



ONTARIO POWER AUTHORITY  
REQUEST FOR PROPOSALS  
FOR  
APPROXIMATELY 500 MW OF COMBINED HEAT AND POWER GENERATION  
IN  
ONTARIO  
("CHP II RFP")  
FAIRNESS REVIEW

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## EXECUTIVE SUMMARY

This report presents our findings and conclusions as Fairness Advisor for the Request for Proposals (“RFP”) process for the procurement of Approximately 500 MW of Combined Heat and Power Generation in Ontario (CHP II RFP) (“the RFP”). The purpose of this RFP was to identify Selected Proponents to provide combined heat and electricity generation projects in Ontario. This is a final report on the RFP process. We were engaged in December 2007 and were involved in an advisory capacity to the OPA during the finalization of the RFP document, prior to the Proposal Submission Deadline, and throughout the evaluation period.

The Fairness Advisor acted as a neutral, disinterested and independent monitor for the procurement process. We were not part of the RFP development or evaluation teams. We reported directly to the OPA project manager responsible for the RFP process.

In our opinion, the evaluation process was transparent. The evaluation criteria and process were clearly stated in the RFP. The Mandatory Requirements were objectively stated, which permitted an objective determination of compliance to be made. The Rated Criteria were described in detail and the point score allocation for each criterion was disclosed in the RFP. The five-stage evaluation process for applying these criteria and identifying the Selected Proponents was clearly set out in the RFP.

We believe that all the RFP consultation sessions were conducted in an appropriate manner. All Registered Proponents were afforded the same opportunity to meet with the OPA and to communicate matters of interest about their proposed Contract Facility to the OPA. Both the Registered Proponents and OPA complied with the Individual Information Session protocol. Changes to the RFP as a result of the Individual Information Sessions were objectively justified and enhanced the clarity and transparency of the RFP.

We are satisfied that the evaluation of the Proposals was conducted in accordance with the process set out in s. 3 of the RFP by applying the evaluation criteria set out in s. 3 and applying

these criteria using the process set out in that same section. We detected no bias or favouritism towards or against any particular Proponent. The Proposals were evaluated strictly against the Mandatory Requirements and Rated Criteria published in the RFP.

## 1.0 INTRODUCTION

This report presents our findings and conclusions as Fairness Advisor for the Request for Proposals (“RFP”) process for the procurement of Approximately 500 MW of Combined Heat and Power Generation in Ontario (CHP II RFP) (“the RFP”). The purpose of this RFP was to identify Selected Proponents to provide combined heat and electricity generation projects in Ontario. This is a final report on the RFP process. We were engaged in December 2007 and were involved in an advisory capacity to the OPA during the finalization of the RFP document, prior to the Proposal Submission Deadline, and throughout the evaluation period.

Our report addresses the following aspects of the RFP process:

- Wording of the RFP document;
- Adequate communications to CHP II Parties;
- Adequate notification of changes in requirements;
- Confidentiality and security of Proposals and evaluations;
- Qualifications of the evaluation team;
- Compliance with the process;
- Objectivity and diligence respecting the evaluations;
- Proper use of assessment tools;
- Conflict of Interest; and,
- Debriefings.

The following sections in this report elaborate on these aspects of the RFP process. Capitalized terms in this report have the same meaning as capitalized terms in the RFP and are defined in Appendix A - Glossary of Terms of the RFP.

This report is prepared for the specific purposes of the Ontario Power Authority (“OPA”). Any other person that wishes to review this report must first obtain the written permission of the OPA and Knowles Canada (“Knowles”). Knowles or the individual authors of this report bear no liability whatsoever for opinions unauthorized persons may conclude from this report. This report is based on our observations of the RFP process and representations about the process made to us by the OPA. This report is intended to be read as a whole document.

## 2.0 ROLE OF FAIRNESS ADVISOR

The OPA conducts procurement in a manner that stands the test of public scrutiny, encourages competition and reflects fairness in the spending of public funds. Competition among Proponents is encouraged through open processes that afford vendors equal access to OPA procurement opportunities.

