

ISLAND HEALTH

Cowichan District Hospital Replacement Project RFQ 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.

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

RFQ and Evaluation Handbook

The RFQ was issued in December, 2020, requesting interested entities to submit Responses describing their experience, track record and capability relevant to the Project. The RFQ included details about the Project, the information required, the format for submissions, and a summary of the criteria for evaluation of Responses.

After publication of the RFQ, the Project team held a meeting for prospective Respondents to introduce the Project and provide an opportunity for questions. Project staff answered written questions submitted by potential respondents in the period leading up to the submission date. I reviewed all correspondence between the Project team and prospective Respondents.

Before the date fixed for receipt of submissions, the Project Team prepared a detailed Evaluation Manual and scoring guidelines, setting out:

- procedures for receipt of Responses, and security measures for handling of Responses
- procedures for review of relationships of evaluators to identify and manage potential conflicts
- the method for evaluating Responses, with procedures and methods
- methods for communicating with Respondents during the evaluation

and other matters. I reviewed the Evaluation Manual and was satisfied that the final version described a reasonable basis for evaluation of Responses, consistent with the RFQ.

Responses to RFQ

Two Respondents filed Responses to the RFQ 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 Respondent teams, and members of the team evaluating Responses, to ensure that evaluators were free of bias with regard to any Respondent. 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. I observed that the processes described in the RFQ and the Evaluation Manual for handling of Responses were followed. I reviewed all correspondence between the Project team and Respondents, and I attended many of the meetings related to the evaluation.

Each Response was reviewed by a Financial Capacity Evaluation Team, several teams of Advisors to the Evaluation Committee, and the Evaluation Committee itself. The Financial Capacity Evaluation Team reviewed the financial and insurance aspects of Responses, and reached consensus on a set of recommendations to the Evaluation Committee. Each team of Advisors was also responsible to review and provide input on specified aspects of the Responses.

All evaluation participants had appropriate expertise to evaluate the material assigned. The Advisor teams met to discuss their observations, but all members of the Advisor teams provided their own analysis directly to the Evaluation Committee on the features of each Response that related to their assigned area.

The Evaluation Committee considered the work and recommendations of the Advisors and the Financial Capacity Evaluation Team, before coming to its own conclusions. The Evaluation Committee met with the Advisors and with the Financial Capacity Evaluation Team, and satisfied itself as to the methods, rationales, and outcomes recommended. Before evaluation conclusions were finalized, a Due Diligence panel met with the Financial Capacity Evaluation Team and with the Evaluation Committee to discuss the rationales for conclusions, and the work product. The Evaluation Committee then discussed 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 Responses, and participated appropriately in discussions of the Responses in meetings.
- Clarification questions were asked of Respondents as the Evaluation Committee considered necessary, following the procedures set out in the Evaluation Manual.
- Each of the Financial Capacity Evaluation Team and the Evaluation Committee reached consensus on its conclusions.

- 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 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, March 23, 2021.

A handwritten signature in blue ink, appearing to read 'J. Shackell', with a large, stylized flourish at the end.

Jane Shackell, QC
Fairness Reviewer