

Request for Proposal

### 1.0 INTRODUCTION

The request for proposal (RFP) is an invitation by Birch Hills County to perspective proponents to submit proposals for the provision of services as an Executive Search Firm to assist in the recruitment of a Chief Administrative Officer (CAO) for Birch Hills County.

### 2.0 INFORMATION FOR PROPONENTS

All proposals must be received on or before Monday July 26 at 12:00 P.M., in order for a proposal to be received it must be sent to [geraldm@birchhillscounty.com](mailto:geraldm@birchhillscounty.com) and [terryc@birchhillscounty.com](mailto:terryc@birchhillscounty.com)

Proposals received on or before 12:00 P.M. on July 26, 2021 are 'On Time' and will be accepted. Proposals received at 12:01 P.M. or later, will be considered late and will be rejected.

The time stamp as received in the inbound email is the official time for the deadline for submission. No other clock or source will be recognized when considering the submission date and time of proposals.

A proposal may be altered by submitting another proposal at any time up to the specified time and date for proposal closing. The last proposal received shall supersede and invalidate all proposals previously received by the proponent for the contract.

A proposal may be withdrawn at any time up to the specified time and date for the proposal closing by submitting a letter bearing the proponents signature and sent to [geraldm@birchhillscounty.com](mailto:geraldm@birchhillscounty.com) and [terryc@birchhillscounty.com](mailto:terryc@birchhillscounty.com). Such a submission must be received in sufficient time to be marked with the time and date of the receipt.

Birch Hills County shall not be liable for any cost of preparation or presentation of proposals, and all proposals and accompanying documents submitted by the Proponent become the property of Birch Hills County and will not be returned. There will be no payment to the Proponents for work related to, and materials supplied in preparation, presentation and evaluation of any proposal, nor for the Contract negotiations whether they are successful or unsuccessful.

Birch Hills County, its elected officials, employees and agents shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent, prior or subsequent to, or by reason of any delay in the acceptance of any proposal.

### 3.0 DESIGNATED OFFICIAL

For the purpose of this contract, Reeve Gerald Manzulenko, and Deputy Reeve Terry Carbone are the "Designated Officials" and shall preform the following functions: releasing, recording and receiving proposals, recording and checking of submissions: answering queries from perspective proponents, reviewing proposals received, ruling on those not completing or meeting requirements and coordinating the evaluation of the responses.

Request for Proposal

#### 4.0 QUESTIONS/INQUIRES

Each Proponent must satisfy himself/herself by personal study of the RFP documents. There will be no consideration of any claim, after submission of Proposals, that there is a misunderstanding with respect to the conditions imposed by this RFP. Should the Proponent require more information or clarification on any point, it must be obtained prior to the submission of the RFP.

Inquiries regarding the Request for Proposal process or format of the response must be directed, in writing to Reeve Gerald Manzulenko at [geraldm@birchhillscounty.com](mailto:geraldm@birchhillscounty.com) and Deputy Reeve Terry Carbone at [terryc@birchhillscounty.com](mailto:terryc@birchhillscounty.com)

All clarification requests are to be sent in writing to the Designated Officials noted above. No clarification requests will be accepted by telephone. Response to clarification requests will be provided to all interested parties. Inquires must not be directed to other Birch Hills County Employees or elected officials. Directing inquires to other than the Designated Officials may result in your submission being rejected.

Enquiries received within three (3) days of the closing date will NOT be answered or responded to the Proponent.

#### 5.0 ADDENDA

The Designated Officials will issue changes to the RFP documents, which may include amendments to the submission deadline or changes to the scope of work or qualifications of Proponents, by addendum only. No other statement, verbal or written, made by Birch Hills County will amend the RFP documents.

The Proponent shall not rely on any information or instructions by the Birch Hills County Representative except the RFP documents and any addenda issued pursuant to this Section.

The Proponent is solely responsible to ensure that it has received all addenda issued by the County. Proponents may seek confirmation of the number of addendum issued under this RFP in writing to Reeve Gerald Manzulenko at [geraldm@birchhillscounty.com](mailto:geraldm@birchhillscounty.com) and Deputy Reeve Terry Carbone at [terryc@birchhillscounty.com](mailto:terryc@birchhillscounty.com)

#### 6.0 RFP SCHEDULE OF EVENTS

The RFP process will be governed according to the following schedule. Although every attempt will be made to meet all dates, Birch Hills County reserves the right to modify or alter any or all of the dates at its sole discretion by notifying all proponents in writing at the address indicated in the completed RFP submitted to Birch Hills County.

Issued RFP: Friday July 9, 2021

Last Day for Questions: Friday July 23, 2021

RFP close: Monday July 26 at 12:00 P.M.

