

**Prepared in accordance with section 15 of the Broader Public Sector Accountability Act, 2010 (BPSAA)**

**TO:** The Board of Trillium Health Partners, (the “Board”)  
**FROM:** Karli Farrow  
President & Chief Executive Officer  
Trillium Health Partners  
**Date:** June 30, 2022  
**RE:** April 1, 2021 to March 31, 2022

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On behalf of Trillium Health Partners (the Hospital) I attest, with best efforts, to:

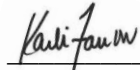
- the completion and accuracy of reports required of the Hospital pursuant to section 6 of the BPSAA on the use of consultants;
- the Hospital’s compliance with the prohibition in section 4 of the BPSAA on engaging lobbyist services using public funds;
- the Hospital’s compliance with any applicable expense claims directives issued under section 10 of the BPSAA by the Management Board of Cabinet;
- the Hospital’s compliance with any applicable perquisite directives issued under section 15(1)(c.1) of the BPSAA by the Management Board of Cabinet; and
- the Hospital’s compliance with any applicable procurement directives issued under section 12 of the BPSAA by the Management Board of Cabinet,

during the Applicable Period.

In making this attestation, I have exercised care and diligence that would reasonably be expected of a Hospital President and Chief Executive Officer in these circumstances, including making due inquiries of Hospital staff that have knowledge of these matters including THP’s Chief Financial Officer, Senior Leadership, Controller, and Legal Counsel.

I further certify that any material exceptions to this attestation are documented in the attached Schedule A.

Dated at Toronto, Ontario this June 30, 2022.



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Karli Farrow  
President and Chief Executive Officer  
Trillium Health Partners

I certify that this attestation has been approved by the Board of Trillium Health Partners on June 30, 2022.



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Michele Darling  
Chair of the Board  
Trillium Health Partners

## **SCHEDULE A to Attestation**

1. Exceptions to the completion and accuracy of reports required in section 6 of the BPSAA on the use of consultants;

No Known Material Exceptions  
Please see THP Hospital Reporting on Consultant Use.

2. Exceptions to the Hospital's compliance with the prohibition in section 4 of the BPSAA on engaging lobbyist services using public funds;

No Known Material Exceptions

3. Exceptions to the Hospital's compliance with the expense claims directive issued under section 10 of the BPSAA by the Management Board of Cabinet;

No Known Material Exceptions

4. Exceptions to the Hospital's compliance with the perquisites directives issued under section 15(1)(c.1) of the BPSAA by the Management Board of Cabinet;

No Known Material Exceptions

5. Exceptions to the Hospital's compliance with the procurement directive issued under section 12 of the BPSAA by the Management Board of Cabinet,

Please see Shared Service West BPS Attestation reporting package for exceptions to Procurement Directives including 3<sup>rd</sup> party BPS attestations from THP's Supply Chain partners, HealthPRO, Plexxus, Mohawk/Medbuy Corporation, Kinetic GPO and OECM, and CMEPP

# Hospital Reporting on Consultant Use

Name of Hospital:

Ontario Health:

Reporting Period:

Trillium Health Partners

Ontario Health Central

April 1, 2021 to March 31, 2022



| No. | Consulting Firm (Name)  | Name & Title of Consulting Contract  | Contract Terms (Original plus renewals / amendments) | Procurement Value (Originals Plus renewals / amendments and TOTAL PAID)  | Consulting Selection Process (Invitational competitive, open competitive, or non-competitive) | Any modifications to the agreement (Yes/No)?<br>If "yes" - please indicated whether the procurement documents allowed for this (Yes/No)?<br>If modification not permitted, ensure modification is captured on the BPS Non Compliance and Exceptions Reporting Form |
|-----|---|--|--|--|---|--|
| 1   | Bass Associates; Emond Harnden LLP  | Labour Relations Strategic Support (Multi-award)                             | March 1, 2019 to February 28, 2024                   | Total Procurement Value: \$500,000 plus tax<br>Total Paid to Date: \$158,967 plus tax  | Open competitive  | No Modifications   |
| 2   | HH Angus & Associates Ltd.  | ICAT Advisory Services (Broader Redevelopment Project)                       | December 20, 2018 to September 30, 2021              | Total Procurement Value: \$1,534,248 plus tax<br>Total Paid to Date: \$788,885 plus tax  | Open competitive and non-competitive  | Amendment #1 was done to include additional scope of \$54k. Amendment #2 was done to include additional scope of \$319k.   |
| 3   | BA Consulting Group Ltd.  | Transportation Consultant  | October 1, 2018 to September 30, 2028                | Total Procurement Value: \$2,039,872 plus tax<br>Total Paid to Date: \$1,218,648 plus tax  | Open competitive and non-competitive  | Amendment #1 was done to include additional scope of \$975k.   |
| 4   | Canadian Health Services Research Group, Inc.   | HSFR Planning & Advisory Services  | May 31, 2017 to December 31, 2023                    | Total Procurement Value: \$350,100 plus tax<br>Total Paid to Date: \$54,483 plus tax   | Open competitive  | Amendments were done to extend the contract to December 31, 2023.  |
| 5   | Selectpath Benefits and Financial Inc.  | HR Benefits Consulting Services  | November 1, 2016 to October 31, 2021                 | Total Procurement Value: \$331,080<br>Total Paid to Date: \$154,447 plus tax   | Open competitive  | Option year was extended until October 31, 2021  |
| 6   | Safe Haven Consulting Ltd.  | Operational Audit  | December 20, 2019 to June 30, 2021                   | Total Procurement Value: \$44,750<br>Total Paid to Date: \$21,393 plus tax   | Non-competitive   | No Modifications. Sole source exemption pertains to services involving long term care.   |
| 7   | 3Terra Inc.   | BI Analytics Support   | February 1, 2020 to January 31, 2023                 | Total Procurement Value: \$225,000<br>Total Paid to Date: \$50,659 plus tax  | Non-competitive   | Renewal option was exercised   |
| 8   | Santis; Counsel Public Affairs; Rivet; & StrategyCorp                                       | Crisis & Corporate Communications Services (Multi-award)                     | November 1, 2019 to October 31, 2024                 | Total Procurement Value: \$309,307 (includes consulting & non-consulting services)<br>Total Paid to Date: \$45,301 plus tax (consulting) | Open competitive  | No Modifications   |
| 9   | Deloitte Inc.; Healthtech Consultants; Tectonic Advisory Services; & BlueTree Network, Inc. | HIS Advisory Services for Epic (Multi-award)                                 | December 2, 2019 to December 1, 2021                 | Total Procurement Value: \$500,000 (includes consulting and non-consulting)<br>Total Paid to Date: \$318,423 plus tax (consulting)       | Open competitive  | No Modifications   |
| 10  | Dialog Ontario Inc  | Municipal / Urban Planning Advisory Services (Broader Redevelopment Project) | August 23, 2018 to August 22, 2028                   | Total Procurement Value: \$4.67M plus tax (includes consulting and non-consulting)<br>Total Paid to Date: \$89,653 plus tax (consulting) | Open competitive  | No Modifications   |
| 11  | LOH Architects Associates Inc.  | Retail Strategy (Broader Redevelopment Project)                              | December 1, 2018 to December 31, 2025                | Total Procurement Value: \$330,550 (includes consulting and non-consulting)<br>Total Paid to Date: \$189,751 plus tax                    | Open competitive and non-competitive  | Amendment #1 was done to include additional scope of \$75k   |
| 12  | Canadian Health Services Research Group Inc.  | Data Projection & Analysis Services (Master Plan Stage 2 Work)               | December 11, 2017 to December 10, 2021               | Total Procurement Value: \$351,360 plus tax<br>Total Paid to Date: \$212,783 plus tax  | Open competitive and non-competitive  | Amendment #1 renewal option was exercised, amendment #2 was done to include additional scope of \$164k   |
| 13  | Colliers Project Leaders (Equipment Planning Associates Ltd.)                               | FF&E Planning & Consulting Services (Broader Redevelopment Project)          | June 1, 2018 to May 31, 2026                         | Total Procurement Value: \$4,741,392 plus tax (includes consulting and non-consulting)<br>Total Paid to Date: \$2,363,278 plus tax       | Open competitive  | No Modifications   |
| 14  | Hanscomb Limited  | Cost Consulting Services (Broader Redevelopment Project)                     | August 15, 2018 to December 31, 2023                 | Total Procurement Value: \$1,133,626 (includes consulting and non-consulting)<br>Total Paid to Date: \$593,922 plus tax                  | Open competitive and non-competitive  | Amendments were done to include additional scope of \$584k and extend the term to December 31, 2023.   |
| 15  | KPMG Corporate Finance Inc.   | Advisory Assistance for Financing Requirements                               | June 11, 2018 to June 10, 2023                       | Total Procurement Value: \$1,924M plus tax<br>Total Paid to Date: \$427,455 plus tax   | Open competitive  | No Modifications   |
| 16  | Agnew, Peckham and Associates Ltd   | Pre-Functional & Functional Programming Services                             | July 27, 2018 to December 31, 2020                   | Total Procurement Value: \$4,432,200 (incl.taxes) (includes consulting and non-consulting)<br>Total Paid to Date: \$1,530,418 plus tax   | Open competitive  | No Modifications   |

