Towards a fair and inclusive MUHC tender process
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CURA Research Highlights 2008

Research Aims
What should be the role of CIQ in the MUHC contract competition? How can that competition and the resulting contract best incorporate the concerns and goals of CIQ and surrounding communities?

At a meeting held on February 13, 2008, MUHC invited CIQ to submit community concerns and content to be included in the Request for Proposals (RFP). The RFP would describe the work requirements and the criteria for selection of the winner. Competing firms would respond to the RFP, their proposals becoming the starting point for negotiation of the contract. As such, an RFP is a powerful tool to ensure competitors give consideration to important public concerns during the competition and afterward.

The key objectives of this research project included:
• understanding the process, participants and timeframe for the MUHC competition;
• studying cases where community goals were incorporated in similar large developments;
• developing recommendation for incorporating CIQ’s goals in the competition process;
• drafting a document including those recommendations to be submitted to MUHC.

Key results to date
The research showed that increasingly in Canada and Quebec, and also in England and the United States, projects involving public investment in infrastructure are seen as an opportunity to require investment in the local community, taking the form of a community benefits agreement (CBA). Examples of successful community benefits agreements, or similar protocols, include:
• St. Bartholomew’s and The Royal London Hospital in London
• Yale University’s construction of a cancer research hospital in New Haven
• the Los Angeles International Airport’s $11 billion modernization project
• McGill University’s Solin Hall student residences in the Sud-Ouest borough of Montreal
• the Vancouver (Olympic Bid) Agreement, and
• Hydro-Quebec’s wind-generated electricity projects.

In this case, the competition process to select the contractor does provide significant opportunities for CIQ to assume a substantive role in the evaluation of proposals and formation of the contract. Possible strategies were identified in a document submitted to MUHC and include:
1. Community development as an explicit RFP evaluation criterion. By explicitly incorporating community development as one of the evaluation criteria in the RFP, bidders would be strongly encouraged to commit in their proposal to achieving community development objectives;
2. Requiring CBA Negotiation. The RFP could require each bidder to negotiate a CBA directly with representatives of the community. The CBA becomes a part of the winner’s CUSM contract;
3. Community Development As Specification. The RFP may specify community development efforts as part of the description of services to be provided.
4. Engagement of Community Groups in RFP Process. Measures could be taken by the government to promote a competitive bidding process that furthers community groups. For example, the government could invite a representative from the community to serve as community auditor to oversee the work of the evaluation committee and to report to the community regarding the adherence to the outline process and fair consideration of the community interests.
5. Transparency and Accountability in RFP Process. Copies of draft RFPs could be provided to the community as well as an opportunity to comment on the draft and to recommend revisions in order to ensure that community benefits are given appropriate consideration in the competition.
6. Community participation in Integrated Design Process and construction oversight committees. The Integrated Design Process could include the participation of community representatives in design meetings to address concerns about the complex’s integration with its surroundings. Similarly, CIQ representatives could participate in a construction oversight committee fully empowered to ensure compliance with all regulations and requirements and to hear and resolve complaints and disputes during construction.