Interviews and Presentations: TBD

Request for Proposal

\*Dates noted above are an approximation only and are subject to change.

## 7.0 GENERAL CONDITIONS

### 7.1 COUNTY'S RIGHT TO ACCEPT OR REJECT

Birch Hills County reserves the right to reject any or all proposals, including without limitation the lowest proposal, and award the Contract to whomever Birch Hills County at its sole and absolute discretion deems appropriate notwithstanding any custom of the trade to the contrary nor anything contained in the Contract Documents or herein.

Without limiting the generality of the foregoing, Birch Hills County reserves the right, in its sole and absolute discretion, to accept or reject any Proposal which in the view of Birch Hills County is incomplete, obscure, or irregular, which has erasures or corrections in the documents, which contains exceptions and variations, which omits one or more prices, which contains prices Birch Hills County considers unbalanced, or which is unaccompanied by a requirement that was asked of each Proponent within the RFP deliverables.

Criteria which may be used by Birch Hills County in evaluating proposals and awarding the contract are in Birch Hills County sole and absolute discretion and without limiting the generality of the foregoing, may include one or more of: price; total cost to Birch Hills County; Experience; claims history of the Proponent; qualifications and experience of the Proponent and its personnel; quality of services and personnel proposed by the Proponent; and ability of the Proponent to ensure continuous availability of qualified and experienced personnel.

Should Birch Hills County not receive any satisfactory RFP submissions, the County in its sole and absolute discretion, reserves the right to resubmit a new RFP Process for the Contract, or negotiate a contract for the whole or any part of the Contract with any one or more persons whatsoever, including one or more of the Proponents.

The County reserves the right to request clarification of information contained in a proposal.

The County reserves the right to modify any and all requirements stated in the Request for Proposal at any time prior to the possible awarding of the contract.

The County reserves the right to cancel this Request for Proposal at any time, without penalty or cost to the County. This Request for Proposal should not be considered a commitment by Birch Hills County to enter into any contract.

The award to the Successful Proponent is a recommendation by the Evaluation Committee to execute an Agreement. The County reserves the right to enter into negotiations with the Successful Proponent. If these negotiations are not successfully concluded, the County reserves the right to begin negotiations with the next selected Proponent. There is no guarantee that Birch Hills County will execute any Agreement.

Proposals shall remain open and subject to acceptance for a period of ninety (90) days from closing date.

## Request for Proposal

In the event of any disagreement between the County and the Proponent regarding the interpretation of the provisions of the Request for Proposal, the Designated Officials or an individual acting in that capacity, shall make the final determination as to interpretation. No proposal shall be accepted from any person or Proponent who, has a claim or has instituted a legal proceeding against the County or against whom the County has a claim or has instituted a legal proceeding, without the prior approval of Council. This applies whether the legal proceeding is related or unrelated to the subject matter of this RFP.

## 7.2 CONFLICT OF INTEREST

- a) The Proponent further declares that no Member of the Council of Birch Hills County and no officer or employee of the County will become interested directly or indirectly as a contracting party, partner, shareholder, surety, or otherwise in or in the performance of the Contract or in the supplies, work or business to which it relates, or in any portion of the profits thereof, or in any of the money to be derived there from.
- b) Should the Proponent feel that a conflict of interest or potential conflict of interest exists; the Proponent must disclose this information in written format to Birch Hills County prior to the submission of a proposal. Birch Hills County may, at its discretion, delay any evaluation or award until the matter is resolved to the County's satisfaction.
- c) The County reserves the right to disqualify a proposal where the County believes a conflict of interest or potential conflict of interest exists.

## 7.3 SUBSTANTIAL COMPLIANCE OF PROPOSALS

In the event that a preferred proposal does not entirely meet the requirements of the County, the County reserves the right to accept any proposal that substantially complies with the requirements of this RFP in its sole and absolute discretion but notes that any failure to complete a requirement of the RFP will likely impact upon the evaluation criteria and may result in the Proposal being deemed non-responsive.

## 7.4 DISQUALIFICATION OF PROPONENTS

More than one proposal from an individual firm, partnership, corporation or association under the same or different names will not be considered. Collusion between Proponents will be sufficient for rejection of any proposals so affected.

## 7.5 CONFIDENTIALITY

The proposal must not be restricted by any statement, covering letter or alteration by the Proponent in respect of confidential or proprietary information. Birch Hills County will treat all proposals as confidential. The County will comply with the Freedom of Information and Protection of Privacy Act. All Public Reports approved by the Council of Birch Hills County will become public information.