To provide the vendor community with the confidence that the contemplated procurement is conducted in a fair manner that is consistent with the above-mentioned principles, the OPA often retains the services of a Fairness Advisor to monitor the process and to advise it on matters that pertain to the fairness of the procurement process.

The Fairness Advisor acted as a neutral, disinterested and independent monitor for the procurement process. We were not part of the RFP development or evaluation teams. We reported directly to the OPA project manager responsible for the RFP process.

### 3.0 BACKGROUND

On 15 June 2005, the Ontario Minister of Energy directed the OPA (“Ministerial Directive”) to commence several procurement process, including one for up to 1,000MW of high efficiency combined heat and power (“CHP”) facilities in Ontario. The first such procurement, CHP I RFP, concluded on 16 October 2006 and resulted in seven CHP facilities, representing 414 MW of generation capacity.

Subsequent to the CHP I RFP, the OPA initiated a CHP Phase II Request for Expressions of Interest (“CHP II RFEI”) to assist the OPA in understanding the potential for additional CHP projects. Based on the Responses to the CHP II RFEI, the OPA decided to launch the CHP II RFP.



## 4.0 RFP DOCUMENT

As Fairness Advisor, our main task was to provide advice to the OPA on drafting the RFP to ensure that the evaluation process was transparent. The RFP document had to accomplish three tasks:

1. Clearly identify and describe the nature of the opportunity;
2. Provide CHP II Parties with the information they needed to prepare a Proposal that demonstrated their ability to respond to the evaluation criteria; and
3. Describe the necessary and desirable qualifications for the Selected Proponents and clearly set out these evaluation criteria and the process for applying them.

In achieving these objectives, the evaluation criteria had to be developed such that they were objectively justified by the requirements of a Contract Facility. Mandatory requirements should not be so narrowly developed to unduly restrict participation in the competitive process. Sufficient response time and information had to be provided to permit those unfamiliar with the OPA and its procurement processes to prepare a Proposal.

We are satisfied that the RFP stated all the evaluation criteria used in the evaluation process, and provided an appropriate process for consistently and fairly evaluating the Proposals. The RFP was not written in an unduly restrictive manner, and was not biased towards any particular Proponent. The evaluation criteria were objectively justified in that they assessed the technical aspects of a proposed CHP facility, the experience of the Proponents to develop and construct a generation facility, Proponents' financial capability, Host financial strength, status and duration

of the off-take agreement, and desirable characteristics and attributes of the Proponents' projects such as progress seeking approvals, progress obtaining an environmental assessment, status of the EPC Contract, etc.

Section 1 – Introduction, described the opportunity, and provided background information for Proponents. Section 1.1 set out the types of Contract Facility configurations that were acceptable to the OPA: Natural Gas-Fired Industrial Cogeneration Facility; By-product Fuel-Fired Industrial Cogeneration Facility; District Energy Cogeneration Facility; and, Renewable Fuel-Fired Industrial Cogeneration Facility.

Section 2 – Process Overview provided information on the RFP process and set out the Timetable for the RFP in s. 2.2, and in s. 2.3 it was explained how a delay to this Timetable would be handled by the OPA. In s. 2.4 the OPA set out the rules for communications about a proposed Contract Facility, and prohibited certain types of communication. Section 2.5 Initial Submission Instructions, set out how an entity could become a Proponent the RFP and submit a Proposal. A Respondent or Identified Host from the CHP II RFEI was entitled, but not obligated, to become a Participant in the RFP. Only Participants, or its Control Group Members, were eligible to register as Registered Proponents or Registered Hosts, and to nominate a Registered Host or Registered Proponent, as the case may be. Section 2.6 Individual Information Sessions described that each Registered Proponent was entitled to have an Individual Information Session with the OPA to discuss its proposed Contract Facility, the RFP, or the Form of CHP II Contract and CHP II PPA. Section 2.7 described how Proponents should prepare their Proposals and explained what the submission requirements were and how to comply with these requirements.