|    |  |   |  |  |                          |   |
|----|--|---|--|--|--------------------------|---|
| 17 | Cushman & Wakefield ULC, Brokerage                         | Commercial Real Estate Advisory Services  | November 1, 2018 to October 31, 2025   | Total Procurement Value: \$1,009,700 plus tax (includes consulting and non-consulting)<br>Total Paid to Date: \$Nil  | Open competitive         | No Modifications  |
| 18 | Beacon Environmental Limited                               | Environmental Consultant for THP Master Plan  |  | Total Procurement Value: \$34,500 plus tax<br>Total Paid to Date: \$29,488 plus tax  | Invitational competitive | No Modifications  |
| 19 | Stantec  | Scheduling and Advisory Services  | February 16, 2018 to February 15, 2024 | Total Procurement Value: \$1,413,690 plus tax<br>Total Paid to Date: \$906,134 plus tax  | Open competitive         | No Modifications  |
| 20 | Blackstone Energy Services Inc.                            | Energy Marketer Regional Consulting Services  | November 1, 2016 to October 31, 2026   | Total Procurement Value: \$211,953,420 plus tax (includes utilities, consulting and non-consulting)<br>Total Paid to Date: \$400,366 plus tax (consulting) | Open competitive         | Amendment #1 was done to exercise option years  |
| 21 | S&H Realty Corporation                                     | Realty Services   | May 1, 2015 to April 30, 2025          | Total Procurement Value: \$1,797,560 plus tax<br>Total Paid to Date: \$1,715,390 plus tax  | Open competitive         | Amendment # 3 was done to exercise option years and additional updates for leasing projects |
| 22 | Deloitte Inc.  | THP Local Share Plan Consultant   | December 11, 2020 to December 31, 2025 | Total Procurement Value: \$469,000 plus tax<br>Total Paid to Date: \$51,255 plus tax   | Open competitive         | No Modifications  |
| 23 | Bessant Pelech Associates Inc.                             | Functional Programmer and Business Advisor for the LTCH accelerated build program by advising on programming and development of the LTCHs, and providing operational, business and regulatory expertise | September 22, 2020 to March 31, 2022   | Total Procurement Value: \$479,788 plus tax<br>Total Paid to Date: \$449,788 plus tax  | Non-competitive          | Amendment #1 was done to include additional scope of \$148k.                                |
| 24 | P1 Consulting Inc  | Facilities Management (FM) Consultant, including advisory services on the LTCH's design, recommending improvements from a facilities and equipment management capacity                                  | October 1, 2020 to December 31, 2021   | Total Procurement Value: \$100,000 plus tax<br>Total Paid to Date: \$2,133 plus tax  | Invitational competitive | No Modifications  |
| 25 | KPMG LLP   | Work From Home Cost Benefit Analysis  | February 24, 2021 to October 23, 2021  | Total Procurement Value: \$99,243 plus tax<br>Total Paid to Date: \$73,847 plus tax  | Open competitive         | No Modifications  |
| 26 | Ontario Shores Centre for Mental Health Sciences           | Youth Mental Health Review  | October 05, 2020 to December 15, 2020  | Total Procurement Value: \$18,000 plus tax<br>Total Paid to Date: \$8,100 plus tax   | Non-competitive          | No Modifications  |
| 27 | KPMG LLP   | Procure-to-Pay Internal Audit Report  | February 1, 2021 to March 31, 2021     | Total Procurement Value: \$4,972 plus tax<br>Total Paid to Date: \$2,880 plus tax  | Non-competitive          | No Modifications  |
| 28 | KPMG LLP   | Tax Advisory Services   | June 1, 2020 to June 30, 2021          | Total Procurement Value: \$50,945 plus tax<br>Total Paid to Date: \$7,105 plus tax   | Non-competitive          | No Modifications  |
| 29 | Logimaxx   | Conveyance System Review for Broader Redevelopment Project  | April 23, 2021 to June 12, 2021        | Total Procurement Value: \$496,500 plus tax<br>Total Paid to Date: \$487,184 plus tax  | Open competitive         | No Modifications  |
| 30 | MES Group  | Alternative Eqpt Provider Plan (AEPP) Feasibility Study   | April 5, 2021 to May 14, 2021          | Total Procurement Value: \$80,000 plus tax<br>Total Paid to Date: \$80,000 plus tax  | Non-competitive          | No Modifications  |
| 31 | CBG Seniors Realty Advisors Inc ("CBG" or "David Beirnes") | Due Diligence Business Review of Potential Purchase   | September 7, 2021 to September 6, 2022 | Total Procurement Value: \$24,150 plus tax<br>Total Paid to Date: \$15,000 plus tax  | Non-competitive          | No Modifications  |
| 32 | Selectpath Benefits and Financial Inc.                     | HR Benefits Consulting Services   | November 1, 2021 to October 31, 2026   | Total Procurement Value: \$278,357 plus tax<br>Total Paid to Date: \$Nil   | Open competitive         | No Modifications  |
| 33 | Deloitte   | MES Feasibility - Financial Consultant  | May 17, 2021 to June 4, 2021           | Total Procurement Value: \$52,900 plus tax<br>Total Paid to Date: \$52,900 plus tax  | Invitational competitive | No Modifications  |



May 19, 2022

**Karli Farrow**  
 President & CEO  
 Trillium Health Partners  
 2200 Eglinton Avenue West,  
 Mississauga, ON L5M 2N1

Dear Ms. Farrow:

**Compliance with the Broader Public Sector Procurement Directive and applicable trade agreements**

We provide this letter in connection with compliance of **Trillium Health Partners' ("you", "your" or "Hospital")** procurement contracts administered and completed by **Shared Services West ("SSW" or "us")** from **April 1, 2021 to March 31, 2022 ("the Applicable Period")** with the Broader Public Sector Procurement Directive issued under Section 12 of the *Broader Public Sector Accountability Act* by the Management Board of Cabinet and the applicable trade agreements (i.e., Canada Free Trade Agreement and Canada-European Union Comprehensive Economic and Trade Agreement), all jointly referred to hereinafter as the **"Procurement Directive"**.

