

Reply to the Attention of Joan M. Young
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Our File No. 246599
Date November 17, 2017

Board of Education for School District #40
c/o Partnerships BC
1220 – 800 West Pender Street
Vancouver, BC V6C 1J8

Attention: Project Board

Dear Sirs/Mesdames:

**Re: Final Fairness Report for the New Westminster Secondary
School Project Procurement**

I was retained to provide fairness advisory services for the above mentioned project on September 16, 2016.

Role

My engagement covers the procurement process from the issuance of the Request for Qualifications (RFQ) to the conclusion of procurement with the selection of the Preferred Proponent. My first report on the RFQ stage was provided to you on March 1, 2017. This final summary report covers the RFP stage of the procurement.

The terms of engagement stated that as Fairness Advisor, I was asked to do the following:

- Act as an independent observer with respect to the fairness of the implementation of the Project's procurement processes;
- Provide advice to the Project Team on matters of fairness;
- Be available to proponents to answer queries relating to fairness; and
- Provide formal written reports at specific points during the procurement process as described.

The activities of the Fairness Advisor were self-determined and included:

- Reviewing Project RFP documentation and commenting on whether and the extent to which the process described may potentially cause a fairness issue (recognizing the Fairness Advisor was not acting as procurement counsel to the project);
- Observing and/or monitoring that consideration, communications, and responses undertaken during the Project RFP process were undertaken in accordance with the RFP terms;
- Observing and/or monitoring bilateral discussions and meetings;

- Observing and/or monitoring the Project RFP evaluation process; and
- Observing and/or monitoring relevant (as determined by the Fairness Advisor) meetings where proponent comparisons are made and criteria, weighting and rating systems are applied.

Monitoring Activities

During the RFP stage, I (or my delegate) attended all four sets of collaborative meetings between the project team and the three proponents, as well as attending other project team meetings with the project team. I had the opportunity to observe the interactions between the project team and each of the proponents, and offered guidance and advice as necessary.

I reviewed project documents throughout including amendments and communications with the three proponents.

Closing and Evaluation

The RFP was a two phase process: a submission of a technical proposal and, if invited, a submission of a financial proposal.

Three technical submissions were received in order at the closing time. I was present during the evaluation process as an observer.

The proposals were evaluated, scored and ranked on a preliminary basis in accordance with the requirements of the RFP. All three proponents were invited to submit financial proposals. Two submissions were received in order at the closing time. One proponent failed to meet the mandatory requirements for submission for its financial proposal, and that proponent's submission was not accepted by the Evaluation Committee. The proponent did not advance forward in the RFP process.

The Evaluation Committee considered the two remaining financial proposals and each team was then given a final score and ranked. The highest ranked proponent was selected as the preferred proponent.

No proponent raised any fairness issues during the RFP process with me.

My role as Fairness Advisor was not to validate the Evaluation Committee's recommendation of the Proponents, but rather to provide oversight and assurances regarding the processes applied in making the recommendations. I met these responsibilities by undertaking the steps I felt were most appropriate to meet my mandate.

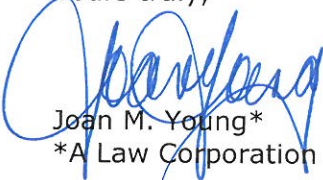
I am satisfied that the Evaluation Committee met its responsibilities under the RFP. I found the RFP process was conducted in a fair manner in accordance with the procedures established for the RFP stage. I am satisfied that:

- The New Westminster Secondary School Project team members, and their advisors, followed the procedures and fairly applied the evaluation criteria specified in the procurement documents; and

- Where judgment and interpretation were allowed or required, the Project Team exercised reasonable judgment and made interpretations in a fair and impartial manner.

I am satisfied that I was provided with the appropriate access and information to render this fairness opinion.

Yours truly,



Joan M. Young*
*A Law Corporation