Section 3 - Evaluation, disclosed in detail the evaluation criteria and the process for applying these criteria. Proposals were evaluated by applying both Mandatory Requirements and Rated Criteria. The RFP disclosed a five-stage evaluation process:

- Stage 1 – Proposal Completeness Requirements, where Proposals were reviewed to determine if they were complete and satisfied the Proposal Completeness Requirements, which were set out in s. 3.1. Only those Proposals that satisfied all of the Proposal Completeness Requirements were advanced to the next stage of the evaluation process;
- Stage 2 – Mandatory Requirements, where each Proposal was evaluated for compliance with the Mandatory Requirements set out in s. 3.2. Sections 3.2.1 to s. 3.2.24, inclusive, detailed each of the Mandatory Requirements. Each of these subsections described the required documentation that needed to be provided in each Proposal to substantiate compliance with the Mandatory Requirements. Only those Proposals satisfying all of the Mandatory Requirements would be advanced to the next stage of the evaluation process;
- Stage 3 – Rated Criteria, where each Proposal was rated against the Rated Criteria set out in s. 3.3. These criteria addressed characteristics and attributes of a proposed Contract Facility, which are summarized in Table 1. Section 3.3 explained these Rated Criteria were designed to ensure that a sufficient amount of work has gone into the proposed Contract Facility such that there is a reasonable degree of likelihood that the proposed Contract Facility would achieve Commercial Operation by the proposed Commercial Operation Date. Sections 3.3.1 to Sections 3.3.4, inclusive, described each Rated Criterion in detail and indicated the allocation of points based on the response given in a Proposal. Proposals had to score at least 40 points in Stage 3 to advance on to the next stage of the evaluation process;
- Stage 4 – Economic Bid Evaluation, where each of the Proposals advanced from Stage 3 had its Adjusted Evaluated Cost calculated. Sections 3.4.1 and 3.4.2, inclusive detailed how a Proposal's Evaluated Cost and Adjusted Evaluated Cost were calculated. The CHP II Evaluated Cost Model posted to the Generation Procurement Website was used to arrive at the Evaluated

Cost for each Proposal. This Evaluated Cost was then factored by the Proposal's Stage 3 score for the Rated Criteria to arrive at an Adjusted Evaluated Cost; and

■ Stage 5 – Selection of Contract Facilities, where Proposals were screened based on their proposed Connection Point to account for transmission limitations within Restricted Circuits, Zones, and Areas set out in Appendix Q to the RFP. A Circuit screening, followed by a Zone screening, and then finally an Area screening is done to determine if Proposals were within the pre-determined transmission capacities for each of these types of screens based on geographic location in the province. Those Proposals that did not exceed allowable transmission limitations became the Initial Stack of Proposals.

In s. 3.5.3 Intermediate Stack of Proposals, the OPA reserved the right to apply an Absolute Price Limit to Proposals in the Initial Stack of Proposals to reject any Proposals that exceeded this Absolute Price Limit. Those Proposals not being rejected from the Initial Stack would form the Intermediate Stack of Proposals. In s. 3.5.4, the RFP set out how two further percentage thresholds based on the weighted average Adjusted Evaluated Costs of the Proposals in the Intermediate Stack could be applied to reject Proposals to arrive at the Final Stack of Proposals.

**Table 1 – Summary of Rated Criteria**

Section	Overview of Rated Criteria	Maximum Point Scores
3.3.1	Contract Facility Maturity	25
3.3.2	Host Facility Risk Mitigation	25
3.3.3	Proponent Team Experience	15
3.3.4	Financial Assessment	35
	<b>TOTAL MAXIMUM POINT SCORE</b>	<b>100</b>
	<b>Minimum Required Total Point Score</b>	<b>40</b>

Section 4 – General Terms and Conditions, set out the terms and conditions of the RFP process, including the reserved rights of the OPA. Section 4.3 established that the CHP II Contract and CHP II PPA were an integral part of the RFP. Section 4.10 established that the Selected Proponents were required to execute either the CHP II Contract or CHP II PPA, as the case may be, in their final form.