For procurements (including redevelopment contracts) partly managed by SSW during the Applicable Period, this attestation applies only to the portion of the work performed by us. For contracts that you participated in, completed by HealthPro and other shared services and procurement organizations ("**Other SSO**"), the attestations of HealthPRO and the Other SSOs relating to such contracts are attached at Appendix 2 to 5.

In making this attestation, we have exercised care and diligence that would reasonably be expected of a **President & CEO, Vice President, Corporate Services & Systems Integration, and CFO. and Vice President, Operations**, in these circumstances, including reviewing our internal compliance framework, making due inquiries of staff that have knowledge of these matters, internal attestations received from our sourcing management staff, and the results of an internal review conducted by us of a sample drawn from all contracts completed by SSW during the Applicable Period ("**the Review**").

**Procurement Directive compliance:**

- We have completed procurement contracts for goods and services, including consulting services, on your behalf in accordance with the Procurement Directive to the extent of its applicability to our work, and will be providing you a list of all our findings resulting from the Review. **The scope of the Review and material exceptions to the Procurement Directive noted are comprised in the attached Appendix 1.** Wherever applicable, the Review also identified areas of improvement as well as the impact of evolving Provincial agenda and the ongoing COVID-19 pandemic.

**Policy compliance:**

- We acknowledge that we are responsible for ensuring that your contracts are executed in compliance with the Procurement Directive and your specific policies, and have designed and implemented an internal control framework to prevent and detect deviations therefrom.
- We have taken steps to retain all material documentation, information, and communication related to the procurement processes, in a recoverable format, in accordance with the Procurement Directive and your policies.

**Communications from Government authorities:**

- There have been no communications from the Ministry of Finance or any other regulatory or government agency concerning non-compliance, or potential deficiencies in compliance, with the Procurement Directive or any other related legislated directive or policy.

**Potential legal disputes:**


- In relation to the procurements completed by us on your behalf, we've informed your Chief Financial Officer of any significant bid disputes or other matters which could potentially expose you to legal risk or contingent liabilities immediately upon learning of the same. All of them were satisfactorily resolved during the Applicable Period.


The following listings are provided in the attached appendices:


1. Material exceptions – Appendix 1;
2. Attestation from HealthPRO - Appendix 2;
3. Attestation from Plexxus - Appendix 3;
4. Attestation from MMC - Appendix 4; and
5. Attestation(s) from other agencies - Appendix 5

A list of consulting services contracts has been provided to you separately.

Yours truly,

  
 Karen Belaire (May 17, 2022 13:45 EDT)  
**Karen Belaire**  
 President & CEO

  
 Rohit Tandon (May 17, 2022 13:43 EDT)  
**Rohit Tandon**  
 Vice President, Corporate Services  
 & Systems Integration, and CFO

  
 Tammy Quigley (May 17, 2022 13:07 EDT)  
**Tammy Quigley**  
 Vice President, Operations

## Appendix 1

### Material Exceptions

*Note: Terms used in this Appendix are either defined herein or in the accompanying attestation letter.*

#### Scope - Defined

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We conducted an internal review (“**the Review**”) of a sample comprising 60 contracts drawn from all the contracts managed and completed by us during the Applicable Period. The contracts comprised in the sample were selected based on their spend value and complexity, and in terms of the audit plan approved by our Board. Results of the Review are provided in Part-A below. Our findings, conclusions and comments are based solely on our review of this sample.

#### Scope - Exclusion

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The scope of the Review excluded testing compliance with the following Mandatory Requirements (MR), since the accountability of all the aspects thereof do not fully vest in SSW:

MR #1 – Hospital Segregation of Duties:

- Organizations must segregate at least three of the five functional procurement roles: Requisition, Budgeting, Commitment, Receipt and Payment. Responsibilities for these roles must lie with different departments or, at a minimum, with different individuals. Where it is not feasible to segregate these roles, i.e., for smaller organizations, adequate compensating controls approved by an external auditor must be put in place.

MR #2 – Establishment of the Approval Authority:

- Organizations must establish an approval authority schedule (AAS) for procurement of goods and non-consulting services. The AAS must be approved by the Board of Directors of the organization or its equivalent prior to commencement of procurement.

MR #22 – Contract Management:

- Payments must be made in accordance with provisions of the contract. All invoices must contain detailed information sufficient to warrant payment. Any overpayments must be recovered in a timely manner.
- Establish expense claim and reimbursement rules compliant with the Broader Public Sector Expenses Directive and ensure all expenses are claimed and reimbursed in accordance with these rules.
- Ensure that expenses are claimed and reimbursed only where the contract explicitly provides for reimbursement of expenses.

## Appendix 1

### Material Exceptions

#### General Observations

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In a few cases, the Review found some documents had not been retained by SSW after completion of the procurement process. Corroborating evidence was however found elsewhere to support compliance of such contracts with the Procurement Directive.

Procurements conducted in the following circumstances were so conducted for compelling business reasons and have not been individually listed herein:

1. In terms of the evolving Provincial agenda, several shared services organizations in Ontario are working collaboratively to consolidate contracts for certain high-value products. SSW too has aligned the end date of some of its agreements with the expected start dates of these consolidated contracts, resulting in exceptions to MR #18 (term of agreement modifications) for such contracts identified during the Review. Such harmonization has generally preserved the current pricing and supply continuity to the participating hospitals (including you).
2. In order to secure critical COVID-19 related supplies, services and equipment for the Hospital, SSW and its hospitals established certain expedited processes that may have resulted in procurements being non-compliant with MR #2 (approval authority) and/or MR #3 (competitive procurement thresholds), in the latter case principally due to acquisition and securing of supplies that could have otherwise been lost to other worldwide buyers in the time taken to conduct competitive procurements. These procurements were, however, fully compliant with the stated Hospital Board approved Covid-19 expedited approval process. Appropriate documentation to facilitate compliance of these procurements with the Procurement Directive is being completed in multiple phases during the fiscal year ending March 31, 2023.
3. Primary focus by SSW and the Hospital on pandemic related procurements necessitated deferral of the competitive procurement process of several agreements. These agreements were put in place and/or amended to allow for such processes to be completed subsequently, sometimes resulting in exceptions to MR #3 (competitive procurement thresholds) and/or MR #18 (term of agreement modifications).
4. The Canadian Free Trade Agreement requires public posting of award notice for Limited Tender procurements. In certain cases, including the foregoing, such posting was delayed beyond the prescribed time periods.

