

Clause embodied in Report No. 9 of the Administration Committee, as adopted by the Council of the City of Toronto at its meeting held on September 22, 23, 24 and 25, 2003.

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**An Overview of Policies and Practices
for Unsolicited Proposals**

(City Council on September 22, 23, 24 and 25, 2003, adopted this Clause, without amendment.)

The Administration Committee recommends the adoption of the following report (August 20, 2003) from the Chief Administrative Officer, subject to amending Recommendation No. (2) by deleting the word “draft”; so that the recommendations now read as follows:

- (1) the City of Toronto not use the “Swiss Challenge” model as a basis for a Policy for Unsolicited Proposals as it generally is not compatible with government procurement policies;
- (2) the Chief Administrative Officer develop a Policy Framework for Unsolicited Proposals for future Council consideration based on the findings of this report; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto:

Purpose:

To provide an overview of methods to deal with unsolicited proposals and to assess their feasibility for application by the City of Toronto. Policies on unsolicited proposals in various jurisdictions, and variances among them, are summarized. This report recommends an approach that will be compatible with City purchasing policy, as well as with Council direction on related matters including alternative service delivery assessment.

Financial Implications and Impact Statement:

There are no direct financial implications arising from the recommendations in this report.

Recommendations:

It is recommended that:

- (1) the City of Toronto not use the “Swiss Challenge” model as a basis for a Policy for Unsolicited Proposals as it generally is not compatible with government procurement policies;

- (2) the Chief Administrative Officer develop a draft Policy Framework for Unsolicited Proposals for future Council consideration based on the findings of this report; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

In the fall of 2002, the Administration Committee referred a Notice of Motion from Councillor Paul Sutherland to the Chief Administrative Officer to investigate models for dealing with unsolicited bids and proposals to the City. The Notice of Motion stated that benefits including economic stimulus, innovation, and value for money are possible if companies are able to approach the City with ideas for the provision of goods or services without the City first initiating a formal competitive procurement process. The Notice of Motion recognized that any model adopted by the City to receive unsolicited proposals should contain a formal evaluation process, pre-determined criteria, objective review and committee approval. One model, known as the "Swiss Challenge", was suggested in the Notice of Motion for analysis of its feasibility and merit at the City along with any other models that might be suitable.

Government is increasingly receiving unsolicited proposals from companies claiming innovative design and new approaches with greater value for money than traditional public service delivery. Unless otherwise prohibited, unsolicited proposals respecting government services or public projects frequently involve service delivery activities, not just capital program projects. Most commonly, such proposals involve a firm or consortium of private sector companies offering to deliver or manage current public services, programs, facilities or assets, in a manner purported to be more cost-effective than by the government. On occasion, the proponent group may involve other public sector organizations, or non-profit organizations, or some combination of partners.

Toronto has a process for developing and piloting certain Alternative Service Delivery (ASD) projects within the context of a Council-approved ASD Policy and framework. The City does not, however, currently have a specific public-private partnership framework. Nor does the City have a policy that permits the receipt, consideration and evaluation of unsolicited proposals.

Investigation of Policy and Processes for Unsolicited Proposals:

The Chief Administrative Officer (CAO) was directed to investigate and assess the feasibility and merits of establishing a policy and procedures for Unsolicited Bids/Proposals in order to promote openness to new ideas from external parties on a wide range of government activities. The first step was to identify the activities eligible for consideration as unsolicited proposals, and to review policies and procedures for unsolicited proposals in other jurisdictions.

The results of the survey are contained in Appendix 1 to this report and are summarized below.

- (a) Incidence of Policy for Unsolicited Proposals in Other Jurisdictions:

Staff of the CAO's Strategic and Corporate Planning Division and the Purchasing and Materials Management Division (PMMD) in Finance, surveyed eleven (11) jurisdictions in Canada and the United States. In addition, CAO staff reviewed materials on the policies for unsolicited proposals in five (5) other countries.

