



City of North Bay Report to Council

Report No: CORP-2024-005

Date: January 5, 2024

Originator: Mary-Ann Kotylak, CPPB, CPPO
Manager of Purchasing

Karen McIsaac, Dipl. M.A.
City Clerk

Business Unit:
Corporate Services

Department:
Financial Services Department

Subject: Request for Proposal 2023-87 Integrity Commissioner

Closed Session: yes no

Recommendation

That City Council approves the appointment of Guy Giorno, Partner Fasken Martineau DuMoulin LLP, as Integrity Commissioner for the City of North Bay, based on the fee schedule specified in his proposal for RFP 2023-87 for a term of five (5) years, with an option in favour of the City to extend the agreement for three (3) additional terms of up to one (1) year each.

Background

On March 1, 2019, pursuant to amendments to the *Municipal Act, 2001*, it became mandatory for a Municipality to appoint an Integrity Commissioner (IC). The IC performs the following functions:

- Application of the Code of Conduct.
- Application of procedures, rules and policies governing ethical behavior of Council and local boards.
- Application of Municipal Conflict of Interest Act (MCIA), which includes requests from Council and local boards for advice (request and response must be in writing) respecting their obligations under Codes of Conduct, obligations under a procedure, rule or policy that governs ethical behavior, requests for advice re: obligations under the MCIA.
- Educational information to Council, local boards, corporation and the public re: codes of conduct and the MCIA (IC can summarize advice provided to Council/local boards but not disclose confidential information that could identify a person concerned).

The City's current contract with the Integrity Commissioner expires on February 29, 2024.

Financial/Legal Implications

A formal bid request, which closed November 27, 2023, was administered by the Purchasing Department and was publicly advertised in accordance with the City's Purchasing By-Law 2013-200. Four proposals were evaluated by the Purchasing Manager, Chief Administrative Officer, City Solicitor, City Clerk and the Deputy City Clerk. The evaluation considered experience & qualifications, delivery of service methodology, work plan, staffing plan, interview and price.

The results are as follows:

Ranking	Company	Overall Score
1	Fasken Martineau DuMoulin LLP	108.06
2	ADR Chambers Inc.	100.00
	Boghosian + Allen LLP	*
	Good Sense Workplace Solutions Limited	*

* Proponents marked with an asterisk provided proposals that did not meet the minimum mandatory requirements

The bid price of \$450.00 per hour for the Integrity Commissioner's fee (plus HST) is the amount that will be charged over the initial three year term. Under the terms of the contract, the City will pay the hourly rate specified for Mr. Giorno's time and is not bound to any specific quantities. The actual quantity and the value of the work requested will vary based on operational requirements. The Proposal from Mr. Giorno scored highest and provides the best overall value to the City. His bid is considered fair and reasonable.

Funding for services provided under this contract is managed within the operating budget of the Mayor and Council. Sufficient funding for 2024 and future years will continue to be requested during the budget process.

Corporate Strategic Plan

- Natural North and Near
- Affordable Balanced Growth
- Responsible and Responsive Government
- Economic Prosperity
- Spirited Safe Community

Specific Objectives

Ensure continuous improvement of governance and administration.

Options Analysis

Option 1: That City Council approves the appointment of Guy Giorno, Partner Fasken Martineau DuMoulin LLP, as Integrity Commissioner for the

City of North Bay, based on the fee schedule specified in his proposal for RFP 2023-87 for a term of five (5) years, with an option in favour of the City to extend the agreement for three (3) additional terms of up to one (1) year each.

Option 2: Do not award a contract. This option is not recommended. Pursuant to Bill 68 it is mandatory for a Municipality to have an Integrity Commissioner in place.

Recommended Option

That City Council approves the appointment of Guy Giorno, Partner Fasken Martineau DuMoulin LLP, as Integrity Commissioner for the City of North Bay, based on the fee schedule specified in his proposal for RFP 2023-87 for a term of five (5) years, with an option in favour of the City to extend the agreement for three (3) additional terms of up to one (1) year each.

Respectfully submitted,

Name: Mary-Ann Kotylak, CPPB, CPPO
Title: Manager of Purchasing

Name: Karen McIsaac, Dipl. M.A.
Title: City Clerk

We concur with this report and recommendation.

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.
Title: City Solicitor

Name: Shannon Saucier, CPA, CA
Title: Director, Financial Services / Deputy Treasurer

Name: Margaret Karpenko, CPA, CMA
Title: Chief Financial Officer /Treasurer

Name: John Severino, P.Eng, MBA
Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Karen McIsaac, Dipl. M.A.
Title: City Clerk