## Appendix 1

### Material Exceptions

#### Exceptions Noted

**Part A:** Following material exceptions were identified as a result of the Review of the sample referred to above:

| Contract ID | Contract Description   | Procurement Type             | Vendor Name   | Term + Option (years) | Estimated Non-compliance | MR #  | Comments  |
|-------------|--|------------------------------|---|-----------------------|--------------------------|-------|---|
| 204505      | Transcatheter Aortic valve Implantation (TAVI) -Cath Lab Agreement | Non-competitive              | Edwards Lifesciences, Medtronic & Boston Scientific | 4 years               | \$20,326,000             | 3, 21 | Due to the backlog of cardiac procurement initiatives; the provincial strategy chosen by the collaborative partners (MPSC) was to engage in direct negotiations instead of conducting an open competitive process.  |
| 167030      | Janitorial & Cleaning Supplies Related Services                    | Open competitive - piggyback | Veritiv Canada Inc.                                 | 5 years               | \$6,340,000              | 2     | A competitive procurement process was performed and contract piggybacked by THP. Appropriate approval for one year's estimated spend was obtained. Aggregate term spend was not considered due to uncertainty re. post-pandemic usage; such estimation may have necessitated approval from CEO & Board Chair. Total indicated here is based on average of pre and pandemic years. |
| 205578      | Endovascular Aortic Repair (EVAR) Product Supply Agreement         | Non-competitive              | Cook Canada Inc.                                    | 4 years               | \$2,104,000              | 3, 21 | Due to the backlog of cardiac procurement initiatives; the provincial strategy chosen by the collaborative partners (MPSC) was to engage in direct negotiations instead of conducting an open competitive process.  |



**Appendix 1**  
**Material Exceptions**

| Contract ID              | Contract Description  | Procurement Type             | Vendor Name      | Term + Option (years) | Estimated Non-compliance | MR #   | Comments  |
|--------------------------|---|------------------------------|------------------|-----------------------|--------------------------|--------|---|
| 207015/<br>CE2122 MQ3157 | Mississauga site MRI Sola Fit upgrade and post warranty service | Open competitive - Amendment | Siemens Canada   | 10 years              | \$2,002,000              | 2, 21  | When the original procurement process for this contract was conducted, the Sola Fit technology upgrade was not Health Canada approved and could not therefore be priced. Subsequent inclusion of this upgrade, when it became available, in the existing contract required issuance of a separate limited tender form with CEO's & Board Chair's approval.  |
| 205544                   | Heart Valves and related products                               | Open competitive             | Multiple vendors | 4 years               | \$594,000                | 13, 21 | The procurement strategy for this province-wide RFP led by MPSC was to award maximum volume by category to the "Primary" suppliers and minimum volume/open business opportunity to the "Secondary" suppliers. For a few categories, primary contracts were awarded to the suppliers who did not rank as primary during evaluation. While the outcome may have provided optimum overall value to the Hospital, these change were not in alignment with the evaluation and award. |

**Appendix 1**  
**Material Exceptions**

| Contract ID | Contract Description  | Procurement Type             | Vendor Name    | Term + Option (years) | Estimated Non-compliance | MR #     | Comments  |
|-------------|---|------------------------------|----------------|-----------------------|--------------------------|----------|---|
| 162542      | Biomedical Waste  | Open competitive - Amendment | Daniels Health | 5 years               | \$1,812,000              | 21       | To ensure value for money & efficiency in the operation; non-competitive amendment to the contract was done to update the pricing model from per-kilogram rates to per-container rates. This option was not the original pricing model proposed by the vendor.  |
| 200933      | Post Warranty Service for Magentom Sola 1.5T MRI machine for Credit Valley Site | Open competitive - Amendment | Siemens Canada | 10 years              | \$630,000                | 2, 3, 21 | Upon Health Canada's approval of the Magentom Sola 1.5T MRI machine, the same was substituted for a similarly priced one on an existing contract. Due to technical reasons, the 10-year post warranty service for the new machine is in excess of that of the substituted one. Approval of the incremental cost was not obtained. |

## Appendix 1

### Material Exceptions

**Part-B:** To maximize value for money and for the hospital's benefit, purchases under the following contracts commenced after all the terms and conditions of the contract had been finalized but before it was formally signed and/or terms and conditions of the expiring contracts were maintained while procurement process was being conducted for the new contract (MR#15: Executing the contract). The delayed timing, in some cases, were a result of protracted negotiations to get best value, short notice of additional funding/planning issues and competing priorities with available resources while ensuring patient care.

Contracts with significant gaps between first purchase and formal execution are provided in the table below:

| Contract ID | Contract Description   | Vendor Name   | Contract Completion Year (Actual/Estimated) | Estimated Current Year Spend Until Contract Signature |
|-------------|--|---|---|---|
| 205945      | Microsoft Licenses for OneTHP infrastructure                       | Softchoice LP   | FY21/22                                     | \$1,817,000   |
| 166614      | IT Infrastructure  | Dell Canada Inc.                                      | FY21/22                                     | \$1,164,000   |
| 205818      | Prime Architect for Mississauga Hospital Parking Garage            | DIALOG Ontario  | FY21/22                                     | \$882,000   |
| 204505      | Transcatheter Aortic valve Implantation (TAVI) -Cath Lab Agreement | Edwards Lifesciences, Medtronic & Boston Scientific   | FY21/22                                     | \$830,000   |
| 166441      | Advanced Wound care Product Supply                                 | 3M Canada   | FY21/22                                     | \$716,000   |
| 205950      | M-Site Parking Garage Construction Management                      | Kenaidan Contracting                                  | FY21/22                                     | \$470,000   |
| 201256      | Collection Services  | EOS Canada Inc. & Credit Bureau of Canada Collections | FY21/22                                     | \$459,000   |
| 153857      | Bio-Chemistry Analyzer Consumables & Automation Service            | Siemens Canada  | FY21/22                                     | \$260,000   |
| 160995      | Total Joints   | Zimmer Biomet Canada, J & J & Stryker                 | FY21/22                                     | \$182,000   |

## Appendix 1

### Material Exceptions

| Contract ID       | Contract Description                                       | Vendor Name  | Contract Completion Year (Actual/Estimated) | Estimated Current Year Spend Until Contract Signature |
|-------------------|--|--|---|---|
| 158176/<br>205686 | On Call General Contractors Handyman Services              | Multiple vendors                                     | FY21/22                                     | \$168,000   |
| 205578            | Endovascular Aortic Repair (EVAR) Product Supply Agreement | Cook Canada Inc. & Medtronic                         | FY21/22                                     | \$162,000   |
| 205667            | OR Skin Prep Systems                                       | 3M Canada & Cardinal Health                          | FY21/22                                     | \$159,000   |
| 204525            | Functional Programmer for Speakman LTCH                    | Bessant Pelech Associates Inc.                       | FY21/22                                     | \$148,000   |
| 154476            | Third Party Logistics Services                             | Cardinal Health Canada                               | FY21/22                                     | \$123,000   |
| 204491            | Irrigation Solution & Sets                                 | Baxter Corporation                                   | FY21/22                                     | \$122,000   |
| 200743            | Stents Balloons catheters                                  | Abbott, Boston & Medtronic                           | FY21/22                                     | \$106,000   |
| 167030            | Janitorial and Cleaning Supplies and Related Services      | Veritiv Canada Inc.                                  | FY21/22                                     | \$102,000   |
| 160553            | GI Endoscopy Consumables                                   | Boston Scientific, Olympus, Cook & Vantage Endoscopy | FY21/22                                     | \$100,000   |
| 160039            | Cardiac Cath Lab Products                                  | Abbott Medical                                       | FY21/22                                     | \$100,000   |
| **160911          | Minimally Invasive Surgical Instruments                    | Karl Storz Canada                                    | FY21/22                                     | \$38,000  |

