



**LOBBYIST REGISTRAR'S
REPORT
ACTION REQUIRED**

**Report on an Inquiry: Lobbying in Relation to a
Procurement Process for the Beneficial Use of Biosolids
– Connect Consulting Solutions and Lystek International
Inc.**

Date:	July 8, 2013
To:	City Council
From:	Lobbyist Registrar
Wards:	All
Reference Number:	

SUMMARY

This is a report by the Lobbyist Registrar on an inquiry under s. 169 of the *City of Toronto Act, 2006* and § 140-35B of the Lobbying By-law to determine whether Connect Consulting Solutions (CCS) lobbying on behalf of Lystek International Inc. (Lystek) and Lystek lobbied in relation to a Request for Proposal for the beneficial use of biosolids generated at Ashbridges Bay, Request for Proposal 9155-11-7185 (the RFP), contrary to § 140-41A of the Lobbying By-law. Section 140-41A provides:

- A. Lobbyists shall not communicate in relation to a procurement process except as permitted by applicable procurement policies

The Lobbyist Registrar found that CCS and Lystek lobbied about the RFP during the period when lobbying was prohibited by the RFP document and City policy.

The Registrar also found that CCS consultant lobbyists and Lystek lobbied public office holders without being registered, contrary to § 140-10, which provides:

- No person shall lobby a public office holder without being registered as required under Articles II, III or IV, unless otherwise exempted under this chapter.

CCS consultant lobbyists arranged meetings with councillors on behalf of Lystek; and both CCS consultant lobbyists and a Lystek official met with members of Council when they were not registered to lobby.

CCS also failed to report lobbying activities on behalf of Lystek when registered, contrary to § 140-17.

In addition, CCS failed to advise its client Lystek of its obligations under the Lobbying By-law, contravening § 140-43A, which provides:

Lobbyists shall inform their client, employer or organization of the obligations under this chapter.

The Registrar suspended the registrations related to the RFP during the period when lobbying was prohibited under § 140-41A. In the interest of transparency, the Registrar has permitted and requested CCS and Lystek to register and report all of their lobbying activities before June 30 and after October 27, 2011.

The Registrar has cautioned CCS and Lystek that they must comply with the Lobbying By-law; and has requested that CCS and Lystek attend training sessions on the Lobbying By-law offered by the Office of the Lobbyist Registrar.

Lystek and CCS received the findings and disposition in this report. The parties do not dispute the findings or disposition. CCS is scheduled to attend a training session, has updated its registrations and has submitted a new registration to report lobbying activities in 2011. Lystek has registered its lobbying activities.

RECOMMENDATIONS

The Lobbyist Registrar recommends that:

1. City Council consider the attached report together with the Lobbyist Registrar's Report on an Inquiry: Lobbying in Relation to a Procurement Process for the Beneficial Use of Biosolids – Connect Consulting Solutions and Orgaworld Canada Ltd.
2. City Council receive the attached Report on an Inquiry: Lobbying in Relation to a Procurement Process for the Beneficial Use of Biosolids – Connect Consulting Solutions and Lystek International Inc.

Financial Impact

This report has no financial impact.

DECISION HISTORY

The *City of Toronto Act, 2006*, s. 169 and Toronto Municipal Code, Lobbying, § 140-35B authorize the Lobbyist Registrar to conduct an inquiry about compliance with Chapter 140 of the Toronto Municipal Code, Lobbying (the Lobbying By-law).

Section 3-7B of the Toronto Municipal Code and the *City of Toronto Act, 2006*, s. 169 provide that the Lobbyist Registrar reports directly to Council on investigations and inquiries conducted by her.

CONTACT

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SIGNATURE

Linda L. Gehrke
Lobbyist Registrar

ATTACHMENT

Report on an Inquiry: Lobbying in Relation to a Procurement Process for the Beneficial Use of Biosolids – Connect Consulting Solutions and Lystek International Inc.