The RFP was accompanied by 17 appendices, Appendices A to Q, inclusive, which contained certain necessary forms and other relevant information necessary for preparing a Proposal.

In our opinion, the evaluation process was transparent. The evaluation criteria and process was clearly stated in the RFP. The Mandatory Requirements were objectively stated, which permitted an objective determination of compliance to be made. The Rated Criteria were described in detail and the point score allocation for each criterion was disclosed in the RFP. The five-stage evaluation process for applying these criteria and identifying the Selected Proponents was clearly set out in the RFP.

## 5.0 RFP CONSULTATION STRATEGY

The RFP was a rather large and complicated undertaking for both the OPA and the Proponents. In order to reduce the complexity and risk for Proponents and OPA alike, the OPA embarked on a consultation strategy with Registered Proponents. This process was consistent with the overall OPA goal of engaging its stakeholders in these processes. In our experience this is a rather common process for large, complex procurement initiatives.

The OPA conducted a Technical Information Session on 29 January 2008. The Technical Information Session was open to CHP II RFEI Respondents and Identified Hosts. At this Technical Information Session the OPA presented the salient features of the RFP, reviewed the evaluation criteria, and presented an example of how Evaluated Cost was calculated given the information in an Economic Bid Statement. We were in attendance at the Technical Information Session as an observer.

Once a Participant became a Registered Proponent it was entitled to an Individual Information Session to discuss its proposed Contract Facility with the OPA. The purpose of these Individual Information sessions was to provide each Registered Proponent with an opportunity to meet with the OPA and to discuss the RFP process, the form of CHP II Contract/CHP II PPA and, on a confidential basis, the technical elements of its proposed Contract Facility. These information sessions were offered only to Registered Proponents and only as an aid to their understanding of the RFP and the form of CHP II Contract and CHP II PPA. Any information presented by the Registered Proponents during these sessions was not evaluated if the Registered Proponent became a Proponent unless that content was presented in its Proposal.

A protocol for the conduct of the Individual Information Sessions was included in s. 2.6 Individual Information Sessions. The purpose of this protocol was to establish a set of rules for the conduct of the sessions. All Registered Proponents without exception, and the OPA, complied with the Individual Information Session protocol set out in s. 2.6.

The information sessions were scheduled by the OPA with Registered Proponents on a first come, first served basis. No Registered Proponent who wanted an information session was denied one.

The information sessions were held at the OPA offices in Toronto, Ontario. The same two representatives of the OPA met with Registered Proponents each time. As Fairness Advisor we moderated the sessions. Each session was one hour in duration.

The sessions were conducted informally in the sense that each Registered Proponent was free to set the agenda for the session and could raise whatever matters that it wished. In general, the matters that were raised dealt with the RFP requirements and the CHP II Contract and CHP II PPA. For some matters, the OPA felt that it was in a position to respond directly to the Registered Proponent, whereas for others the OPA reserved comment and requested that the Registered Proponent submit a written question via the Generation Procurement Website. The OPA kept a detailed log of matters raised by the Registered Proponents and, when all the information sessions were over, a number of changes were made to the RFP, CHP II Contract, and CHP II PPA, by means of Addenda. We reviewed these changes to the RFP and we believe that they were objectively justified and enhanced the clarity and transparency of the RFP.

In summary, we believe that all the RFP consultation sessions were conducted in an appropriate manner. All Registered Proponents were afforded the same opportunity to meet with the OPA and to communicate matters of interest about their proposed Contract Facility to the OPA. Both the Registered Proponents and OPA complied with the Individual Information Session protocol. Changes to the RFP as a result of the Individual Information Sessions were objectively justified and enhanced the clarity and transparency of the RFP.

## 6.0 ADEQUATE TIME TO PREPARE A PROPOSAL

Proponents required sufficient time to prepare Proposals in response to the RFP. The larger the scope of the RFP and more complex it is, the longer the time that should be provided for Proponents so that they can understand the RFP requirements, assimilate the information in the RFP, conduct whatever research they deem necessary, and prepare a response to the RFP.