Notes:

\*\* Spend between first purchase and formal execution of the contract for FY20/21:

- 160911: \$550K

Abbreviations:

MPSC: Mohawk Medbuy Corporation Plexus Sourcing Collaborative

RFP: Request For Proposal

MRI: Magnetic Resonance Imaging

LTCH: Long Term Care Home

MR#2: Approval authority

MR#3: Competitive procurement thresholds

MR#13: Winning bid

MR#21: Non-competitive procurement



May 10, 2022

Karli Farrow  
President and Chief Executive Officer  
Trillium Health Partners - All Sites  
2200 Eglinton Ave. West  
Mississauga, ON L5M 2N1

Dear Ms. Farrow:

**Re: Ontario Ministry of Finance Broader Public Sector (BPS) Procurement Directive**

Thank you for your continued support of HealthPRO and your participation in our contracts. As your national group contracting provider for healthcare, we understand it is important that our contracting processes comply with national and provincial agreements.

We have reviewed our contracting processes and documents and can attest to HealthPRO's compliance to the Ontario Broader Public Sector Act Procurement Directive for the fiscal year 2021/22.

To support our category management approach to procurement, some HealthPRO contract extensions were taken to align expiry dates and be positioned to deliver maximum value for the membership. This was an approved business decision; however, the Broader Public Sector (BPS) Procurement Directive requires that such extensions be reported as exceptions. A list of these contracts is included in **Appendix A** with those in which you participate identified with an "X".

If you require additional information, please contact Ms. Kendra Frey, Vice President of Materials Management (905-568-3478, ext. 1320) or Ms. Christine Donaldson, Vice President Pharmacy (905-568-3478, ext. 1243).

Yours sincerely,

A handwritten signature in black ink, appearing to read "Renato Discenza".

Renato Discenza  
President & CEO  
HealthPRO Procurement Services Inc.



## Appendix A

| Contract No. | Contract Name   | Original Expiry Date | Revised Expiry Date | TRILLIUM HEALTH PARTNERS | TRILLIUM HEALTH PARTNERS (Formerly Credit Valley) |
|--------------|---|----------------------|---------------------|--------------------------|---|
| 01514        | Barium Products   | 30-11-2021           | 30-11-2023          | X                        | X   |
| 02931        | Canes, Crutches, Walkers & Accessories                  | 31-5-2021            | 31-5-2023           | X                        | X   |
| 03062        | Endovascular Graft                                      | 30-11-2021           | 31-5-2022           |                          |   |
| 03527        | Medical Surface Repair Patch                            | 30-11-2021           | 30-11-2022          | X                        |   |
| CL189CA      | O.R. Caps & Hoods, Disposable                           | 31-5-2021            | 31-5-2022           | X                        | X   |
| 03080        | Orthopaedic - Specialty Post - OP Braces & Immobilizers | 30-11-2021           | 31-5-2023           | X                        | X   |
| 03079        | Orthopaedic Soft Goods                                  | 30-11-2021           | 31-5-2023           | X                        | X   |
| 02936        | Premoistened Surgical Skin Preparation                  | 31-5-2021            | 31-5-2022           | X                        | X   |
| 02935        | Preps, Swabs & Solutions - CHG & CHG/alcohol            | 31-5-2021            | 31-5-2022           | X                        | X   |
| 02945        | Preps, Swabs & Solutions - Iodine & Alcohol             | 31-5-2021            | 31-5-2022           | X                        | X   |
| CL162CA      | Shoe Covers, Disposable                                 | 31-5-2021            | 31-5-2022           | X                        | X   |
| 03088        | Stopcocks, High Pressure & Other                        | 30-11-2021           | 30-11-2022          | X                        | X   |
| 04202        | Topical Skin Prep In Sterile Applicator                 | 31-5-2021            | 31-5-2022           |                          |   |
| 01479        | Vascular Grafts - Polyester                             | 30-11-2021           | 31-5-2022           |                          |   |

**TO:** Tawfique Aziz  
Manager, Compliance and Financial Analytics  
Finance and Business Support  
Shared Services West

**FROM:** David Yundt, President and Chief Executive Officer  
Andrea Englert-Rygus, Chief Procurement Officer and Vice-President, Customer Relationship Management

**DATE:** May 5, 2022

**RE:** BPS Attestation for the twelve-month period from April 1, 2021 to March 31, 2022 (“the Applicable Period”)

***In accordance with Section 15 of the Broader Public Sector Accountability Act, 2010 (“BPSAA”).***

On behalf of Plexxus, we attest to compliance with the Broader Public Sector Procurement Directive (“BPS Directive” effective April 1, 2011) issued under Section 12 of the BPSAA by the Management Board of the Cabinet, during the Applicable Period.

In making this attestation, we have exercised due care and diligence that would reasonably be expected of a President and CEO, and a Chief Procurement Officer in these circumstances, and is based on a review conducted by Plexxus of the procurements managed and completed by Plexxus during the Applicable Period.



David Yundt  
President and CEO



Andrea Englert-Rygus  
Chief Procurement Officer and  
Vice-President, Customer Relationship Management



April 1, 2022

Shared Services West  
Northgate Business Park 1107 Clay Avenue, Unit 500  
Burlington, ON, L7L 0A1

Attention: Tammy Quigley

**Attestation to the BPSAA Supply Chain Secretariat BPS and Canada Free Trade Agreement (CFTA) Directive Compliance**

Dear Tammy,

Mohawk Medbuy Corporation fully understands and abides by the Ontario Ministry of Finance Broader Public Sector Supply Chain Directives and the Canada Free Trade Agreement (CFTA) meant to ensure that publicly funded goods and services are acquired by BPS organizations through a process that is open, fair, and transparent.

On behalf of Mohawk Medbuy Corporation, we attest that all contracting services performed on the Members' behalf for the applicable period of April 1, 2021 – March 31, 2022 are in compliance with the Broader Public Sector Supply Chain Directives and the Canada Free Trade Agreement (CFTA). Exceptions, for contracts on which the Member participated occurring during the twelve (12) month reporting period are noted on the attached document with supporting explanations.

In making this attestation, we have exercised care and diligence that would reasonably be expected in these circumstances, including making due inquires and reviewing results of the self-assessment audits we have completed.

