

## Report CCR-CS-06-14

**To:** Chair Pringle and Members of the Corporate Services Committee  
**From:** Marg Graham, Provincial Offences Court Manager and Sharon Melville, Buyer  
**Meeting Date:** February 11, 2014  
**Subject:** **Award of RFP-CC-10-13, Request for Proposal for Prosecutorial Services**  
**Status:** Recommendation endorsed by Committee as amended to remove “in the amount of \$198,900 exclusive of HST” and insert “for a five year term with the option to renew for three additional years” (report correction) February 11, 2014 per Resolution CS26-14; Endorsed by County Council March 4, 2014 per Resolution CC34-14;

### Recommendation(s)

**WHEREAS RFP-CC-10-13, Prosecutorial Services, was issued on November 28, 2013 and closed on December 19, 2013;**

**NOW THEREFORE BE IT RESOLVED THAT CCR-CS-06-14 regarding the award of RFP-CC-10-13 be received;**

**AND FURTHER THAT the County award the contract to Middlebro & Stevens LLP, the highest ranked proposal received, in the amount of \$198,900 exclusive of H.S.T.**

### Background

Requests for bids for Prosecutorial Services was last completed in 2001, when the Provincial Offences Court was downloaded to the County level.

Following the purchasing policy, RFP-CC-10-13 was issued on November 28, 2013 and closed on December 19, 2013. Two proposals were received on time, and are summarized below in the order they were opened. The submissions were opened by Mike Alguire, Purchasing and Materials Manager, Sharon Melville, Buyer, Sharon

Vokes, Clerk/Director of Council Services, Marg Graham, Provincial Offences Court Manager and Phyllis Stewart, Trial Coordinator/Disclosure Clerk.

Name of Bidder
Middlebro & Stevens LLP
Duncan, Linton, LLP

The evaluation criteria used for the RFP is outlined in the following chart:

Evaluation Criteria	Weight Factor
<b>Qualifications - Ability, capacity, resources, skills and relevant business experience. Key Staff – Leadership and management skills required</b>	35
<b>Approach, techniques, skills</b>	20
<b>Stated Deliverables</b>	20
<b>Cost</b>	25

The proposals were evaluated by the Clerk/Director of Council Services, the POA Manager and the Trial Coordinator/Disclosure Clerk. Following a thorough evaluation of each proposal, a unanimous agreement was reached that Middlebro' & Stevens, best met the criterion. Middlebro' & Stevens has extensive experience in providing prosecutorial services to the Provincial Offences Courts, including the prosecution of Part 1 matters, appeals and pre-trials and dealing with constitutional challenges, judicial reviews and charter applications. They also have established processes in place to deal with potential conflicts of interest, security of documents and back up solicitors to ensure all courts are provided with appropriate staffing. The award is for a five year term with the option to renew with a financial increase based on the Consumer Price Index of Ontario for a further three years.

## Financial / Staffing / Legal / Information Technology

### Considerations

The budgeted amount for prosecutorial services for 2014 is \$173,000. The submission from Middlebro' and Stevens was based on a set scenario with an established number of hours for evaluation purposes only. Billing for the term of the contract will be based on an hourly charge rate for actual hours worked. It is not anticipated that prosecutorial fees will exceed the 2014 budgeted amount.

## Link to Strategic Goals / Priorities

Respectfully submitted by,

Marg Graham  
Provincial Offences Manager

Sharon Melville  
Buyer

Director Sign Off: Sharon Vokes