

BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Steveston Interchange Project RFQ Process

Report of the Fairness Advisor

Introduction

I was retained as Fairness Reviewer for the Steveston Interchange Project (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 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 Manual

The RFQ was issued in June, 2021, requesting interested persons 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. I had the opportunity to review and comment on the RFQ before it was finalized.

After publication of the RFQ, the Project team held a meeting for prospective Respondents to provide an introduction to the Project and an opportunity for questions. During the RFQ period, Project staff answered written questions submitted by potential respondents. I observed that all communications including the introductory meeting and written questions were handled consistent with the processes described in the RFQ.

Before the closing time for Responses, the Project Team prepared a detailed Evaluation Manual 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
- methods for communicating with Respondents during the evaluation
- the method for evaluating Responses, with scoring guidelines, procedures and methods
- the form of work summary sheet to be used by evaluators to enhance consistency of approach by all evaluators

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

Responses to RFQ

Eight Respondents filed Responses to the RFQ by the closing time. I monitored the closing time and initial completeness review and confirmed that the processes set out in the Evaluation Manual were followed.

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

Each Response was reviewed by teams of evaluators with responsibility to evaluate specified aspects of Responses: Package 1; Design-Builder; Design and Construction; Indigenous Participation / Apprenticeships, Training & Development; and Financial Capacity.

Members of each evaluation team had appropriate expertise to evaluate the assigned material. Teams had appropriate resources including expert advisors. The team leads consulted with each other to discuss aspects of the Responses that were relevant to more than one team. Each evaluation team completed a work summary sheet setting out an assessment for their assigned area of each Response, with a detailed rationale. Each team's final rationale and recommendations consisted of the consensus view of the team's members.

Before finalizing their summary sheets, each evaluation team met with a Due Diligence Committee, which tested the processes followed by the team, the rationales for conclusions, and the work product. Each team considered any feedback received from the Due Diligence Committee before finalizing its summary sheet.

The Evaluation Committee also met with each evaluation team, and satisfied itself as to each team's methods, rationales, and consistency. The Evaluation Committee then reached consensus on final scores for all scored elements of each Response.

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 observed that:

- Before commencing work, all evaluation participants received an orientation to the Evaluation Manual, including evaluation procedures and standards.
- Periodically during their work, evaluators discussed various matters set out in the Evaluation Manual, including issues as to consistency and fairness.
- All evaluators were familiar with each of the Responses, such that each member could discuss and comment on details of the Responses in meetings. All evaluation team members participated fully in consideration of appropriate 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.
- Due Diligence Committee members were thorough in their questioning and testing of conclusions reached by the evaluation teams, and the teams appropriately considered feedback on their work.
- 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, September 15, 2021.

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

Jane Shackell, QC
Fairness Reviewer