I, Marc Lemaire, Chief Procurement Officer & Vice President Strategic Sourcing, I, Ally Dhalla, Vice President Pharmacy Services and Business Development and I, Jay Ayres, Vice President, Capital, and Nutrition Services Procurement, have the signing authority to make this commitment on behalf of Mohawk Medbuy Corporation.

**MOHAWK MEDBUY CORPORATION**

Marc Lemaire  
Chief Procurement Officer &  
Vice President Sourcing and  
Clinical Services  
[mlemaire@mohawkmedbuy.ca](mailto:mlemaire@mohawkmedbuy.ca)

Ally Dhalla  
Vice President, Pharmacy  
Services and Business  
Development  
[adhalla@mohawkmedbuy.ca](mailto:adhalla@mohawkmedbuy.ca)

Jay Ayres  
Vice President, Capital and  
Nutrition Services Procurement  
[jayres@mohawkmedbuy.ca](mailto:jayres@mohawkmedbuy.ca)



## BPS Attestation Report - April 1, 2021 to March 31, 2022



TELLEUS HEALTH PARTNERS

| Contract No. | Contract Name   | Supplier Name                      | Contract Start Date | Current Contract Expiry Date | New Contract Expiry Date (for extended contracts) | Exception Type | Justification Code | THP             |
|--------------|---|------------------------------------|---------------------|------------------------------|---|----------------|--------------------|-----------------|
| C10000       | OR CARDIAC PRODUCTS 2017 - MERIT  | MERIT                              | January 1, 2017     | May 31, 2022                 | November 30, 2023                                 | Extended       | A8                 | \$ 55,254.62    |
| C10001       | MILR POWER INJECTOR PRODUCTS & ACCESSORIES 2017   | MERIT                              | January 1, 2017     | December 31, 2022            | December 31, 2023                                 | Extended       | A8                 | \$ 4,327.25     |
| C10002       | OR VASCULAR PRODUCTS - PERIPHERAL PRODUCTS 2017 - MERIT                                   | MERIT                              | January 1, 2017     | November 30, 2022            | November 30, 2023                                 | Extended       | A8                 | \$ 7,043.70     |
| C10021       | MMCL ENTERAL FEEDING PUMPS AND SETS 2017  | Cardinal Health Canada             | September 1, 2017   | August 31, 2022              | June 30, 2023                                     | Extended       | A5                 | \$ 183,189.10   |
| C10831       | OR TEMPERATURE MONITORING 2020 PA - STRYKER   | STRYKER                            | May 1, 2010         | December 31, 2021            | June 30, 2024                                     | Extended       | A8                 | \$ 138,617.75   |
| C8380        | MMCL ADVANCED WOUND 2014  | URGO MEDICAL NORTH AMERICA         | June 1, 2014        | August 31, 2022              | May 31, 2023                                      | Extended       | A8                 | \$ 1,156.20     |
| C8411        | OR ORTHOPEDIC TOTAL JOINTS 2014 - BIOMET  | ZIMMER BIOMET CANADA INC.          | July 1, 2014        | June 30, 2022                | December 31, 2022                                 | Extended       | A8                 | P-ND            |
| C8415        | OR ORTHOPEDIC TOTAL JOINTS 2014 - JUMP  | JUMP                               | July 1, 2014        | June 30, 2022                | December 31, 2022                                 | Extended       | A8                 | \$ 165,817.30   |
| C8449        | OR ORTHOPEDIC TOTAL JOINTS 2014 - BIOMET  | ZIMMER BIOMET CANADA INC.          | July 1, 2014        | June 30, 2022                | December 31, 2022                                 | Extended       | A8                 | \$ 187,921.05   |
| C8580        | OR THERMODILUTION NON-THERMODILUTION TRANSDUCERS COSETS & RELATED PRODUCTS 2015 - EDWARDS | EDWARDS                            | January 1, 2015     | November 30, 2021            | May 31, 2022                                      | Extended       | A8                 | \$ 24,331.18    |
| C8587        | MILR POWER INJECTOR PRODUCTS 2015   | BAYER                              | March 1, 2015       | December 31, 2022            | December 31, 2023                                 | Extended       | A8                 | \$ 362,445.15   |
| C8588        | MILR POWER INJECTOR PRODUCTS 2015   | CHS                                | March 1, 2015       | December 31, 2022            | December 31, 2023                                 | Extended       | A8                 | \$ 73,321.72    |
| C8589        | MILR POWER INJECTOR PRODUCTS 2015   | MEDICAL SYSTEMS                    | March 1, 2015       | December 31, 2022            | December 31, 2023                                 | Extended       | A8                 | \$ 11,369.93    |
| C8590        | MILR SPECIALTY AND BIOPSY NEEDLES 2015 - BARD   | BARD                               | April 1, 2015       | March 31, 2022               | December 31, 2023                                 | Extended       | A8                 | \$ 114,452.70   |
| C8593        | MI SPECIALTY AND BIOPSY NEEDLES 2015 - DEVICOR  | DEVICOR                            | April 1, 2015       | March 31, 2022               | December 31, 2023                                 | Extended       | A8                 | \$ 78,400.00    |
| C8835        | MMNCL REUSABLE HAZARDOUS WASTE CONTAINERS AND SERVICE 2016                                | DANIELS                            | March 1, 2016       | February 28, 2022            | August 31, 2023                                   | Extended       | A5 (iii)           | \$ 564,878.62   |
| C8857        | OR VASCULAR PRODUCTS - GRAFT AND ACCESSORIES 2016 - LEMAITRE                              | LEMAITRE                           | January 1, 2016     | February 28, 2022            | May 31, 2023                                      | Extended       | A8                 | \$ 64,828.60    |
| C9042        | OR NON-INVASIVE & INVASIVE VENTILATION SYSTEM 2016  | BOMIMED                            | September 1, 2016   | October 31, 2021             | December 31, 2021                                 | Extended       | A8                 | \$ 546.05       |
| C9046        | OR NON-INVASIVE & INVASIVE VENTILATION SYSTEM 2016  | FISHER & PAYKEL                    | September 1, 2016   | October 31, 2021             | December 31, 2021                                 | Extended       | A8                 | \$ 120,106.59   |
| C9104        | OR ORTHOPEDIC BONE CEMENT AND CONSUMABLES 2017 - STRYKER                                  | STRYKER CANADA ULC                 | January 1, 2017     | June 30, 2022                | December 31, 2022                                 | Extended       | A8                 | \$ 10,888.92    |
| C9122        | OR ORTHOPEDIC BONE GRAFT 2017 - CITAGENIX   | CITAGENIX                          | January 1, 2017     | May 31, 2022                 | December 31, 2022                                 | Extended       | A8                 | P-ND            |
| C9123        | OR ORTHOPEDIC BONE GRAFT 2017 - STRYKER   | STRYKER                            | January 1, 2017     | December 31, 2021            | March 31, 2022                                    | Extended       | A8                 | \$ 13,346.28    |
| C9124        | OR ORTHOPEDIC BONE GRAFT 2017 - STRYKER   | STRYKER                            | January 31, 2017    | March 31, 2022               | December 31, 2022                                 | Extended       | A8                 | \$ 16,496.50    |
| C9125        | OR ORTHOPEDIC BONE GRAFT 2017 - ZIMMER  | ZIMMER                             | January 31, 2017    | March 31, 2022               | December 31, 2022                                 | Extended       | A8                 | \$ 1,925.00     |
| C9127        | OR ORTHOPEDIC BONE GRAFT 2017 - MEDTRONIC   | MEDTRONIC                          | January 1, 2017     | March 31, 2022               | December 31, 2022                                 | Extended       | A8                 | \$ 134,611.00   |
| C11007       | PH MEDICATED IV SOLUTION BAGS   | B.BRAUN OF CANADA LTD              | April 1, 2021       | September 30, 2024           | NA  | Limited Tender | A5                 | P-ND            |
| C11054       | OR TAVI   | Boston Scientific Ltd.             | April 1, 2021       | March 31, 2023               | NA  | Limited Tender | A8                 | \$ 1,770.00     |
| C11053       | OR TAVI   | Edwards LifeSciences (Canada) Inc. | April 1, 2021       | March 31, 2023               | NA  | Limited Tender | A8                 | \$ 2,107,000.00 |
| C11052       | OR TAVI   | Medtronic Canada - ULC             | April 1, 2021       | March 31, 2023               | NA  | Limited Tender | A8                 | \$ 297,000.00   |
| C11109       | OR Alternate Vascular Access - Intraosseous Needles Battery Operated                      | Teleflex Medical Canada Inc.       | May 1, 2021         | April 30, 2026               | NA  | Limited Tender | A5                 | \$ 21,900.00    |
| C11175       | PH Injectable Pharmaceuticals Neg BAX 2021  | Baxter                             | July 1, 2021        | September 30, 2024           | NA  | Limited Tender | A5                 | P-ND            |
| C11373       | PH Closed System Transfer Devices 2021  | Baxter                             | November 1, 2021    | October 31, 2024             | NA  | Limited Tender | A5                 | P-ND            |
| C11374       | PH Closed System Transfer Devices 2021  | Becton Dickinson                   | November 1, 2021    | October 31, 2024             | NA  | Limited Tender | A5                 | P-ND            |
| C11375       | PH Closed System Transfer Devices 2021  | ICU Medical                        | November 1, 2021    | October 31, 2024             | NA  | Limited Tender | A5                 | \$ 4,387.50     |
| C11376       | PH Closed System Transfer Devices 2021  | Innovative Oncosolutions           | November 1, 2021    | October 31, 2024             | NA  | Limited Tender | A5                 | P-ND            |
| C11389       | PH IV Workflow 2021   | Baxter                             | November 1, 2021    | November 1, 2024             | NA  | Limited Tender | A5                 | P-ND            |
| C11424       | PH IV Workflow 2021   | Becton Dickinson                   | December 1, 2021    | November 30, 2026            | NA  | Limited Tender | A5                 | P-ND            |
| C11214       | PH Injectables 2021   | Aspen                              | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11218       | PH Injectables 2021   | Baxter                             | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11331       | PH Injectables 2021   | Fresenius Kab                      | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11305       | PH Injectables 2021   | Leadient                           | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11429       | PH Injectables 2021   | KVR Pharmaceuticals                | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11241       | PH Injectables 2021   | Sandoz                             | October 1, 2021     | September 30, 2024           | NA  | Limited Tender | A2 & A5            | P-ND            |
| C11439       | PH RAPID ANTIGEN TESTING RAT  | Medline Canada                     | January 1, 2022     | December 31, 2022            | NA  | Limited Tender | A8                 | P-ND            |
| C11441       | PH RAPID ANTIGEN TESTING RAT  | Switch Health Holdings Inc         | January 1, 2022     | December 31, 2022            | NA  | Limited Tender | A8                 | P-ND            |