**Table 1 - RFP Timetable**

Issuance of the draft CHP II RFP	21 December 2007
Question and Comment Period (public)	21 December 2007 to 7 February 2008
Release of the draft CHP II Contract/CHP II PPA	22 January 2008
Technical Information Session (public)	29 January 2008
Participant Application Submission Deadline	5 March 2008
Question and Comment Period II	7 May to 6 June 2008
Release of final CHP II RFP, final CHP II Contract, and final CHP II PPA	16 May 2008
Registration Deadline	12 June 2008
Question and Comment Period III (Registered Proponents only)	27 June to 31 July 2008
Individual Information Sessions	7 July to 25 July 2008
Registration Extension Period	21 August to 4 September 2008
Question and Comment Period IV (Registered Proponents only)	14 October to 28 October 2008
Deadline for Issuing Addenda	17 December 2008
Proposal Submission Deadline	29 January 2009
Targeted Process Completion Date	March 2009

The RFP was issued on 21 December 2007 ("Issue Date") and closed on 29 January 2009. (Proposal Submission Deadline). The original Registration Deadline of 12 June 2008 was opened up and extended after this date by Addendum #3 because of changes to the transmission limitations. Proponents who had registered on or before 12 June 2008 had 272



clear business days (a day other than the Issue Date, Proposal Submission Deadline, Saturday, Sunday or a Statutory Holiday) and 383 clear calendar days (any calendar day other than the Issue Date and Proposal Submission Deadline) to prepare Proposals in response to the RFP. Those registering during the extension period had at least 98 clear business days and 146 clear calendar days to prepare Proposals. In our opinion, the amount of time Proponents had to respond to this RFP was adequate given the size and complexity of the undertaking.

## 7.0 ADEQUATE COMMUNICATION TO PROPONENTS

It was important that all Proponents had timely access to the same and adequate information about the RFP and the associated process at the same time.

Subsection 2.4.1 instructed CHP II Parties that the RFP, CHP II Contract, CHP II PPA, and other RFP-related documents were available at the Generation Procurement Website. The URL for this website was given in Appendix A – Glossary of Terms. Section 2.12 set out that any Addenda were publicly available at the Generation Procurement Website. In s. 2.4.1, CHP II Parties were requested to relay questions and comments through the Generation Procurement Website. Also, if a CHP II Party had a specific question about communications in general, such a question could be submitted to the OPA via the [procurement.cogen@powerauthority.on.ca](mailto:procurement.cogen@powerauthority.on.ca) email address. During the RFP process, including the evaluation of Proposals, we were aware of no instance where any CHP II Party communicated with the OPA using a communications channel not provided for in the RFP.

All RFP-related documents were posted to the Generation Procurement Website. Questions received and answers given were also posted to that same website. We reviewed questions received and answers posted. Any information identifying a CHP II Party was removed by the OPA prior to posting the question and answer. The RFP also provided an email address for CHP II Parties to communicate with the OPA at any time during the process. Questions received and OPA answers were also posted to the Generation Procurement Website.

## 8.0 ADEQUATE NOTIFICATION OF CHANGES IN REQUIREMENTS

All Proponents received the same and adequate notification about changes to the RFP requirements.

There were eight RFP addenda issued. Questions by CHP II Parties and answers by the OPA were periodically posted to the Generation Procurement Website. All questions were rendered anonymous for posting so that the CHP II Parties asking the questions were not identified.

Addendum #3 re-opened the registration process. This was done because the OPA had made significant changes to the CHP II Transmission Constraints Matrix. The registration process was re-opened to Participants in light of this change. All new Registered Proponents were offered Individual Information Sessions and treated in the same manner as all other Registered Proponents.

## 9.0 CONFIDENTIALITY AND SECURITY OF DOCUMENTS

All Proposals and evaluation documents were kept strictly confidential and in secure locations. Documents relating to the RFP process were also kept secure. During development of the RFP the draft document was circulated only to those that were working on the document or that were reviewing and commenting on the document.

