



## LOBBYIST REGISTRAR'S REPORT FOR ACTION

### Report on an Inquiry for Prohibited Communications during a Procurement Process

**Date:** March 19, 2019  
**To:** City Council  
**From:** Lobbyist Registrar  
**Wards:** All

#### SUMMARY

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Lobbyists are required to register and report communications with public office holders about the procurement of goods, services or construction and awarding of a contract according to Chapter 140 of the Toronto Municipal Code, Lobbying (the "[Lobbying By-law](#)"). However, the Lobbying By-law restricts communications during an active procurement to only those permitted by the Toronto Municipal Code Chapter 195, Purchasing (the "[Purchasing By-law](#)"), applicable procurement policies and procurement documents (solicitations).

From the time the solicitation is issued, through to the time of the formal acceptance of a bid, and the resulting signed written contract between the City and the successful supplier (the "Blackout Period"), communications regarding the procurement are restricted to the Chief Purchasing Official or the employee specifically designated for that purpose in the solicitation (the "City Contact").

Communications with any public office holder, other than the City Contact during the Blackout Period, are contraventions of the Lobbying By-law. Any communications raising a dispute with the procurement process made during the Blackout Period must be made in accordance with Article 10 of the Purchasing By-law. Any communications not made in accordance with this Article are also contraventions of the Lobbying By-law. Compliance with the Lobbying By-law, and all relevant procurement rules is required to preserve both lobbying transparency and the integrity of the City's procurement processes.

#### RECOMMENDATIONS

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The Lobbyist Registrar recommends that:

1. City Council receive this report for information.

## **FINANCIAL IMPACT**

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This report has no financial impact.

## **DECISION HISTORY**

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The *City of Toronto Act, 2006*, s. 169 and Toronto Municipal Code, s. 3-7B, provide that the Lobbyist Registrar may report to City Council on inquiries conducted by her, and in the report may disclose such matters as in the Registrar's opinion are necessary for the purposes of the report.

## **COMMENTS**

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Lobbyists must comply with s. 140-41A of the Lobbying By-law in order to ensure lobbying transparency in the context of the City's procurement processes. Preserving the integrity of the City's procurement processes is foundational to building public trust in City government.

## **CONTACT**

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## **SIGNATURE**

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Cristina De Caprio  
Lobbyist Registrar

## **ATTACHMENTS**

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Attachment 1: Report to Council on an Inquiry for Prohibited Communications during a Procurement Process