The Proponent, by submitting a Proposal, does hereby fully and finally release the County from any liability for disclosing confidential information in the event the County discloses confidential information in accordance with a lawful statute applicable in Alberta, including FOIP and PIPA,

Request for Proposal

or is ordered to disclose such information by the Office of the Information and Privacy commissioner or any court or tribunal of competent jurisdiction.

## 7.6 PROPOSAL ASSIGNMENTS

The successful Proponent will not be permitted to assign or transfer any portion of the proposal as submitted or the subsequent agreement without prior written approval from Birch Hills County.

## 7.7 FAILURE TO PERFORM

Failure to comply with all terms and conditions of this proposal, and failure to supply all documentation, as required herein, shall be just cause for cancellation of the award. The County shall then have the right to award this contract to any other Proponent or to re-issue this RFP.

## 7.8 DISQUALIFICATION

The County may, in its sole discretion, disqualify a proposal or cancel its decision to make an award under this RFP, at any time prior to the execution of the Agreement by the County, if,

- the Proponent fails to cooperate in any attempt by the County to verify any information provided by the Proponent in its proposal;
- the Proponent contravenes one proposal per Person or Entity;
- the Proponent fails to comply with the laws of Alberta or of Canada, as applicable;
- the Proposal contains false or misleading information;
- the Proposal, in the opinion of the County, reveals a material conflict of interest;
- the Proponent misrepresents any information contained in its proposal.

## 7.9 PROPONENTS COSTS

a) The Proponent shall bear all costs and expenses incurred by the Proponent relating to any aspect of its participation in this RFP process, including all costs and expenses related to the Proponent's involvement in;

- the preparation, presentation and submission of its proposal;
- the Proponent's attendance at submission review meeting;
- due diligence and information gathering processes;
- site visits and interviews;
- preparation of responses to questions or requests for clarification from the County;
- preparation of the Proponent's own questions during the clarification process; and,
- Agreement discussions.

The County is not liable to pay such costs and expenses or to reimburse or compensate a Proponent under any circumstances, regardless of the conduct or outcome of the RFP Process, including the rejection of all proposals or the cancellation of the RFP, and including any negligence of the County in the conduct of the RFP process.

## 7.10 HUMAN RIGHTS, HARASSMENT AND OCCUPATIONAL HEALTH AND SAFETY

Request for Proposal

The Proponent shall be required to comply with the County's policies regarding Human Rights, Harassment in the Workplace and Occupational Health and Safety.

## 8.0 EVALUATION, NEGOTIATION AND AWARD

### Stages of Evaluation and Negotiation

Birch Hills County will conduct the evaluation of proposals and negotiations in the following stages:

#### Stage I – Mandatory Submission Requirements

Stage I will consist of a review to determine which proposals comply with all of the mandatory submission requirements.

If the proponent fails to satisfy the mandatory submission requirements within the RFP document, its proposal will be excluded from further consideration.

The mandatory submission requirements are set out in Section 9 - RFP Particulars:

#### Stage II –Evaluation

Stage II will consist of the following two sub-stages:

##### a) Mandatory Technical Requirements

The County will review the proposals to determine whether the mandatory technical requirements as set out in Section 9 - RFP Particulars have been met. Questions or queries on the part of the County as to whether a proposal has met the mandatory technical requirements will be subject to the verification and clarification process between the Proponent and the County.

##### b) Rated Criteria

The County will evaluate each qualified proposal on the basis of the non-price rated criteria as set out in the RFP Particulars Section 9 to arrive at a rated criteria score.

#### Stage III – Ranking and Contract Negotiations

##### Final Ranking of Proponents

After the completion of Stage II, a final total score will be calculated for each remaining proponent based on the rated criteria. The proponents will then be ranked based on their final total scores. The top-ranked proponent will receive a written invitation to enter into direct contract negotiations to finalize the agreement with the County. In the event of a tie, automatic presentation to the Committee.

Request for Proposal

Time Period for Negotiations

Birch Hills County intends to conclude negotiations and finalize the agreement with the top-ranked proponent during the Contract Negotiation Period, commencing from the date the County invites the top-ranked proponent to enter negotiations.

Failure to Enter into Agreement

If the County is not satisfied or if the parties cannot conclude negotiations and finalize the agreement for the Deliverables within the Contract Negotiation Period, the County may discontinue negotiations with the top-ranked proponent and may invite the next-best-ranked proponent to enter into negotiations. This process will continue until an agreement is finalized, until there are no more proponents remaining that are eligible for negotiations or until the County elects to cancel the RFP process.

9.0 RFP PARTICULARS

A. THE DELIVERABLES

Birch Hills County is requesting proposal submissions from Executive Search Firms who are both interested and capable of undertaking the duties of recruitment of a Chief Administrative Officer [CAO].