In all jurisdictions, the normal and preferred route of obtaining government goods and services was through an open, fair and competitive process initiated by the government and based on identified, approved needs. Under this scenario, following the possible issuance of a Request for Information/Expression of Interest, followed by a full Request for Proposal, diligence of evaluation is applied and all proponents have a reasonable opportunity to participate in government business opportunities.

Although most of the jurisdictions surveyed do provide a process to receive and consider unsolicited proposals, many also tailor that process to ensure comparisons based on issuing a competitive call to the wider marketplace if an assessed unsolicited proposal appears to have strong merit. In other words, formal processes of evaluation, assessment, recommendations and so on, are a feature of the best policies on unsolicited proposals. In these cases, an initial favourable review of an unsolicited proposal does not justify or imply the intention to award a contract without providing for a full and open competition (as per stringent agreed upon processes between the original proponent, the public body, and applicable purchasing policies).

Only two of the jurisdictions reviewed, namely the Region of Peel and the City of Calgary, did not have a formal policy on the receipt of Unsolicited Proposals. However, they did not completely rule out the consideration of unsolicited proposals. In Peel, dependent on the nature and scope of the unsolicited offer, a given department may present an idea of interest to the Regional Council for consideration and acceptance. The examples of capital and land development projects were cited. In Calgary, if an unsolicited proposal of interest was to be considered, it would likely be compared with responses resulting from the issuance of a competitive process (such as a Request for Information or Qualification, or Request for Proposal) for wider input without disclosing or divulging any of the original ideas or strategies.

(b) Applicability of Unsolicited Proposals – Types of Projects:

Most of the surveyed jurisdictions limit the types of unsolicited proposals they will consider to capital infrastructure projects, although a few will accept proposals of a research or technology nature. The types of projects found in various jurisdictions that are eligible for consideration through unsolicited proposals, are summarized as follow:

(i) Research Proposals:

The Ontario Management Board Secretariat will only consider unsolicited proposals for research projects where it is determined that government interests are not better served by issuing competitive projects. Similarly, the U.S. Department of Energy looks to the private sector to assist in submitting proposals that are relevant to their research and development mission. This is consistent with the General Services Administration area of the U.S. Federal government that emphasizes scientific, technical, or socio-economic merits being required to consider an unsolicited proposal.

In such cases, proposals may be in response to a formal competitive procurement, or through self-generated unsolicited proposals, but they are not service delivery proposals. Rather, they are for the investigation of issues or problems considered to be important and timely for the organization.

(ii) Public-Private Partnerships(P3):

A P3 is a partnership between public and private sector organizations where there is a sharing of risk, responsibility and reward and there is a net benefit to the public. It is important to note that a whole range of partnership models exist depending upon the respective extent, roles and responsibilities of the partners' participation and risk.

As stated by the City of Ottawa, "P3 projects involve some combination of design, construction, financing, operating and/or maintenance of public infrastructure which may rely on user fees or alternative sources of revenues to cover all or part of the related costs of capital operations and capital maintenance."

The City of Ottawa developed its Policy on Unsolicited Proposals in October 2002. It is placed within the context of Council endorsement to use public-private partnerships (P3), "as a tool to identify, analyze, and implement innovative opportunities for cost-effective capital project development." Ottawa anticipates that most proposals would be framed around its P3 type of initiative for infrastructure and other capital-based projects (the P3 framework was approved in June 2002). To-date, the city has received many inquiries about their Unsolicited Proposal approach but has yet to receive any formal submissions with the detailed business case required. Also, eligibility of certain types of projects (e.g., land development proposals) is still being considered. Ottawa's model will emphasize pre-determined criteria, in-house assessment, and external comparative evaluations in a process still under development and referred to as the "Ottawa Option".

Similarly, in the State of Colorado unsolicited proposals are eligible for consideration only within the parameters of rigorous Public-Private Initiatives Program Act legislation. Here, the focus is upon capital driven private-public partnership proposals for transportation system projects (e.g., includes roadway and traffic management, safety and hazardous incident detection, and systems for road weather information).

