

**Negotiated Request for Proposals
For the City of Toronto, Toronto Transit
Commission, and Toronto Police Services**

Fairness Monitor's Report

May 1, 2023



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1. Project Highlights

1.1 Introduction and Project Background

On August 31, 2022, The City of Toronto (the "City") released a Negotiated Request for Proposals # 3518771019 ("nRFP") on behalf of the City, Toronto Transit Commission ("TTC"), and Toronto Police Services ("TPS"; collectively referred to as the "Stakeholders"). The nRFP sought prospective Suppliers to submit bids for the provision of services to underwrite, adjudicate and/or administer group benefits for active and retired employees for the following categories:

- Category A: Health and Dental
- Category B: Long Term Disability and Group Life Insurance
- Category C: Accidental Death and Dismemberment and In Line of Duty Death
- Category D: Employee Family Assistance Program
- Category E: Health and Wellness Programs

As a result of the procurement process the Selected Supplier(s) were requested to enter into direct contract negotiations to finalize an agreement with the City, TPS, and TTC for the provision of the nRFP Deliverables.

1.2 Scope of the Fairness Monitor Engagement

P1 Consulting was retained in July 2022 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 meetings with the Stakeholders, 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 confirm that they were fair, open and transparent.
- **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 during the evaluation period.
- **Review of Evaluation Criteria and Procedures:**

P1 Consulting reviewed the evaluation criteria and procedures for the nRFP to confirm that the requirements were met.

- **Advice on Best Practices:**

P1 Consulting attended training sessions to confirm that evaluation participants 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 evaluation meetings, including the evaluation training sessions, and consensus meetings. 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 interviews with Suppliers.

We confirm that all of the tasks above were completed in a manner that was fair, open and transparent by the Stakeholders.

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 our comments related to fairness were satisfactorily addressed by the Stakeholders. 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 Stakeholders responded to the questions from the Suppliers and the City 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 Guide in advance of the evaluation process, which was reviewed and approved by the Fairness Monitor. All Stakeholder Selection Committee participants 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 Selection Committee member was required to sign a participant undertaking, which included a continued commitment to the avoidance of conflicts and respect of confidentiality commitments. Selection Committee members were notified of the appointment of a Fairness Monitor. There were no conflicts identified of which we were aware, which prevented a member of the Selection Committee from participating in the nRFP evaluation.

2.4 Proposal Receipt

The nRFP Closing Date was October 26, 2022, 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 Submission Deadline for them to be compliant. Bids from the following Suppliers were received in advance of the Submission Deadline through the City Online Procurement System for each Category:

- **Category A: Health and Dental**
 - Green Shield Canada
 - Manulife Financial
 - Sun Life Financial
- **Category B: Long Term Disability and Group Life Insurance**
 - Manulife Financial
 - Sunlife Financial
- **Category C: Accidental Death and Dismemberment and In Line of Duty Death**
 - American International Group Inc.

- Manulife Financial
- Sun Life Financial
- **Category D: Employee Family Assistance Program**
 - CloudMD Software & Services
 - Green Shield Canada
 - Homewood Health
 - Telus Health Solutions Inc.
- **Category E: Health and Wellness Programs**
 - Green Shield Canada
 - Manulife Financial
 - Sun Life Financial
 - Telus Health Solutions Inc.

2.5 **Mandatory Requirements Review**

Each Bid was reviewed by the City's Procurement Representative and/or Stakeholders to determine compliance with the mandatory requirements. Only those Bids that met the mandatory requirements were eligible to proceed to the rated evaluation by the Stakeholder Selection Committee. One Bid did not meet the mandatory requirements, that of American International Group Inc., submitted for Category C.

2.6 **Rated Evaluation and Interview/Presentations**

Members of the Selection Committee undertook an independent evaluation of each qualified Bid on the basis of the non-price rated criteria described in the nRFP. Subsequent to completion of their individual evaluations, a consensus evaluation process was applied to evaluate the Bids collectively by the Selection Committee. The Selection Committee members engaged in a fulsome exchange of views leading to evaluation results, which were agreed to for each Supplier. All participants performed their roles diligently throughout the evaluation process.

For Categories A, B and E, Interviews were undertaken with the Suppliers to provide them the opportunity to present on important aspects of their proposal and respond to questions from the Selection Committee. Care was undertaken to ensure the meetings were handled in a consistent manner, maintaining the confidentiality of the Supplier Bids and evaluation process as a whole. The Interviews/Presentations were not scored, however, they were used as a mechanism for the Selection Committee to review, revise, and refine the scoring of the provided Bid content. P1 Consulting attended all of the consensus meetings, and all evaluation meetings with the Suppliers, including Interview/Presentation discussions and observed that the proceedings were in accordance with the nRFP and the City's Evaluation Guide. P1 confirms that the process was undertaken in a fair, transparent and unbiased manner.

In order to proceed to the pricing evaluation stage, Bids were required to achieve the established minimum technical threshold as defined within the nRFP. The following

Suppliers did not meet the minimum threshold identified in accordance with the nRFP and did not proceed to the pricing stage:

- **Category D: Employee Family Assistance Program**
 - CloudMD Software & Services
 - Green Shield Canada
- **Category E: Health and Wellness Programs**
 - Manulife Financial
 - Sun Life Financial

2.7 **Pricing Evaluation**

In accordance with the nRFP the City's Procurement Representative completed the pricing evaluation by applying the relative pricing formula applied to the Supplier's rates for the qualified bids within each category. P1 Consulting reviewed the results of the pricing evaluation and confirm that it was undertaken in a fair manner and in accordance with the nRFP.

2.8 **Final Result**

As a result of the evaluation process, the following were identified as having achieved the highest total overall score, and identified as the top-ranked Suppliers for each category, eligible to proceed to contract negotiations with the City, TTC and TPS:

- **Category A: Health and Dental**
 - Green Shield Canada
- **Category B: Long Term Disability and Group Life Insurance**
 - Manulife Financial
- **Category C: Accidental Death and Dismemberment and In Line of Duty Death**
 - Manulife Financial
- **Category D: Employee Family Assistance Program**
 - Telus Health Solutions Inc.
- **Category E: Health and Wellness Programs**
 - Green Shield Canada

2.9 **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 nRFP for Employee Benefit Programs for the City of Toronto, Toronto Transit Commission, and Toronto Police Services have been conducted in a fair, open and transparent manner. As Fairness Monitor for this Project, we are satisfied that Stakeholders 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.

A handwritten signature in dark ink that reads "Jill Newsome".

Jill Newsome
P1 Consulting Inc.