

**Attachment 5: Fairness Monitor's Report**

**Negotiated Request for Proposals  
for  
Registration & Booking Transformation  
System**

**Fairness Monitor's Report**

February 9<sup>th</sup>, 2022  
Final



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## 1. Project Highlights

### 1.1 Introduction and Project Background

The City of Toronto (the “City”) released a Negotiated Request for Proposals # Doc2915353397 (“nRFP”) on April 1, 2021 seeking Bids from organizations that can provide a solution that can support and enhance programs offered by Parks, Forestry and Recreation and Economic Development and Culture including program registration, booking of facilities and space, permitting, membership management as well as a fee subsidy program and adapted recreation and inclusive services.

### 1.2 Scope of the Fairness Monitor Engagement

P1 Consulting was retained in January 2021 to perform fairness monitoring services and provide an independent attestation on the nRFP procurement process. Our mandate was to review and monitor the bid documents and communications, provide advice on best practices, review and monitor the evaluation and decision-making processes that are associated with the nRFP to ensure fairness, equity, objectivity, transparency and adequate documentation throughout the evaluation process. We are also to attend, observe and provide guidance at City meetings, as well as Supplier interactions. In particular, in our role as Fairness Monitor, we ascertained that the following steps were taken to ensure an open, fair and transparent process:

- **Review of the nRFP and Addenda:**  
P1 Consulting reviewed the nRFP and addenda, as required, and all other documents related to the procurement process to ensure that the requirements were met.
- **Review of Questions and Answers (Q&A), Clarification Questions and the Responses:**  
P1 Consulting reviewed all Q&As and the responses submitted to the Suppliers. P1 Consulting also reviewed any clarifying questions submitted by City along with their responses.
- **Review of Evaluation Criteria and Procedures:**  
P1 Consulting reviewed the evaluation criteria and procedures for the nRFP to ensure that the requirements were met.
- **Advice on Best Practices:**  
P1 Consulting attended training sessions to ensure that all project team members were provided with briefings on best practices including the principles and duties of fairness, care and protection of confidential information, avoidance and disclosure of conflict of interest, bias and undue influence, scoring procedures and sign-off on individual scoring sheets, preparation, treatment and retention of evaluation documents.

- **Evaluation Meetings:**

P1 Consulting observed and documented evaluation meetings, including the evaluation training session, Supplier demonstrations and Prototype development discussions and the consensus sessions. Additionally, during the evaluation process, we provided verbal and written advice with respect to fairness, objectivity, consistency of process, conflict of interest and confidentiality to ensure strict accordance with the specifications and criteria set out in the nRFP documents.

- **Supplier Interaction:**

P1 Consulting attended and monitored all briefing sessions, presentations, and meetings with Suppliers.

All of the tasks above were completed in a manner that was fair, open and transparent.

## **2. Competitive Selection Process – Request for Proposals**

### **2.1 Development of the Request for Proposals**

P1 Consulting reviewed the nRFP prior to it being posted to the Suppliers and all of our comments related to fairness were satisfactorily addressed by City. We confirm that, from a fairness perspective, the requirements were clear and the nRFP provided the Suppliers a fair process.

### **2.2 nRFP Open Period Process**

Throughout the nRFP open period, the City responded to the questions from the Suppliers and issued addenda to provide greater clarity on the requirements and process. P1 Consulting reviewed all documents that were posted to confirm that they were acceptable from a fairness perspective

### **2.3 Evaluation Preparation**

The City developed fulsome evaluation procedure documentation in advance of the evaluation process, which was review and approved by the Fairness Monitor. All participants in the evaluation process were required to participate in a training session in preparation for their role in the process, which described roles and responsibilities and the approach to the evaluation. Each evaluation participant was required to sign a participant undertaking, which included a continued commitment to the avoidance of conflicts and respect of confidentiality commitments. Project participants were notified of the appointment of a Fairness Monitor. There were no conflicts identified of which we were aware, which prevented a party from participating in the nRFP evaluation.

### **2.4 Proposal Receipt**

The nRFP Closing Date was June 8, 2021, at 12:00 noon (Local Toronto Time). As per the nRFP, bids must have been submitted through the City Online Procurement System prior to the Closing Deadline for them to be compliant. Four (4) Bids were received in advance of the Closing Deadline through the City Online Procurement System from the following Suppliers:

- Active Network LLC
- MTX Consulting Canada Inc.
- Periodic Inc.
- PerfectMind Inc.

### **2.5 Evaluation of the Technical and Pricing Proposals**

As it relates to the Rated Criteria, the evaluation team undertook an individual evaluation and scoring of Proposals and demonstrations against the criteria described in the nRFP. Subsequent to completion of the individual evaluations, a consensus evaluation process was

used to evaluate the Proposals and demonstrations, using the established evaluation criteria. The participants engaged in a fulsome exchange of views leading to evaluation results, which were agreed to by the evaluators for each Supplier. All participants performed their roles diligently throughout the evaluation process.

The evaluation was conducted according to the following stages:

1. **Stage 1:** Mandatory Submission and Technical Requirements
2. **Stage 2:** Rated Criteria Evaluations
  - a) Stage 2A: Supplier Qualifications
  - b) Stage 2B: Business, Technical, and Implementation and Project Management Requirements
  - c) Stage 2C: Business Solution Demonstration
  - d) Stage 2D: Technical Solution Demonstration
  - e) Stage 2E: Innovation and Custom Development Requirements
  - f) Stage 2F: Prototype
3. **Stage 3:** Pricing and Rankings

Two (2) Suppliers, PerfectMind Inc. and Periodic Inc. did not meet the Rated Criteria minimum threshold identified in the nRFP for Stage 2A and did not proceed further in the evaluation process.

P1 Consulting attended all of the consensus meetings, and all evaluation meetings with the Suppliers, including presentations, demonstrations, and prototype development discussions in Stage 2 and observed that the proceedings were in accordance with the nRFP and the City's evaluation procedure documents. P1 confirms that the process was fair, transparent and unbiased.

P1 Consulting validated the results of Stage 3: Pricing and Ranking and confirms that it was undertaken in a fair manner and in accordance with the nRFP.

## 2.6 **Final Result**

As a result of the evaluation process, Active Network LLC was identified as the top-ranked Supplier.

## 2.7 **Debriefing**

At the time of this report, no debriefings have been conducted related to this procurement.

### 3. Conclusion

Our fairness review was conducted without influence and as of the date of this report, we confirm that we are satisfied that, from a fairness perspective, the processes undertaken related to the Registration & Booking Transformation System nRFP have been conducted in a fair, open and transparent manner. As Fairness Monitor for this Project, we are satisfied that City have followed the procedures in accordance with the applicable nRFP and policy documentation and that the participants followed the procedures and fairly applied the evaluation criteria.



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