

Sent by Email ([JClark@RegionofWaterloo.ca](mailto:JClark@RegionofWaterloo.ca))

April 18, 2024

**Region of Waterloo,**  
150 Frederick Street, 4<sup>th</sup> Floor,  
Kitchener, ON  
N2G 4J3

**Attn: Mr. Jesse Clark, Procurement Specialist**

**Re: Fairness Monitor Attestation – FINAL**

**For the Procurement of Automated Cart-Based and Manual Waste Collection, and Supply, Initial Distribution and On-Going Maintenance of Carts within the Region of Waterloo (RFP P-2023-33)**

Dear Mr., Clark,

Please accept this letter as our attestation of the above referenced competition process.

In our opinion the procurement process administered by the Region of Waterloo (“the Region”) for the acquisition of Automated Cart-Based and Manual Waste Collection, and Supply, Initial Distribution and On-Going Maintenance of Carts within the Region of Waterloo has fully met and exceeded acceptable standards of an open, fair, and transparent process.

The remainder of this letter provides more detail on the process and our observations and findings.

## **I. Background**

The Region of Waterloo has completed the procurement of a services contract for the collection, transportation and dumping of waste. This includes automated, cart-based collection of garbage

and organics, and manual collection of bulky and large metal items, yard waste and Christmas trees. The RFP also included the supply, initial distribution and ongoing maintenance of carts within the Region of Waterloo.

The procurement was a single stage Request for Proposals (“RFP”) that included a four-stage evaluation process. The RFP was posted on December 11<sup>th</sup>, 2023, and, following an extension, the closing date was March 4<sup>th</sup>. There were eight addenda issued during the RFP Open Period.

## **II. Introduction to the Role of a Fairness Monitor**

This is the first time this group at the Region has used the services of a Fairness Monitor. In these cases, we provide an overview of what fairness means and summarize our role and responsibilities.

On October 3<sup>rd</sup> we provided a presentation to the team. The presentation included definitions of the salient terms, our expected level of involvement at each stage of the procurement process, and some of the key advantages of administering an open, fair and transparent process.

As Fairness Monitor our role is to act as an independent observer of the process, to scrutinize and monitor all related procurement activities and to provide advice on how the Region can achieve an appropriate level of fairness, openness, and transparency.

In order to fulfill our obligations, we participate at every stage of the procurement process. This included reviewing and commenting on draft versions of the procurement-related documents, as well as the evaluation methodology and pricing model. Once the RFP is posted, we review and comment on all addenda, and any questions raised by bidders and the responses provided by the Region. We also attended and observed the Vendor Information Session and Site Visits, which were held on January 3<sup>rd</sup>, 2024.

Once the RFP closed, we trained the Evaluation Team on Fairness Best Practices and Consensus Scoring Best Practices. We attended and observed the consensus scoring meetings for the rated requirements. We also attended and observed the Proponent Demonstrations and Site Visits as well as the consensus scoring for the Demonstration phase.

Finally, we observed the evaluation and scoring of the price proposals.

### **III. Fairness Observation**

In our professional opinion, the Region has conducted this competition process to a high standard of openness, transparency, and fairness. The RFP was clearly written, and the Region was very diligent in their description of the procurement process including the key deliverables, what information was required from bidders and how that information would be evaluated and scored. The Region also provided a wealth of background information as a means to help ensure bidders had a good understanding of the business operations and the service requirements and expectations. All of this means the process was transparent. In our view, the RFP provided bidders with sufficient information which enabled them to provide an effective and competitive response.

During the RFP Open Period, the Region was quick to provide responses to bidder questions and they issued addenda as soon as they determined there was a need for a revision. In doing so, the Region followed the process described in the RFP and met their duty of fairness.

The Evaluation Team was qualified to conduct the evaluation, they were all trained on best practices, and they followed the evaluation process exactly as it was described in the RFP. The evaluators treated all bidders in an open, fair, and consistent manner. Also, each stage of the evaluation process was administered exactly as it was described in the RFP. This means that the process was procedurally fair, which is a legal obligation.

There were no cases of conflict of interest and all proposal documents were treated confidentially. The Region and the Evaluation Team followed the process described in the RFP and we saw no evidence of bias for or against any proponent.

The Price Competition process was conducted exactly as it was described in the procurement documents and we have no fairness concerns with the process.

#### **IV. Summary**

In summary, it is our opinion that the Region did an excellent job of managing and administering all aspects of this procurement. This included applying fairness best practices at every stage of the process.

It is also our opinion that the staff at the Region continuously demonstrated a high regard for fairness principles. This includes the Procurement Lead, the Project Lead and all of the evaluators. It was clear to us from the outset that the Region wanted to ensure they administered a proper process that would stand up to scrutiny from the proponents, the Region itself and its residents.

Please note that our final report will provide a more fulsome description of our observations.

Yours truly,

**Lakeland Consulting Inc.**



**BILL MOCSAN**  
**FAIRNESS MONITOR**