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**Re: Item 10.3.1**  
**Executive Standing Committee**  
**May 16, 2016**

## MEMORANDUM

**TO:** Mr. Mayor and Members of the Executive Standing Committee  
**CC:** Phoebe Rai, Legislative Assistant  
**FROM:** E. Jane Pryor, Manager, Procurement  
**DATE:** March 7, 2016  
**SUBJECT:** **Response to Study Regarding Transparency in HRM**

As a municipality we strive to be as open as possible with our procedures and our records, while recognizing the importance of protecting the privacy of our citizens and business owners. We have recently initiated a comprehensive review of the municipal administrative order (Administrative Order 35) that governs the way procurement activities are carried out. Here is a link to the current policy: (<http://www.halifax.ca/legislation/adminorders/documents/AdminOrder35.pdf>).

This policy will be revised to include leading practice and will include engaging our respective partners before providing a revised draft to Regional Council for their consideration.

While some of what's proposed in this study might make sense on paper, we are influenced by the laws of the province, as well as national procurement rules. For example, we are required by law (Nova Scotia Procurement Act) to use the provincial online procurement site for posting and showing the awarded tenders. Any criticism for how cumbersome or limiting the website is is unfair as it is not our site.

The report also cites examples of best-practises from jurisdictions outside Canada. Implementing those suggestions would be problematic in Canada because we are governed by Canadian public procurement laws, which are different than other countries. However, as part of the review currently underway we will be doing jurisdictional scans across the country and internationally to see if best-practises in other parts of the world are practical to implement here.

It is also important to point out some inaccuracies in the study. For example, we do name each bidder on a specific purchase award. And the criteria (and scoring) for each element is clearly stated in each RFP when it's posted for bidding.

Also, for all tenders valued at \$50,000 or more (\$25,000 or more for sole-source awards) the score and breakdown for each bid is released publicly through reports to Regional Council. I'm including, as an example, a public document presented to Regional Council (and available to anyone who searches for it) of an award recently brought to Regional Council for its consideration that clearly states the criteria, bidders, scores, and rationale behind why we are recommending one bidder over another. This example

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is the norm, not the exception. Here's a link to the report for one such example:

<http://www.halifax.ca/council/agendasc/documents/151110ca1112.pdf>

Finally, there was a concern raised in the study that we don't release annual reports for procurement activities. We are actually more transparent than what the study is requesting. We provide Regional Council (again, publicly) with quarterly reports on procurement activities. I am including a link, for your information, to the most recent report filed with Regional Council:

<http://www.halifax.ca/council/agendasc/documents/160126cai03.pdf>

In relation to the concern that we don't make information available in 'machine-processable' formats, we do in fact routinely release large amounts of data to citizens through our Access and Privacy Office in formats that allow users to sort and analyze.

Here's a link to the web page that outlines what large amounts of data are available, and how to access this data: <http://www.halifax.ca/AccessPrivacy/routine-disclosures/index.php>.

As a municipal government we are always looking for ways to be more transparent and accessible for taxpayers. We welcome this report's findings and will consider some of the suggestions in the comprehensive review currently underway.