Duties and Responsibilities

The Executive Search firm will be required to provide the following services:

Deliverables:

1. Expedited Search: The successful proponent will be required to complete the search in an expedited manner, commencing in Mid-August of 2021 with an aim of the County hiring a new Chief Administrative Officer (CAO) in place no later than January 2022.
2. Update position profile: Working with the CAO selection committee, the successful proponent will update the position profile and job description.
3. Post position description/profile-The successful proponent will facilitate appropriate posting location/processes to ensure a thorough exposure of the opportunity to relevant candidates.
4. Source qualified candidates and present to CAO Selection Committee: Develop and present a list of relevant candidates to the CAO Selection Committee based on the competencies identified in the position description/profile.



Request for Proposal

5. Facilitate short-listing of candidates with the CAO Selection Committee: The successful proponent will both advise on and facilitate the short-listing of relevant candidates in consultation with the CAO selection committee.
6. Facilitate first and subsequent round interviews: Work with the CAO selection committee to develop interview questions to assess relevant competencies, conduct personal assessments, and to facilitate interviews by ALL of Council.
7. Facilitate identification of preferred candidates: Work with all of Council to identify a preferred candidate.
8. Reference and background checks: Ensure preferred candidate clears all required background and pre-employment checks as directed by the CAO Selection Committee. Conduct professional reference checking.
9. Managing Interactions/relationship with candidate: Act as the conduit between the CAO Selection Committee/Council and all candidates throughout the recruitment process or as otherwise directed by the CAO selection committee.
10. Facilitate the job offer negotiations with the successful candidate ensuring the employment agreement receives approval from the County prior to execution.
11. Follow-up during guarantee period: Follow-up with the CAO Selection committee regarding candidate performance during the guarantee period.
12. Confidentiality: Given the sensitivity of the information collected, the successful proponent shall agree to strict confidentiality, as demonstrated through execution of a confidentiality agreement, with regard to all records associated with the CAO search process.

9.0 RFP PARTICULARS

B. RATED CRITERIA

The following sets out the categories, weightings and descriptions of the rated criteria of the RFP.

<b>STAGE I:</b> Rated Criteria Category	Weighting (Points)
1. Management Company Profile	20
2. References	5



Request for Proposal

3. Expertise	25
4. Proposed Approach to Search	25
5. Guarantee period and follow-up	10
6. Financial	15
<b>Total</b>	<b>-</b>

Management/Company Profile (20)

A description of the consulting firm relevant to its ability to fulfil Birch Hills County needs as described in this RFP. The description should include, at a minimum, a Company Executive Summary (e.g. a company profile, the proponents' general philosophy and approach to recruiting for the public sector), relevant details regarding the firm's philosophy and approach to recruiting for the public sector), relevant details regarding the firm's history, principals, range of services offered, and the firm's conflict of interest policy specifically, whether the firm will undertake a similar search at another municipality before the position of CAO is filled at the County.

References (5)

Each proponent is requested to provide up to three (3) references and project samples from clients who have obtained similar goods or services to those requested in the RFP from the proponent in the last five (5) years.

Expertise (25 points)

Proponents are expected to have substantive experience providing executive recruitment services to the public sector. Proponents must demonstrate visionary leadership and proven capability to effectively support the recruitment of CAO's.

In this regard, proponents must provide a list of clients and senior-level leadership positions for which it has recruited within the past three (3) years. Information to be included: Title recruited for; department/organization/company name; contact period and telephone number; dates of search by month and year; duration of search (e.g. approximate number of days or general time frame); number of times for this client; and measurable outcomes.

In addition, proponents must describe briefly (1 or 2 paragraphs) a minimum of two searches for CAO's of a similar scope and scale that were successfully completed by the proponent in the past five (5) years. Bidders must indicate the completion date and a contact period and telephone number for each reference.

Request for Proposal

Proposed Approach to Search (25 points)

Provide a description of the proposed search process. An identification of the staff members who will be assigned to the file-for each person identify:

- Their title/position within the firm;
- Their proposed role in the search;
- A listing of their relevant experience including previous CAO searches worked on, with the name of the organization and date of the search; and
- Describe the time commitment (estimate number of hours per step) proposed for the senior consultant and for each individual team member to complete this project.
- Proponents must describe how they would address unexpected development affecting the ability of individuals assigned to this project to complete their role/responsibilities as planned.

Guarantee Period and Follow-up (10)

Proponents must provide in brief details their firm's candidate guarantee policy and how their firm will manage any follow-up. Proponents must indicate how long their firm will guarantee the selected candidate. (In months)

Pricing (15 points)

Proponents should provide a comprehensive breakdown of proposed cost to complete CAO search.