



MEDIA RELEASE

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Site Selection Process “Fair and Commendable”

Fairness Advisor Monitoring Selection Process for New Hospital Site, Issues Report

Windsor, ON - The Fairness Advisor appointed to monitor the process of selecting a site for a New Single-Site Acute Care Hospital, says he has no reservations or concerns about the outcome of the process from a fairness perspective and commended the hospital and its advisors for the manner in which the process was undertaken.

Glenn Ackerley – a respected procurement lawyer and partner with the firm WeirFoulds LLP – released his report detailing his involvement and observations of the process. Please [click here](#) to view the full report.

Ontario’s Broader Public Sector Procurement Directive did not require a fairness advisor for this type of purchase; however the Co-Chairs of the Program and Services Steering Committee overseeing planning for the new hospital, felt it added an extra layer of transparency and accountability to the process.

“This was such an important decision and we had to get it right,” said Windsor Regional Hospital President and CEO David Musyj, who co-chairs the Steering Committee. “Glenn Ackerley was really an extra set of eyes and ears making sure the process that was undertaken was fair and transparent and that all parties involved were treated equally and fairly as part of the process.”

As Fairness Advisor, Ackerley participated and observed each step of the RFP process, from reviewing the initial RFP documents, through the evaluation stage of the Phase 1 submissions, to the evaluation of the short-listed proponents’ submissions in Phase 2. He worked closely with the volunteer members of the Site Selection Subcommittee and flagged any potential issues or concerns that came up throughout the process.

In his report, Ackerley identifies two issues that were raised and dealt with during the process. The first occurred during the submission phase of the RFP. Two of the 22 submitted properties did not meet the full requirements of the RFP. In accordance with the resolution process identified in the RFP, an arbitrator (a retired Superior Court Judge) was appointed to help determine how to proceed. It was determined that the flaws were “not material” and the submissions could be considered. Neither of the two properties in question was selected as the preferred site for the new hospital.

Ackerley also notes the declaration of two potential conflict of interest cases that came up in the evaluation process. Two members of the Site Selection Subcommittee reported connections to the vendors. In both these cases the connections were deemed “such an inconsequential nature that matters did not warrant proceeding past the initial consideration stage.” Neither of these matters was related to the preferred site for the new hospital.

Earlier this month, the recommended site for the new hospital was revealed. Windsor Regional Hospital’s Board of Directors accepted the Subcommittee’s recommendation of a 60-acre property at the corner of County Road 42 and the 9th Concession.

In his report, Ackerley concluded that the selection process that led to this decision was conducted fairly and in accordance with the terms of the RFP documents.

“In arriving at the final result, the Site Selection Subcommittee properly conducted its task of evaluating all of the proposals received, by applying the pre - determined evaluation criteria in a diligent, comprehensive, and thoughtful manner,” Ackerley said in his report.

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