Proposals and associated evaluation documents were kept in secure locations at all times. The Proposals were kept at OPA offices in Toronto, Ontario, until they were distributed to the evaluators. Evaluation documents were also stored in secure locations at OPA offices. The contents of the Proposals and identities of the Proponents were only known to the evaluation team members, those supporting the evaluation team, and the Fairness Advisor.

Evaluators were permitted to take Proposals they were evaluating to their individual offices, but at all times the documents were under the care and control of the evaluators. All deliberations of the evaluation team were conducted behind closed doors at OPA offices, in Toronto, Ontario.

The evaluators, and those supporting the evaluators, who were OPA employees were bound to keep all RFP-related information confidential by virtue of their employment contracts. Non-OPA employee evaluators or advisers were required to sign a confidentiality agreement, which was an undertaking to keep the contents of the Proposals and any information related to the evaluation process confidential. This undertaking survived past the end of the evaluation process.

We are not aware of any discussions about any Proposal or its evaluation among anyone except the evaluators, those supporting the evaluators, and us. To our knowledge, no information about the Proposals or evaluation was communicated in any form to persons not directly involved with the evaluation process.

We are satisfied that the Proposal contents and all information generated in the evaluation process was kept secure and confidential at all times.

## 10.0 QUALIFICATIONS OF THE EVALUATION TEAM

The evaluation team members had the appropriate knowledge and expertise to review and evaluate the Proposals. An evaluation team composed of five members: two from the OPA; one from the IESO; one from the OEB; and, an external consultant, who acted as chair. All of the evaluators had energy industry experience and backgrounds. None of the OPA evaluators worked in the Electricity Resources group.

All evaluators had reviewed the RFP and familiarized themselves with the evaluation tools prior to commencing their evaluation of the Proposals. A training session was held to explain the evaluation process and evaluation tools to the evaluators. We attended this session as an observer.

In summary, all the evaluators were qualified to undertake the evaluation of the Proposals and we have no concerns about the qualifications of any of the evaluators.

## 11.0 COMPLIANCE WITH THE PROCESS

In order to ensure a fair process, the procedures and process established for conducting the procurement and published in the RFP were followed and applied equally to all Proponents. We are of the opinion that the evaluation process outlined in the RFP was complied with by the evaluators.

Two (2) Proposals were received by the Proposal Submission Deadline. The OPA subjected each Proposal to the Stage 1 – Proposal Completeness Requirements stage in the evaluation process. Both Proposals satisfied the Proposal Completeness Requirements and were advanced to Stage 2 of the evaluation process. We reviewed the Proposals as well and concur that all met the Proposal Completeness Requirements.

The Proposals were reviewed and evaluated individually by the evaluators, and then the evaluators met as a group and conducted a consensus evaluation session for Stage 2 and Stage 3 of the evaluation process. The evaluation team was also present during Stage 4 of the evaluation process. We attended both of the consensus evaluation sessions for Stage 2 and Stage 3, as well as the Stage 4 evaluation, as an observer and the Proposals were evaluated strictly against the evaluation criteria published in s. 3 of the RFP.

In Stage 2 – Mandatory Requirements, each of the Proposals was evaluated against the Mandatory Requirements set out in s. 3.2 of the RFP. During this stage of the evaluation process the evaluation team believed that one Proposal did not satisfy one of the Mandatory Requirements. The Proponent was asked to clarify content in its Proposal that was unclear on its face. Based on the clarification response received the evaluation team determined that the Proposal had not satisfied a Mandatory Requirement and this Proposal was set aside and not considered further.

In Stage 3 – Rated Criteria, the evaluators rated the remaining Proposal against the Rated Criteria set out in s. 3.3.1 to s. 3.3.4, inclusive. This Proposal satisfied the point threshold set out in s. 3.3 required to advance to Stage 4 – Economic Bid Evaluation.

