

SURREY PRETRIAL SERVICES CENTRE EXPANSION PROJECT
RFQ Process

Report of the Fairness Reviewer

I was retained as Fairness Reviewer for the Surrey Pretrial Services Centre Expansion Project (the "Project"). My mandate is to act as an independent observer of the procurement process for the Project, and provide the Project Board with my opinion on whether the procurement process is applied fairly.

This is my report on the process to July 26, 2010, at which time the Project team had completed evaluation of responses to the Project's Request For Qualifications ("RFQ"). I provided an oral version of this report to the Project Board at its meeting of July 26, 2010.

The RFQ was published on April 28, 2010. The RFQ set out the information required to be provided by respondents, and summarized the process and criteria for evaluation of responses. The Project team prepared an Evaluation Manual which set out the intended manner of evaluation of responses, with procedures for receipt of responses, security measures for custody of and access to responses during the evaluation period, procedures to follow in communications with respondents and others in relation to the RFQ, guidelines for scoring, and other matters.

Since issuance of the RFQ, I have undertaken the following activities:

- Monitored requests for information submitted by readers of the RFQ and responses by the Project team, and provided advice as requested by the Project team on some issues
- Reviewed and provided input to the Evaluation Manual
- Attended the closing location at the closing time, and observed a portion of the completeness review
- Attended an evaluators' orientation meeting
- Discussed the relationship review process with the evaluation management team
- Monitored requests for clarification issued by the Project team to respondents, and the answers received
- Visited the evaluation sites in Vancouver
- Observed portions of the meetings of the evaluation sub-teams
- Observed selected reference checks
- Attended parts of the meetings at which the Evaluation Committee discussed and scored all of the responses

I had access to all the Proposals, and to the evaluation premises at all times. I was informed of meetings, and reviewed all correspondence between the Project team and the respondents. I attended a selection of the meetings I considered necessary.

The Project management team held a very detailed orientation meeting to introduce all members of the evaluation team to the Evaluation Manual, and to discuss the intended process for the evaluation. The orientation meeting was well-attended, and the questions raised by all participants were addressed by senior Project staff.

I observed during the evaluation period that the processes described in the Evaluation Manual were followed by the Project team, including the processes for receipt and initial completeness review of proposals, relationship review, secure storage of and access to proposals, detailed review, correspondence with proponents and reference checking.

The Evaluation Committee was assisted in its work by four teams, each with expertise in one area of the RFQ submission requirements – Design and Construction, Service, Corrections, and Financial/Commercial. Each of those teams in turn was assisted by expert advisors as needed. Each team conducted a detailed review of an assigned portion of the responses, assigned an initial rating to each response, and provided detailed comments to the Evaluation Committee describing the rationale for the rating. I met with each of the teams during their work.

The Evaluation Committee met with each of the teams, with a Due Diligence Advisor, to discuss and test the comments and ratings offered by that team. The Evaluation Committee itself also conducted a thorough review of each response. In assigning a score to each aspect of each response, the Evaluation Committee was informed by the comments and ratings supplied earlier by the teams, but the Evaluation Committee reached its own conclusions.

I observed that:

- Prior to and during their work, evaluation teams and the Evaluation Committee discussed the requirements of the Evaluation Manual, including issues as to consistency of approach and fairness;
- Evaluation teams and the Evaluation Committee debated among themselves to ensure that comments, ratings and scores for each RFQ response were thorough, rational, consistent, and based in the requirements of the RFQ and the Evaluation Manual;
- Discussions were open, disagreements were respectful, and participants were open to persuasion. Scoring results were unanimously approved by the Evaluation Committee.

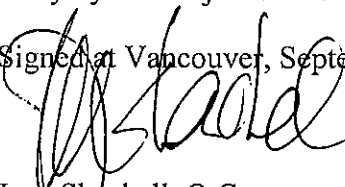
Periodically during the process to date, I have asked questions of the Project team about the process, or have offered comments related to issues of fairness. In each case I have been satisfied with the team's response, and have observed that any advice I offered was handled appropriately.

I am satisfied that:

- The RFQ properly described the requirements for responses and the basis for their evaluation;
- The Evaluation Manual provided reasonable procedures to ensure confidentiality of the responses, and a thorough and unbiased review;
- Evaluation of the responses was conducted diligently and carefully, and in accordance with the processes described in the RFQ and the Evaluation Manual.

Accordingly I am satisfied that to date, the procurement process for the RFQ have been applied fairly by the Project team.

Signed at Vancouver, September 1, 2010.



Jane Shackell, Q.C.