

BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Highways Reinstatement Project RFQ Process

Report of the Fairness Reviewer

Introduction

I was retained as Fairness Reviewer for the Highways Reinstatement Program (the “Project”). My mandate is to act as an independent observer with respect to fairness of the Project’s competitive selection process, and report to the Project’s Oversight Committee.

This is my third report on the procurement process. I have previously reported on January 10, 2022 regarding evaluation of Responses received before the Initial Submission Time in relation to the Project’s Request For Qualifications process (the “RFQs”), and on February 8, 2022 in relation to evaluation of additional Responses filed by January 27, 2022. This report covers the receipt and evaluation of final Responses received, between January 27, 2022 and February 25, 2022.

Debriefs and other matters

During the period that followed each deadline for submission of Responses, the Project team has conducted numerous debriefs for Respondents who filed submissions before that deadline. I was invited to and did attend a selection of the debrief sessions as I considered necessary for purposes of this report. I was satisfied that the Project team provided debrief information in a manner that was consistent in both approach and substance for each Respondent involved, and in accordance with the relevant provisions of the RFQ.

RFQ and Evaluation Manual

The RFQs and the Evaluation Manual are described generally in my January 10 report. The Project Team has continued to follow the same procedures and approach to Responses received after the Initial Submission Time, including completeness review prior to evaluation, disclosure of relationships and review by the Relationship Review Committee.

Evaluation

Responses were reviewed and evaluated in the same manner and by the same teams that evaluated earlier Responses, using the same worksheet, procedures, evaluation criteria and scales. Each evaluation team again prepared a summary sheet setting out their recommended rating of each Response, with rationale. Each team’s final recommendations consisted of the consensus view of the team’s members.

In the process of finalizing their summary sheets, each evaluation team met with the Evaluation Committee for the relevant RFQ, and discussed the processes followed by the team, the rationales for conclusions, and the work product. Each team appropriately considered feedback received from the Evaluation Committee.

The Evaluation Committee itself reviewed the Responses, and took into consideration the recommendations of the evaluation teams before finalizing scores for all Responses.

During the evaluation period, I had access to the Responses and the evaluators. I reviewed all correspondence between the Project team and Respondents. I was invited to all meetings of the evaluation teams at which scoring and ranking of Responses were discussed, and I attended most of those meetings. I again observed that:

- All evaluation participants were conversant with the requirements of the Evaluation Manual
- Periodically evaluators discussed and instructed themselves appropriately on matters referred to in the Evaluation Manual, and issues as to consistency and fairness
- All evaluators were familiar with each of the Responses, and participated fully in consideration of recommendations on all Responses
- Clarification questions were asked of Respondents 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 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 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, April 7, 2022



Jane Shackell, QC
Fairness Reviewer