(iii) Other Capital and Service Delivery Improvements:

At the Ministry of Finance in the B. C. government, unsolicited proposals are considered a sub-group of alternatively procured projects. Only unsolicited proposals for the procurement or operation of a specific infrastructure (capital) project are eligible for consideration. In an even more limited fashion, the Purchasing Commission in the Province of British Columbia will consider

unsolicited proposals only for information technology projects. This is done, in part, to forge business alliance partnerships with the government including the licensed distribution of products and services owned by the Province.

In Edmonton, sponsorships and land sales/leases, are defined as types of revenue contracts. Revenue contracts generate revenue or other benefits to the City; the amount of revenue is determined by the terms and conditions of the contract, and there is a reasonable expectation that more than one contractor exists for each contract available (i.e., a competitive market exists). These types of contracts require their own policies separate and different from any policy for unsolicited proposals. Revenue contracts do not include cases where the City provides a service to the public or another organization and where there is a pre-established standard fee for service.

In summary, it was found that unsolicited proposals are not accepted in any jurisdiction for the purchase of routine goods or services, or where a competitive market exists. In most jurisdictions, only capital and infrastructure projects are eligible for the consideration of unsolicited proposals. If provision is made for accepting service-delivery unsolicited proposals (usually a proposal to contract-out a government delivered service), rigorous assessment and business case analysis must be applied as it should for capital and infrastructure proposals.

(c) The City of Toronto:

At the City of Toronto, the assessment of program and direct service delivery options and models fall under the Alternative Service Delivery (ASD) Policy Framework approved by Council in November 2001. The ASD policy focuses on "... service delivery at the program and service level and weighs the benefits and risks of changing that role... ASD differs from service improvements in that ASD reviews focus on a whole program or service while service improvements focus on activities and sub-activities [of a program/service]. Second, ASD involves rethinking the City's role in a program or service whereas service improvements typically seek to achieve improved efficiencies within that role. Third, because of these differences, ASD review should have the potential for greater achievements in service quality, efficiency and cost-savings, than service improvements."

Currently, there is no provision at the City for the formal and accountable consideration of unsolicited proposals within the ASD, or any other purchasing or policy framework.

(d) Definition and Purpose of Unsolicited Proposals:

The definition of an Unsolicited Proposal is generally consistent across jurisdictions. The only variance seen is where the acceptance of unsolicited proposals is limited in a particular organization to certain types of projects or initiatives. In Colorado, for example, unsolicited proposals are accepted only for public-private initiatives, and, accordingly, its definition states that, "Unsolicited proposal means a written proposal for a public-private initiative that is submitted by a private entity for the purpose of entering into an agreement with the [federal] department but that is not in response to a formal solicitation or request issued by the department."

Similarly, since it will accept unsolicited proposals only for research and development problem-solving, the U.S. Federal Government states as its definition that, “An Unsolicited Proposal is an application for support of an idea, method, or approach which is submitted by individuals, businesses, and organizations solely on the proponent’s initiative, rather than in response to a “formal” Government solicitation.”

Both the State of Virginia and the Province of Nova Scotia (modelled after Virginia) have developed detailed policies for dealing with unsolicited proposals as one method to encourage and consider innovative or unique methods or approaches from sources outside the government. Both policies have stringent definitions, submission formats, criteria, policy exclusions, assessment processes, evaluation steps and authorities, and reporting and audit requirements, for example. The State of Virginia developed its policy under the auspices of a formal body called the Commonwealth Competition Council. It has also produced a comprehensive, 50-page booklet entitled, “Guide for the Submission of Unsolicited Proposals”. The first two steps are to conduct a comprehensive Public/Private Performance Analysis and then a Competitive Sourcing Selection Analysis (COMPETE) for the business and financial case.

Nova Scotia and the Virginian Commonwealth Competition Council do not limit unsolicited proposals to strictly capital or infrastructure projects, although they do emphasize that their policy applies only to proposals from the private sector. They define an unsolicited proposal as, “A written proposal submitted to a department, agency, board, or commission for the purpose of obtaining a government contract that is not in response to a formal or informal request.”