\* Reported Spend indicates Member provided data for the Attestation Period. Note that contracts may have started or ended at various points within the Attestation period. Data compiled from February 1 2021 to January 31 2022

P - ND indicates Member participation on contract, however spend data not provided/available.

NP - Not Participating

Attestation from MMC - Appendix 4



| <b>APPENDIX A – Limited Tendering Exception Codes</b>  |   |
|--|---|
| <p><b>A1.</b> If no tenders were submitted or no suppliers requested participation</p> <p><b>A2.</b> If no tenders that conform to the essential requirements of the tender documentation were submitted</p> <p><b>A3.</b> If no suppliers satisfied the conditions for participation</p> <p><b>A4.</b> If the submitted tenders were collusive</p> <p><b>A5.</b> If the goods and services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:</p> <ul style="list-style-type: none"> <li>(i) Requirement is for a work of art</li> <li>(ii) Protection of patents, copyrights or other exclusive rights</li> <li>(iii) Due to an absence of competition for technical reasons</li> <li>(iv) Supply of goods or services is controlled by a supplier that is a statutory monopoly</li> <li>(v) To ensure compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative</li> <li>(vi) Work is to be performed on property by a contractor according to the provisions of a warranty or guarantee held in respect of the property or the original work</li> <li>(vi) Work is to be performed on a leased building or related property, or portions thereof, that may be performed only by the lessor</li> <li>(vii) Subscriptions to newspapers, magazines or other periodicals</li> </ul> <p><b>A6.</b> If goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise government confidentiality, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to the public interest</p> | <p><b>A7.</b> For additional deliveries by the original supplier of goods or services that were not included in the initial procurement, if a change of supplier for such additional goods or services:</p> <ul style="list-style-type: none"> <li>(i) Cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; and</li> <li>(ii) Would cause significant inconvenience or substantial duplication of costs for the procuring entity</li> </ul> <p><b>A8.</b> If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering</p> <p><b>A9.</b> Goods purchased on a commodity market</p> <p><b>A10.</b> If a procuring entity procures a prototype or a first good or service that is developed in the course of, and for, a particular contract for research, experiment, study, or original development. Original development of a first good or service may include limited production or supply in order to incorporate the results of field testing and to demonstrate that the good or service is suitable for production or supply in quantity to acceptable quality standards, but does not include quantity production or supply to establish commercial viability or to recover research and development costs</p> <p><b>A11.</b> For purchases made under exceptionally advantageous conditions that only arise in the very short term in the case of unusual disposals such as those arising from liquidation, receivership, or bankruptcy, but not for routine purchases from regular suppliers</p> <p><b>A12.</b> If a contract is awarded to a winner of a design contest provided that: (i) the contest has been organized in a manner that is consistent with the principles of this Chapter, in particular relating to the publication of a tender notice, and (ii) the participants are judged by an independent jury with a view to a design contract being awarded to a winner.</p> |

Tawfique Aziz  
Manager, Compliance and Financial Analytics  
Shared Services West  
Northgate Business Park  
1107 Clay Avenue, Unit 500  
Burlington, ON L7L 0A1

April 13, 2022

Dear Tawfique,

As requested in your email dated April 8, 2022, the enclosed letter serves as an attestation that OECM conducts all sourcing initiatives in compliance with the Broader Public Sector (BPS) Procurement Directive as well as other trade agreements.

OECM, and the customers we serve follow the BPS Procurement Directive. The directive sets out rules for designated BPS entities on the purchase of goods and services using public funds.

The purpose of the directive is:

- To ensure that goods and services, including construction, consulting services, and information technology are acquired by BPS entities through a process that is open, fair, and transparent;
- To outline responsibilities of BPS entities throughout each stage of the procurement process; and,
- To ensure that all BPS entities in Ontario are consistently managing their procurement processes.

