



Summary from October 26th, 2018 Stage 2 Executive Steering Committee Meeting

Attendees:

By Phone: Gill Newsome – Jillian Newsome, P3 Advisors), Brian Guest – Boxfish Infrastructure Group (ECS), Marian Simulik – City Treasurer (ECS)

In Person: Remo Bucci – Deloitte (BESC), Geoff Gilbert – NRF (BECS), Rick O'Connor – City Solicitor (ESC), John Manconi – GM Transportation City of Ottawa (ESC), Chris Swail – Director O-Train Planning (ESC), Jocelyne Begin – Transportation Department, Oliver Grant – P3 Advisors (Fairness Commissioner), Simon Dupuis, O-Train Planning (BESC), Steve Box – City Manager's Office, Steve Kanellakos (ESC), City Manager,.

Notes:

Presentation

1. Geoff Gilbert, NRF, opened the meeting with a reminder that the City is still in a procurement process and that we are presenting this information guided by the RFP and under the confidentiality provisions contained therein. Geoff also noted that the purpose of the meeting was to review an issue as related to the Technical Evaluation and that the accompanying presentation was had additional information that is presented on a "blind" basis (does not mention the Proponent by name).
2. Geoff Gilbert, NRF, presented the presentation (as attached).

Discussion

1. Remo Bucci, Deloitte, added that the Technical Submissions do not form part of the Project Agreement. If the recommendation is carried forward the ESC should recognize that the Project Agreement provisions govern over anything that was contained in the proposal. He added that the provisions are sufficient to enforce the Project Agreement and that nothing contained in the submission supersedes in anyway their obligations to meet the Project Agreement requirements.

2. John Manconi suggested that the Technical Evaluation team be provided an update of ESC's decision and that this decision considers the effort and expertise of the Technical Evaluators and their expertise will be critical in the First Negotiations Proponent negotiation (FNP) process if this proponent were to be selected as the FNP.
3. Geoff Gilbert, advised that during FNP any deficiencies in their Technical Submission will be fixed.
4. Brian Guest commented that this situation is unprecedented in the market that a submission that was deemed conformant fail the technical submission. Remo Bucci and Geoff Gilbert concurred and noted that they were not aware of a similar circumstance as a precedent.
5. Rick O'Connor requested comment from the Fairness Commissioner; Oliver Grant confirmed that this process followed the process and is fair.
6. Geoff Gilbert confirmed that a Fairness Commissioner report would be provided for the record alone with accompanying legal assessment.

Decision

1. Recommendation to continue to evaluate the Proponent as proposed in the presentation was carried by ESC unanimously.

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