It is accepted practice that activities for potential divestment, alternative management, or infrastructure development, will be self-identified by governments. Furthermore, it is almost invariably the government itself that will initiate a marketplace competition if interested in innovative and other sector participation. However, it is also recognized that having a mechanism to deal with unsolicited proposals is valuable to:

- (i) provide a process for proponents to identify/solve government problems or conditions;
- (ii) allow proponents to present valuable and unique innovations for consideration; and
- (iii) present ideas of significant technical, economic, or social merit in a forum where proprietary interest of the proponent is protected to the extent allowed by law.

It is important to note that an unsolicited proposal is not intended to be:

- (i) a way to justify sole-source contracts or to avoid government competitive processes;
- (ii) a subsidy or grant vehicle;

- (iii) a method for the pirating or use of ideas or methodologies by government; or
 - (iv) a mechanism to off-load government responsibilities to the private or other public sector.
- (e) Options to Deal with Unsolicited Proposals:

Some of the following information is based on papers written by John Hodges, a private sector development specialist at the World Bank, who is expert on issues associated with the transparency of regulatory regimes.

Several approaches are available for governments to handle unsolicited proposals as follow:

- (1) adopt a by-law prohibiting unsolicited proposals in order to safeguard against potential problems with undue influence and lack of transparency for the public with the award process;
- (2) adopt a by-law requiring that unsolicited proposals be thoroughly reviewed and market-tested before being approved;
- (3) purchase the project concept if deemed of sufficient merit, and then award the project using a competitive process initiated by the government where no proponent has a pre-defined advantage; or
- (4) offer the original proponent a pre-defined advantage such as the Swiss Challenge system, the payment of project development costs, or a bonus system, in a competitive process.

It will be noted that each of the options to varying degrees attempts to reduce the risks associated with unsolicited proposals respecting competition and transparency. For this reason, options (3) and (4) above use various systems to transform unsolicited proposals for private infrastructure projects into competitive processes, but there are reported problems associated with them.

Bonus System:

The governments of Korea and Chile support unsolicited proposals by awarding a bonus in a formal competitive procedure to an original proponent. As long as the original proponent's offer falls within a stipulated percentage of the best (dollar) offer, the original proponent will be selected. In Chile, most unsolicited proposals involving a bonus have been for airport concessions and analysis shows that the original proponent would have won even in the absence of the bonus. In Korea, where a bonus has a maximum value of 10 percent, projects are awarded based on a complete evaluation covering the financial plan, construction plan, operation plan and social contribution. Of twenty-nine (29) proposals examined in 2002, only two projects were not awarded to the original proponent and in only one case did the bonus effect the outcome.

The Swiss Challenge:

Like the bonus system, the Swiss Challenge approach involves an agency receiving an unsolicited proposal of interest to them (the 'original proposal') to then issue a competitive document (e.g., a Request for Proposal) from other potential proponents.

However, unlike other unsolicited proposal models, the core distinguishing feature of the Swiss Challenge is that other interested proponents are provided with the original proposal including its draft contract principles. Proprietary information so designated by the original proponent is to remain confidential and not be disclosed. Proponents submitting counter-proposals are given the opportunity to better the original proposal (price-oriented). If indeed a counter-proposal is deemed "more attractive" than the original proponent is, in turn, given the opportunity to match the counter-proposal and win the contract. This model has been used in Switzerland, the Philippines and in a modified form in South Africa and the state of Gujarat in India.

(f) Assessment of Models:

The goal for government if awarding private infrastructure projects that originate as unsolicited proposals is to maximize competition and transparency. Option (1) above avoids the problems altogether by only allowing for government initiated and rigorous competition, but deprives governments of certain expertise in project concepts, design, and development. Options (2) and (3) above are reported as being rarely used, but appear to have some merit.

