

**Ministry of Education**

Minister

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Toronto ON M7A 1L2

**Ministère de l'Éducation**

Ministre

Édifice Mowat  
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October 3, 2014

Dear chairs,

In *Memorandum 2014: B2*, issued in January 2014, it was announced that the then Ministry of Government Services (MGS), now the Ministry of Government and Consumer Services (MGCS), would be conducting a review of competitive procurement in the student transportation sector. In a subsequent letter sent to the two school bus operator associations, the Premier further committed to an independent review of competitive procurement processes for student transportation. I am pleased to provide you with an update regarding this review as we move forward with this commitment. The review will have two intended purposes: a review of current competitive procurement practices and student transportation Requests For Proposals (RFPs) that have been issued since December 31, 2011, to identify best business practices and opportunities for improvement in competitive procurement of student transportation in Ontario; and to explore options other than RFPs for competitive procurement of student transportation that are in compliance with the *Broader Public Sector Procurement Directive* (BPSPD) for the consideration of the school board sector in Ontario. The review will begin in October 2014 with expected completion by December 2014.

This review will be chaired by Mr. Colin Campbell, retired Justice of the Ontario Superior Court. For 31 years, Mr. Campbell's general litigation practice was primarily in the civil and corporate commercial fields at all levels of courts and before regulatory tribunals across Canada including numerous appearances before the Supreme Court of Canada. The Chair will have the responsibility of overseeing the review process and the work of the Expert Panel; the Chair will ensure impartiality, openness, and transparency of the review process. The two members of the Expert Panel are Leo Gotlieb and Paul Emanuelli. Both members are public procurement experts who had provided support to the Student Transportation Competitive Procurement Task Force in 2011. Their background knowledge and understanding of the core issues for this review will help significantly in meeting the target completion date of December 2014.

During the review, the Expert Panel will consult with stakeholders in the student transportation sector, including but not limited to: school bus operator associations, school bus operators with no affiliations, school board business officials, procurement managers, transportation consortia managers, and other groups or individuals as may be determined by the review team.

I encourage the school board sector to share your thoughts on issues and opportunities for improvement, and to provide feedback on the suitability of any alternative competitive procurement options that may be suggested. All stakeholder groups' perspectives will be taken into consideration in an equitable review process.

The Expert Panel will analyze the feedback from the consultation, and identify any best business practices, suggestions for improvement, as well as other competitive procurement options. Any suggestions advanced by the Expert Panel must be in full compliance with the BPSPD and must be easily understood and practical for implementation. The Expert Panel must also take into consideration the diversity in school boards' resource capacities and the local conditions across the province. The Ministry of Government and Consumer Services will still have an important role to play as they will assist in reviewing the findings of this independent review to ensure that recommendations are compliant with the BPSPD before I receive the report.

I must also reiterate that the review of current competitive procurement practices and RFPs issued by school boards or consortia does not imply that the RFPs were flawed or were non-compliant with the BPSPD. In addition, the consideration of alternative competitive procurement options that are compliant with the BPSPD does not override the principle that school boards are self-governing bodies and ultimately responsible for making their own procurement decisions. As a result, while we expect that school boards and consortia will take full opportunity to review the recommendations of the independent review, they would have to make their own decision with regards to implementation.

In closing, I would like to thank all school boards for the effort you have invested into the competitive procurement process. I count on support from you and your staff during this independent review as we continue the shift towards competitive procurement.

Sincerely,



Liz Sandals  
Minister

- c: The Honourable Colin Campbell Q.C.  
Independent Review Chair
- Leo Gotlieb  
Independent Review Expert Panel
- Paul Emanuelli  
Independent Review Expert Panel
- Ontario Public School Boards' Association
- Ontario Catholic School Trustees' Association
- Association franco-ontarienne des conseils scolaires catholiques
- Association des conseils scolaires des écoles publiques de l'Ontario