



**ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION**

Leading Education's Advocates

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The Honourable Colin Campbell Q.C.,
Independent Review Chair for Student Transportation Competitive Procurement
Ministry of Education
Queen's Park
Toronto, Ontario

Dear Mr. Campbell,

The Ontario Public School Boards' Association (OPSBA) would like to take this opportunity to provide comments about the current review being undertaken by the Expert Panel. Transportation is an important issue for school boards and trustees and is a regular item for discussion at our Board of Directors meetings.

School bus drivers and school bus owner/operators play a significant part in the fabric of our local school communities. School bus drivers ensure that our children arrive safely at school and at home every day. They also transport our students to many field trips and events.

The procurement process over the last several years has been tumultuous and controversial. Many school boards, particularly those in small communities, are concerned that large bus operators are taking over this sector and squeezing out smaller, sometimes family-owned businesses. There is a perception that the larger operators are able to offer lower rates.

In June 2011, school boards were told that there would be an immediate six month moratorium on competitive process in the procurement of student transportation. The Minister of Education at that time, announced the appointment of a task force to review the competitive processes used to procure student home-to-school transportation, paying specific attention to their fairness, transparency, accountability and value for money. OPSBA had representation on the task force and the final report was eventually released in January 2012.

In April 2011, the Broader Public Sector Procurement Directive was issued by the Management Board of Cabinet. It included new standards for procurement including student transportation services. It required school boards to use a competitive process to purchase transportation services and school boards were directed to award future transportation contracts using a request for proposal (RFP) process. Some school board consortia began to move forward with the RFP process and as a result, were challenged by bus operators. Some challenges progressed to litigation. School boards were caught in the middle of complying with a government directive and making decisions that affected long standing partnerships and community members. The new procurement requirements resulted in some smaller operators going out of business. An unanticipated consequence of the RFP process is that school boards were then left with a smaller pool of larger operators who were gaining a monopoly in the student transportation business.

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Since the Directive was issued, several school bus operators have filed claims against school boards and the government citing loss of business as a result of the RFP process. There are numerous examples of this all across the province. One such case resulted in the court awarding costs to the bus operators.

We are now facing yet another transportation review and it has left school boards in a state of uncertainty. No school board has issued an RFP while they await the findings and recommendations of this review. In some instances, school boards continue to incur costs associated with pending litigation.

During recent discussions with our trustees, it was agreed, "that school boards be able to achieve the best overall value for tax dollars, including monetary, quality of service and student safety considerations, and if the Expert Panel can identify additional procurement processes in addition to RFPs that meet the requirements of the BPS Procurement Directive then OPSBA would support school boards having additional procurement options."

We look forward to your review and its results.

Sincerely,



Gail Anderson
Executive Director
Ontario Public School Boards' Association

Copy: Cheri Hayward, Director, School Business Support Branch, Ministry of Education

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. Together our members serve the educational needs of almost 70% of Ontario's elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of their ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.