Option (4) involving rewards to an original proponent while attempting a fair competitive process for other proponents, is problematic. The bonus and Swiss Challenge systems are only used for certain capital projects where pricing is considered the primary determinant of a winning proposal and where the markets have very little competition. Using these systems makes it very difficult to find the right balance between incentives to encourage beneficial proposals as well as incentives for third parties to submit counterproposals. Legal challenges often arise based primarily on the processes around comparability of (non-government specified) criteria, the adequacy of time periods given for counter-proposals, or problems for competitors in managing proposal development costs if the original proponent will be reimbursed for theirs.

The public often mistrusts private sector proponents in an unsolicited proposal process unless a competitive process is introduced. At the same time, the proponents of unsolicited proposals will usually claim the following as reasons for the government to sole-source with them without inviting competing proposals.

- (i) intellectual property rights to the project concept or to necessary technologies;
- (ii) political risk is too high to attract other private sector interest;
- (iii) costs to the government to develop and issue a competitive process will be high;
and
- (iv) Timesavings will result for project development using negotiations only.

Each of these arguments in turn can be refuted and the benefits of opening up the process to other competition be confirmed, irrespective of the model used, as follows:

- (i) substitute technologies are often available and project objectives can often still be met using lower-cost alternatives, or by licensing agreements with an original proponent;
- (ii) government can test the claim by issuing a Request for Expressions of Interest, or by pooling smaller projects, by proving to the public that only one proponent is interested;
- (iii) government is assisted by developing its own competitive document (REOI, or RFI, or RFP) that builds-in government leverage/fall-backs re project overruns or failure, and does not rely only on a proponent's criteria or (non-government) strategy, and
- (iv) world experience has shown that sole-source negotiations usually take far more time than originally expected and often end up delaying a project for several years.

Responses from the majority of other jurisdictions about the Swiss Challenge model were that they were not familiar with it. Of those who were aware of the model, including those with very well developed unsolicited proposals policy, concern was expressed about its lack of compatibility with the government's procurement policies. It was felt that the Swiss Challenge model makes it too difficult to keep the lines clear between an unsolicited proposal qualification and other methods of procurement such as RFP's. Some respondents raised questions as to whether the counter-proposal procedure under the Swiss Challenge would be a form of plagiarism. Furthermore, concern was expressed over business ethics issues that could arise under the "second chance" process of the Swiss Challenge model, including how valid the designation of 'proprietary' information would be by an original proponent. This would have an impact on the ability of evaluators to fairly and objectively assess counter-proposals since the original proponent is largely determining the nature and the extent of information to be shared.

In summary, the Swiss Challenge model lacks credibility in the North American context. Of note is that the World Bank only finances projects in which the procurement involved an international competitive process in which proponents are treated equally thus excluding the bonus and Swiss Challenge systems.

It is, therefore, recommended that the City of Toronto not pursue the "Swiss Challenge" model as a basis to develop a Policy for Unsolicited Proposals.

The Case for Developing an Unsolicited Proposal Policy:

There is evidence that a properly designed and accountable unsolicited proposal policy can result in innovation. Based on strong and tested models in several jurisdictions, such policies need not be incompatible with government fulfillment of its roles. A policy for

receiving unsolicited proposals must be designed to fit within other policy categories, as appropriate.

(a) Benefits of Unsolicited Proposals:

Other jurisdictions with comprehensive policy accepting unsolicited proposals cite specific benefits from the practice summarized as follows:

- (i) allows government to quickly respond while ensuring sufficient process is in place to protect the public interest;
- (ii) complements open and public tendering and request for proposals policy for procurements;
- (iii) accepts proposals that might not otherwise be initiated or considered;
- (iv) obtains decided value for government operations; and
- (v) provides a new avenue of opportunity to foster business and other unique partnerships of potential additional benefit in future endeavours of the government.