In Stage 4 – Evaluation and Selection Process, this Proposal's Economic Bid Statement was opened. There were no irregularities with the Economic Bid Statement. The contents of the Economic Bid Statement were input into the CHP II Evaluated Cost Model, which was downloaded from the Generation Procurement Website. The CHP II Evaluated Cost Model was run for this Proposal to generate an Evaluated Cost. Once this was completed the Evaluated Cost was adjusted using the Proposal's Stage 3 score using the adjustment formula set out in s. 3.4.2 to calculate each Proposal's Discount Factor. This Proposal's Evaluated Cost was multiplied by its corresponding Discount Factor to yield an Adjusted Evaluated Cost for the Proposal. The Proposal was advanced to Stage 5 – Selection of Contract Facilities. In Stage 5, the OPA exercised its discretion to apply the Absolute Price Limit, which was set out in s. 3.5.3 and rejected this Proposal. No Proposals were selected by the OPA.

We are satisfied that the evaluation of the Proposals was conducted in accordance with the process set out in s. 3 of the RFP by applying the evaluation criteria set out in s. 3 and applying these criteria using the process set out in that same section.

## 12.0 OBJECTIVITY RESPECTING THE EVALUATIONS

The Proposals received were evaluated objectively and diligently, as evaluators owed a duty of care to Proponents to do so. We attended all evaluation sessions and we are satisfied that there was no external pressure placed on the evaluation team with regard to the evaluation of any Proposal. We are satisfied that all Proposals were objectively evaluated against the evaluation criteria published in s. 3 of the RFP.

The Stage 1 – Proposal Completeness Requirements were objectively stated as each Proposal had to provide the content set out in s. 3.1. The OPA was able to determine objectively that a Proposal passed Stage 1 – Proposal Completeness Requirements.

The OPA decided that evaluators would use the consensus approach to determining compliance of each Proposals with the Mandatory Requirements and Rated Criteria. The consensus evaluation meetings were held after the evaluators had completed their individual evaluations. We attended these consensus meetings and detected no bias or favoritism by the evaluators during their participation in the consensus evaluation sessions.

In summary, we detected no bias or favoritism towards or against any particular Proponent. The Proposals were evaluated strictly against the Mandatory Requirements and Rated Criteria published in the RFP. A record of the consensus scoring reached and reasons for the compliance determinations was maintained and kept by the team leader.



## 13.0 PROPER USE OF ASSESSMENT TOOLS

Assessment tools used by the evaluators to evaluate the Proposals had to reflect the evaluation criteria set out in s. 3 of the RFP. We reviewed all the evaluation tools and we are satisfied that they accurately reflected the published evaluation criteria.

## 14.0 CONFLICT OF INTEREST

For the RFP process to be fair there had to be no Conflict of Interest between the evaluators and the Proponents and between the Proponents and anyone involved in planning or conducting the procurement. Proponents must also not have had access to confidential information of the OPA as it pertains to the RFP.

Proponents were required to disclose and declare any actual or potential Conflict of Interest, which was defined in Appendix A Glossary of Terms. None of the Proponents indicated any actual or potential Conflict of Interest.

Prior to the start of the evaluation process, evaluation team members, as well as those who were supporting and advising them, were informed of the requirement to disclose any actual or potential Conflicts of Interest. Each evaluator, as well as those supporting the evaluators, was asked to sign a declaration that they were not in a potential or actual Conflict of Interest in undertaking their role in the process. The OPA informed us that all the evaluators, as well as those who were supporting and advising them, signed this statement.

## 15.0 DEBRIEFINGS

As of the date of this report, debriefing sessions have not been conducted with either unsuccessful Proponent.

## 16.0 CONCLUSIONS

In summary, based on our review, we are satisfied that the RFP process was conducted in a procedurally fair, open, and transparent manner. All Proposals received were evaluated against the evaluation criteria published in the RFP. We detected no bias either for or against any particular Proponent in the application of the evaluation criteria. The evaluation criteria published in the RFP were applied objectively to each Proposal.