

## CCAC RFP Respondent Conflict of Interest Guidelines

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### Background

If, prior to or following submission of its Proposal, a Respondent discovers any perceived, potential or actual conflict of interest ("Conflict of Interest) that it, or its Joint Venture Participants in the case of Joint Venture Respondents, has or may have during the RFP Process or as a Service Provider under the terms and conditions of the Draft Agreement, the Respondent must promptly disclose the perceived, potential or actual Conflict of Interest to the CCAC in a written statement to the RFP Coordinator. Each Respondent is required to disclose, in the Proposal Submission Form, any perceived, potential or actual Conflict of Interests, including Conflicts of Interest previously disclosed to the RFP Coordinator.

It is the desire of CCACs to be consistent in the disqualification of any Proposals, based on the determination that a Respondent itself or an individual who participated in the development of the Proposal had a Conflict of Interest. CCACs have agreed to use the following guidelines for that determination in respect of an individual on the Respondent's team who has had access to the CCAC RFP Evaluation Tool and a Respondent's employment of former CCAC staff or consultants.

It is important to note that while this guideline covers the most common conflict of interest issue, it is possible for Respondents to have other types of conflicts of interest which will have to be dealt with on a case by case basis.

### CCAC Guidelines for Determination of a Conflict of Interest

To be used in a review of the participants listed in Section 3 of the Proposal Submission Form:

1. Any person or organization, whether previously associated with a CCAC or not, who has in their possession any evaluation document or tools, created since January 2006, that is the property of a CCAC is considered to have a conflict of interest.
2. A CCAC should consider the following individuals to have a conflict of interest if they participated in the preparation of the applicable Proposal:
  - (a) Any person involved in the development or use (for example CCAC procurement staff or members of RFP Evaluation Teams) of provincial or CCAC specific proposal evaluation criteria and/or evaluation tools during the three year period prior to the issuance of the applicable RFP; and
  - (b) Any person employed or contracted by any CCAC in the province of Ontario during the one year period prior to the issuance of the applicable RFP.
3. For clarity, an individual who was employed or contracted by any CCAC in the province of Ontario is not considered to have a conflict of interest, after the one year period set out in 2(b), if that person was involved in the preparation of an RFP but in a role that did not give him or her access to any confidential

evaluation information. The key factor that raises a conflict of interest (for the longer three year period set out in 2(b)) is an individual's involvement in matters relating to the Proposal evaluation criteria (or evaluation tools).