(b) Developing a Policy for Unsolicited Proposals for Council Consideration:

The development of a comprehensive Unsolicited Proposals Policy at the City will address:

- (i) whether unsolicited proposals will be considered for service delivery activities, or just for capital program projects, or both;
- (ii) development of a tiered authority for submission receipt in order to promote openness, fairness and appropriate evaluation (for example, Standing Committee initial receipt of general proposal concept to determine whether to refer for assessment; two-stage assessment by staff groups – Preliminary by department to assess qualification and then, if qualified, a Detailed review by corporate group of a proposal's business case and other mandatory information; and report back to Council on decisions using a standard format);
- (iii) agreement on membership of a central, or core, co-ordinating and evaluation group comprised of Corporate department representatives (CAO, Finance, Legal, PMMD) in addition to Department representatives to assess technical and operational details;
- (iv) development of a mandatory submission format including business case details;

- (vi) ensuring procedures (eligibility, submission, assessment, evaluation, and budgeting) are compatible with and clearly linked to the City's approved ASD process;
- (vii) procedures that are cross-referenced with, and take into account, other City policy such as that for the Selection and Hiring of Consulting and Professional Services;
- (viii) determination as to whether any unsolicited proposal of interest shall automatically trigger a competitive Request for Expression of Interest/Qualifications and likely subsequent Request for Proposal in order to open promising ideas to competition; and
- (ix) consultation with City departments, agencies, boards and commissions respecting the above provisos.

Based on the review undertaken to-date and preliminary staff discussion, it is feasible, with certain provisos, to develop a Policy for Unsolicited Proposals tailored specifically for the scope of responsibility, priorities and philosophy of the City.

It is, therefore, recommended that the Chief Administrative Officer develop a draft Policy Framework for Unsolicited Proposals for future Council consideration based on the findings of this report.

Conclusions:

In the fall of 2002, the Administration Committee referred a Notice of Motion to the Chief Administrative Officer to investigate models for dealing with unsolicited bids and proposals to the City. All governments are increasingly receiving unsolicited proposals from companies claiming innovative design and new approaches with greater value for money than traditional public service delivery.

The City of Toronto does not have a policy that permits the receipt, consideration and evaluation of unsolicited proposals either within the framework of its ASD initiative, or, as a generally applicable policy across the Corporation for a range of activities. Accordingly, staff identified the activities eligible for consideration as unsolicited proposals, by reviewing policies and procedures for unsolicited proposals in sixteen (16) jurisdictions. The results of the survey are contained in Appendix 1 to this report and can be summarized as:

- (i) the normal and preferred route of obtaining government goods and services is through an open, fair and competitive process initiated by the government;
- (ii) most of the jurisdictions surveyed provide a process to receive and consider unsolicited proposals including a comparative process based on issuing a competitive call;

- (iii) most of the surveyed jurisdictions limit the types of unsolicited proposals they will consider to capital infrastructure projects;
- (iv) unsolicited proposals are not accepted in any jurisdiction for the purchase of routine goods or services, or where a competitive market exists; and
- (v) the definition of an Unsolicited Proposal is generally consistent across jurisdictions.

In addition, it was found that an unsolicited proposal can:

- (i) provide a vehicle for proponents to identify and solve problems or conditions faced by government;
- (ii) allow proponents to present valuable and unique innovations for consideration; and
- (iii) present ideas of significant technical, economic, or social merit in a forum where proprietary interest of the proponent is protected to the extent allowed by law.

Various methods of dealing with unsolicited proposals attempt to reduce the risks associated with unsolicited proposals respecting competition and transparency, but there are reported problems associated with several of them including the bonus system and the Swiss Challenge system so these are not recommended for use by the City of Toronto.

The development of a comprehensive Policy on Unsolicited Proposals does appear to be worthwhile and is recommended for the consideration of Council.

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List of Attachments:

Appendix 1 Survey of Policies/Procedures for Unsolicited Proposals.

