

**NORTHERN HEALTH AUTHORITY**

**MILLS MEMORIAL HOSPITAL  
REDEVELOPMENT PROJECT**

**PROCUREMENT PROCESS**

**FAIRNESS REVIEWER**

**FINAL REPORT – RFQ PHASE**

**February 14, 2020**

**Mills Memorial Hospital Redevelopment Project  
RFQ Procurement Process  
FINAL REPORT OF THE FAIRNESS REVIEWER**

February 14, 2020

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**TO: Northern Health Authority, Project Board,  
Mills Memorial Hospital Redevelopment Project**

This report covers the following:

**The Project**

**Fairness Reviewer**

**Stipulated Procurement Process**

**Actual Procurement Process**

**Qualifications**

**Findings**

Respectfully Submitted:



Owen Pawson  
Fairness Reviewer

# **Mills Memorial Hospital Redevelopment Project**

## **RFQ Procurement Process**

### **FINAL REPORT OF THE FAIRNESS REVIEWER**

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#### **THE PROJECT**

Northern Health Authority (“Authority”) is one of six provincial health authorities established by the provincial government to administer healthcare services in British Columbia. The Mills Memorial Hospital Redevelopment Project (“Project”) offers the Authority an opportunity to replace the aging existing Hospital with a new facility to meet the current and future health care requirements of the region. The details of the Project scope can be found in the Request for Qualifications, however, the scope generally includes:

- design and construction of a new replacement hospital with the following anticipated facilities:
  - 78 inpatient beds in total;
  - 4 Surgical Operating Rooms;
  - 3 Diagnostic Imaging Rooms;
  - 20 Emergency Department Treatment Spaces; and
  - a Level 3 accredited Trauma Centre;
- a new Seven Sisters tertiary mental health centre;
- decommission and demolition of the existing Sleeping Beauty Medical Clinic and Seven Sisters residence facilities including any hazardous materials remediation; and
- decommission and demolition of the existing Hospital including any hazardous materials remediation and construction of surface parking and site development.

The Northern Health Authority, with the assistance of Partnerships BC, issued a Request for Qualifications for the Project on July 16, 2019.

#### **FAIRNESS REVIEWER**

Owen D. Pawson Law Corporation was retained in August, 2019 to act as the Fairness Reviewer for the Project. The role of Owen Pawson, of Owen D. Pawson Law Corporation is to observe and monitor the overall fairness of the procurement process.

The general role of a Fairness Reviewer is to act as an independent observer and provide assurance that the processes described in the procurement documents are implemented in a fair manner. A Fairness Reviewer's report is usually made available to the public subject to the applicable legislative requirements (including the Freedom of Information and Protection of Privacy Act and regulations).

The activities of a Fairness Reviewer are self-determined and include the following:

- provide advice to the Project team on matters of fairness as may be requested by the Project team from time to time;
- be available to Project respondents and proponents to answer queries relating to fairness;
- provide formal written reports as specific points during the Project competitive selection process;
- review procurement documentation and comment on whether, and the extent to which, the process described may potentially cause a fairness issue;
- observe and/or monitor that considerations, communications, and responses undertaken during the Project competitive selection process are undertaken in accordance with the procurement document terms;
- observe and/or monitor collaborative discussions and meetings;

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- observe and/or monitor ad-hoc special topic meetings with the proponents;
- observe and/or monitor the Project request for qualifications and request for proposals evaluation processes; and
- observe and/or monitor relevant meetings where respondent or proponent comparisons are made and the criteria, weighting and rating systems are applied.

### **STIPULATED PROCUREMENT PROCESS**

The RFQ for the Project stipulated that responses must be received by the stated Submission Time of 11:00 a.m. on October 3, 2019 at the Submission Location. The RFQ identified minimum requirements in terms of sufficient financial capacity to undertake the Project. Those requirements were clearly described and required documentary evidence of the Respondent's ability to obtain bonding and insurance for the Project in specific amounts.

The RFQ described the evaluation criteria that would be applied to the Responses and the weighting to be applied to each criterion. An Evaluation Manual for the RFQ Stage of the procurement was prepared based on procurement process outlined in the RFQ. The Evaluation Manual was clear that the evaluation was restricted to the information submitted in the Response (and any additional information received in accordance with the RFQ).

### **ACTUAL PROCUREMENT PROCESS**

The RFQ was issued July 16, 2019. Two addenda were issued prior to RFQ Submission Time. Addendum #1 contained a minor amendment and Addendum #2 contained a blacklined form of the RFQ identifying the addition to the Project of a new Seven Sisters tertiary mental health centre and the decommissioning and demolition of the existing Sleeping Beauty Medical Clinic including any hazardous materials remediation of the Clinic. Addendum #2 also removed the requirement for "hard copy" documents and called for submission of only electronic copies of the Response. Neither Addenda raised any fairness issues.

An Introductory Project Meeting was held July 30, 2019 to which all interested parties were invited. A site tour in Terrace at the existing Hospital site was held September 11, 2019. Neither the Introductory Project Meeting nor the site tour were mandatory. No fairness issues were raised at either event.

The Submission Time for the Request for Qualifications was 11:00 a.m., October 3, 2019. Only one Response was received. There were no late Responses. I attended the Closing at the Submission Location and observed the completeness review of the submissions. The Response was found to be complete in accordance with RFQ requirements. I am satisfied that there were satisfactory protocols in place for appropriate security and confidentiality of the Response.

All persons involved in the procurement and evaluation were required to sign both a Confidentiality Agreement and a Relationship Disclosure Declaration and Undertaking. They were asked to disclose any relationship they had with the corporations and individuals identified from the Response. The signed Relationship Disclosure Declaration and Undertaking forms were reviewed and vetted by a Relationship Review Committee. No conflicts of interest or unfair advantage were identified that precluded any member of the Evaluation Teams or advisors from participating in the evaluation.

I attended the consensus meetings and observed that the discussions and review of the submissions were consistent with the evaluation criteria and the evaluation process described

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in the RFQ. There was no indication of partiality or bias during the discussion by the evaluators. It is my opinion that the submission was properly and fairly evaluated and that the scoring was based on the process set out in the RFQ.

**QUALIFICATIONS**

My fairness review has been based on my observations and monitoring of procurement documentation and during my monitoring of discussions of the consensus meetings for the evaluation and the subsequent meeting of the Evaluation Committee where the scoring recommendations of the Evaluation Teams were finalized. I have not reviewed all documents created by every member of the Evaluation Teams or the Evaluation Committee.

**FINDINGS**

It is my opinion that the procurement process during the RFQ phase of the Mills Memorial Hospital Redevelopment Project was conducted in a fair manner. Specifically, based on the Fairness Reviewer activities outlined above including my observations at the consensus meetings of the Evaluation Teams and subsequent Evaluation Committee meeting and my discussions with procurement staff of Partnerships BC during and after Submission Time for the RFQ, it is my opinion that the competitive selection process was conducted fairly and in full accordance with the procurement process described in the RFQ.

I am satisfied that:

- the members of the Evaluation Teams and the Evaluation Committee followed the evaluation procedures described in the RFQ and fairly applied the evaluation criteria and scoring identified in the RFQ; and
- where judgment and interpretation were allowed or required, the Evaluation Teams and the Evaluation Committee exercised reasonable judgment and made interpretations in a fair, unbiased and impartial manner.

I am also satisfied that I have been provided with the appropriate access and information to render this fairness review opinion.

Respectfully submitted,



Owen D. Pawson  
Fairness Reviewer

**Dated this 14th day of February, 2020**