In addition, OECM's sourcing initiatives are undertaken within the scope of Chapter 5 of the Canadian Free Trade Agreement ("CFTA"), Chapter 19 of the Comprehensive Economic and Trade Agreement ("CETA"), and within the scope of the Trade and Cooperation Agreement between Quebec and Ontario.

I also enclose a link to the Ontario Tender's Portal (OTP) website where all of OECM's RFPs are posted: <https://ontariotenders.bravosolution.com/esop/nac-host/public/home.html>

Should you have any questions, or require further information, please don't hesitate to contact our Customer Support Team at [customersupport@oecm.ca](mailto:customersupport@oecm.ca) or 1-844-OECM-900 (1-844-632-6900).

Sincerely,

A handwritten signature in cursive script that reads "Karen Owen".

Karen Owen  
Vice President, Supply Management and Customer Relations

March 26 2022

Shared Services West  
Manager, Compliance and Financial Analytics  
Finance and Business Support  
T: 905-287-7870

Dear Tawfique Aziz,

Kinetic GPO is a cooperative purchasing organization established in 2017 to provide public sector entities across Canada with access to contracts that have been publicly tendered in compliance with the minimum standards of the Canadian Free Trade Agreement (CFTA) and the Comprehensive Economic and Trade Agreement (CETA).

Our practices, policies and protocols have been prepared and reviewed by renowned Canadian procurement lawyers to ensure everything Kinetic does conforms with Canadian Common Law, CFTA and CETA. Kinetic GPO employs senior procurement professionals with decades of experience working in the public sector, who prepare and review documents, and who oversee each procurement process to ensure compliance with the rules.

Because Kinetic GPO's membership spans all of Canada, we are unable to confirm compliance with each member's local policies and trade agreements. Kinetic GPO is open to supporting our members who wish to learn more or to verify whether our policies, protocols and practices comply with the requirements of their own legal and policy framework.

As you may have seen, the provincial government recently announced their plan to deliver a Centralized Procurement Initiative for Ontario Public Service and Broader Public Service (BPS) organizations. You may have also received a memorandum from your funding Ministry announcing Interim Measures that are now in effect.

The Interim Measures and supporting information and guidance are available on the [Doing Business with the Ontario Government](#) website.

Due to questions we have been fielding regarding these new interim measures we would like to take this opportunity to clarify and make note of the following:

- Kinetic GPO's procurement process is fair, open, and transparent. Our contracting policies and procedures are publicly available at: [www.KineticGPO.ca](http://www.KineticGPO.ca)
- Per the Interim Measures, Kinetic's Master Agreements are an existing Vendor of Record (VOR) arrangement. This means you can use our contracts, along with other Group Procurement organizations, in addition to the Ministry of Government and Consumer Services (MGCS) VOR arrangements.
- Furthermore, Kinetic members can utilize any of our contracts without restriction for the full term of the existing Kinetic contract.
- Participation as a Member of Kinetic GPO is voluntary. We do not require any fee, spend or any quantity commitment to participate, and membership is not an exclusive agreement. Furthermore, there is not a commitment to the length of term for our membership.
- All Kinetic Master Agreements, along with our contracting processes, are compliant with the Canadian Free Trade Agreement (CFTA), the CETA, as well as the Interim Measures. Therefore, BPS entities that utilize existing Kinetic agreements will not be required to complete Procurement Rational Reports. This includes Kinetic GPO agreements that have terms in excess of two years.

## What Types of Procurements are In-Scope for the Interim Measures?

- Procurements above \$25,000 initiated after March 18, 2019 are in-scope, except for procurements that:
- Are related to construction; and/or
- Are for goods acquired solely for the purpose of resale.

### Expectations for In-Scope Procurements

For all in-scope procurements:

- Use an existing applicable Vendor of Record (VOR) arrangement, **including Group Procurement and Shared Services Organizations such as Kinetic GPO**, where possible and appropriate; and,
- Ensure all new contracts have a term not exceeding two years, including any extensions.

Under the interim measures the Ministry of Government and Consumer Services has published a FAQ document. This FAQ document highlights questions and answers regarding Vendor of Record (VOR)

arrangements, and use of Group Procurement: [Ministry of Government and Consumer Services \(MGCS\) FAQ](#). We have populated a few questions from the MGCS FAQ that are most relevant to Group Purchasing:

#### **Question 4. Our organization has access to contracts through Shared Services Organizations, Group Purchasing Organizations and other co-operative purchasing groups. Can we continue to use those contracts?**

- **Yes**, current contracts available to your organization through Shared Services Organizations, **Group Purchasing Organizations and other co-operative purchasing groups can still be used by your organization**. If you are entering into new contracts based on these agreements, the interim measures will apply.

#### **Question 19. Are BPS organizations required to use a shared service organization or a bulk buying agreement?**

- Note that funding ministries will inform BPS organizations how the interim measures will apply to them “please refer to question 14. If the interim measures apply;

**BPS organizations should use available OPS VOR arrangements. Shared Services Organizations (SSO) contracts, Group Purchasing Organizations (GPO) contracts or other bulk buying arrangements often provide excellent value for money. If an SSO or a GPO offers a contract that is not available through the OPS VOR program, BPS organizations are encouraged to use them to maximize efficiencies of process and value for money.**

#### **Question 12. Are all types of procurement covered by the interim measures?**

- The interim measures apply to:  
New procurement of goods and services (consulting and non-consulting) valued at \$25,000 or higher.
- The measures do not apply;  
Where procurement is related to construction (which means construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials, the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional consulting services related to the construction contract unless they are included in the procurement.
- For the OPG and IESO, where procurement is directly related to the delivery of electricity or electrical systems. This includes any consulting services that are included in the procurement for the delivery of electricity or electrical systems.
- Where procurement is related to goods acquired solely for resale.



MGCS has a website [Doing Business with the Ontario Government](#) with details related to Interim Measures. They will be hosting online Information Sessions about the Interim Measures and registration information for those sessions will be available on the website soon.

If you should have any questions, or require further information, please don't hesitate to contact me directly at [gerald@kineticgpo.ca](mailto:gerald@kineticgpo.ca) or 226-972-2787.

Sincerely,

Gerald Ford

**TO:** Shared Services West  
Burlington, ON.

**FROM:** Nils Clausen  
General Manager  
CMEPP - Canadian Medical Equipment Protection Plan

**Date:** May 18, 2022

**Re: Canadian Medical Equipment Protection Plan (the “CMEPP”)**  
**Re: Compliance with Broader Public Sector Procurement Directive (the “Directive”)**

Organizations that participate in group purchasing activities through buying groups and other procurement services organizations must ensure that the activities of these entities are carried out in a manner consistent with the Directive.

For the fiscal year 2021/2022, acting in accordance with the instructions and information received from your hospital/organization, CMEPP conducted its procurement activities on your behalf in a manner that is compliant with the Directive.

In stating so, CMEPP exercised care and diligence that would be reasonably expected of a General Manager in these circumstances, including making due inquiries of CMEPP personnel that have knowledge of these matters.

Yours truly,



Nils Clausen  
General Manager