Appendix 1

Survey of Policies/Procedures for Unsolicited Proposals

Government Source	Allow for Unsolicited Proposals? Formal Policy in Place?	Unsolicited Proposal Model Used? (e.g., Swiss Challenge or Bonus or RFP Only)	Required Processes and Procedures
Province of Nova Scotia, Dept. of Transportation and Public Works	Yes, capital/infra. Guide: Submission and Evaluation of Unsol. Proposals	Won't use the Swiss Challenge model; is inconsistent w. Policy May provide for a full and open competition	- Req'd submission format - Preliminary review re qualification criteria; - Detailed review by evaluation jury; - Approval process/reports
State of Virginia, Commonwealth Competition Council	Yes, largely capital Guide: Submission and Evaluation of Unsol. Proposals	If agency evaluation is to accept proposal, an RFP will be issued to provide for an open competition	- Req'd submission format - Commonwealth Comp. Council review and rec. - Public/private Perform. Analysis and Cost Analysis - Agency team evaluation
Province of Ontario, Management Board Secretariat	Generally No, except for research proposals Consulting Services Directive	Do not use Swiss Challenge or other	- Competitive procedures vary per value of contract - Unsolicited research proposals only in certain cases; require Deputy okay
Province of British Columbia, Purchasing	Generally No, except for IT projects Statute section 8.4.3.2	Do not use Swiss Challenge or other	- Req'd Submission format - Unsolicited Proposals Review Panel evaluates - Criteria to be met - Req'd review timelines to respond to proponent(s)
Province of British Columbia, Finance Min.	Yes, capital projects Guide on Alternate Procurement Impl.	Do not use Swiss Challenge or other Proposals not clearly unique will be subject to competitive process	- Considered part of the alternative approach - Req'd business case - Pre-Feasibility Review - Memorandum of Under. - Revenue generation - \$ savings, risk transfer - Protect public interest
State of Colorado	Yes, transportation system projects Public-Private Init'ves Program Act	Do not use Swiss Challenge or other Competition if value \$50,000+ [unless confidential research]	- Rigorous evaluation - Timelines to respond to proponent(s) - May not transfer asset if public owns/purchased
U.S.A. Federal Government, General Services Admin.	Yes, Research and Development, Small Business Technology Transfer Fed. Acquisition Reg., Part 15-6	Do not use Swiss Challenge or other May provide for a full and open competition	- Req'd submission format - Criteria to be evaluated - Must evaluate for energy savings - Stringent instructions on use/care of proprietary info

Government Source	Allow for Unsolicited Proposals? Formal Policy in Place?	Unsolicited Proposal Model Used? (e.g., Swiss Challenge or Bonus or RFP Only)	Required Processes and Procedures
Peel Region	No Purchasing By-law	N/A	Council might receive a proposal of interest from Department
City of Calgary	Yes No formal policy	Do not use Swiss Challenge or other Use RFI and/or RFP	N/A
City of Edmonton	Yes, only for revenue producing projects Policy for RFP's and Revenue Contracts	Won't use the Swiss Challenge because of ethical issues	- A special type of new revenue-generating activity - Evaluation process - Letter of Intent - Term max is five years
City of Ottawa	Yes, P3 capital project emphasis Solicited process by City is the norm (4 stage – RFEI, RFQ, RFP, Agreement)	Use 'Ottawa Option', a modified Swiss Challenge	- Still being developed - Strategic Delivery Unit - Business case req'd - Review Comm evaluates; original can re-submit - If original is of merit, counterproposals invited
South Africa	Yes, roads sector only	Use Swiss Challenge (modified), if ask for counterproposals only original technical info is provided, not \$ info	- No reimbursements to original proponent - Two envelope system; one is technical, one is \$ - If counterproposal wins, a new competition ensues
Korea	Yes, infrastructure	Bonus system - within percent of best \$ offer	- No reimbursements [Limited Info]
Chile	Yes, mostly airport concessions	Bonus system - within percent of best \$ offer	- May reimburse original their proposal costs or idea [Limited Info]
Philippines	Yes, infrastructure	Use Swiss Challenge, original can match best counter offer	- No reimbursements - Short counterproposal timeframe (60 days)
Switzerland	Yes, infrastructure	Use Swiss Challenge, original can match best counter offer	- Infrastructure Auth evaluates - Original can re-submit changes as asked - If original is of merit, counterproposals invited