methods for communicating with Proponents in relation to the evaluation

- worksheets to assist evaluation participants to consistently record their observations and conclusions

and other matters. Before conduct of the Interactive Processes or receipt of any ADA Submissions, parts of the Evaluation Manual were appropriately updated. I had the opportunity to comment on the Evaluation Manual, and was satisfied that the final version described a reasonable basis for evaluation of the Interactive Processes and the ADA Submissions, consistent with the ADA RFP.

## **ADA Submissions**

Both Proponents filed ADA Submissions by the closing time. I monitored the processes for receipt and initial completeness review and confirmed that the Project team followed the processes set out in the Evaluation Manual.

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

## **Evaluation**

During the evaluation, I had access to the ADA Submissions. I reviewed all correspondence between the Project team and Proponents. I was invited to all meetings at which evaluation processes occurred, and I attended most of them.

The Interactive Processes were attended by members of the Evaluation Committee and by Advisors to the Evaluation Committee. Each ADA Submission was reviewed by Advisors, and by all members of the Evaluation Committee. Advisors were responsible to review and provide input on specified aspects of the Responses, as well as their observations during Interactive Processes.

Each Advisor provided his or her analysis directly to the Evaluation Committee both in the form of a written worksheet, and by participating in direct discussion at meetings. The Evaluation Committee satisfied itself as to the Advisors' methods, rationales, and recommendations, and considered the Advisors' work, before coming to its own conclusions. A Due Diligence panel met with the Evaluation Committee to discuss the rationales for conclusions, and the work product. The Evaluation Committee discussed the Interactive Processes and the ADA Submissions in detail and approved all final scores in accordance with the Evaluation Manual.

I observed that:

- Before commencing work, all evaluation participants received an orientation to the Evaluation Manual, including evaluation procedures and standards, and my role.
- Periodically during their work, evaluation participants discussed various matters set out in the Evaluation Manual, including issues as to consistency and fairness.
- All participants were familiar with the relevant aspects of ADA Submissions, and participated appropriately in meetings.

- Clarification questions were asked of Proponents as the Evaluation Committee considered necessary, following the procedures set out in the Evaluation Manual.
- Scoring results represented the consensus of the entire Evaluation Committee.

Based on my observations, I am satisfied that the final scores approved by the Evaluation Committee are properly based in the requirements and measures described in the ADA RFP 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 ADA RFP have been reasonable, and have been fairly implemented by the Project team.

Signed and dated at Vancouver, July 5, 2021.

A handwritten signature in blue ink, appearing to read 'J. Shackell', written in a cursive style.

Jane Shackell, QC  
Fairness Reviewer