

IQUALUIT INTERNATIONAL AIRPORT IMPROVEMENT PROJECT

RFQ Process

Report of the Fairness Reviewer

I was retained as Fairness Reviewer for the Iqaluit International Airport Improvement Project (the "Project") in May, 2012. My mandate is to act as an independent observer with respect to fairness of implementation of the Project's procurement processes. I report to the Project's Steering Committee on whether Project team reasonably implements and complies with the pre-determined processes. This is my report to September 25, 2012, at which time the Project team had completed evaluation of responses to the Project's Request For Qualifications ("RFQ").

I reviewed and commented on the RFQ before it was issued in late June, 2012. The RFQ sets out the information required to be provided by respondents, provides a process for responding to questions and issues raised by prospective respondents, addresses competition rules related to conflicts of interest and other matters, and summarizes the process and criteria for evaluation of Responses.

The Project team also prepared an Evaluation Manual which set out the process for evaluation of Responses, including receipt of Responses, security measures for custody of and access to Responses during the evaluation period (including secure premises), procedures to follow in communications with respondents, guidelines for scoring, and other matters.

Since issuance of the RFQ, I have undertaken the following activities:

- Attended the Project's bidders' meeting (conducted by teleconference), at which prospective bidders were provided with information about the Project
- Monitored enquiries from prospective respondents regarding the RFQ, site tours held in Iqaluit, registration requirements, and other matters, along with the Project team's answers
- Monitored the Project team's handling of issues raised by prospective proponents concerning restricted parties, conflict relationships and similar matters
- Reviewed and provided input to the Evaluation Manual
- Monitored receipt of Responses at the closing time, and observed part of the initial completeness review
- Attended the evaluators' orientation meeting
- Monitored requests for clarification issued by the Project team to respondents, and the answers received
- Discussed the relationship review process with the evaluation management team
- Visited the evaluation site in Vancouver periodically, and discussed the evaluation with the Project team

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- Attended and/or monitored various meetings of evaluation subcommittees, and the Evaluation Committee, at which Responses were discussed, evaluated and scored
- Monitored various reference checks
- Attended meetings of the Evaluation Committee with the due diligence advisor

I had full access to the Responses and to the evaluation premises. I was kept informed of meetings, and provided with copies of all correspondence between the Project team and respondents. I attended a selection of the meetings I considered necessary.

At the end of the period originally scheduled for evaluation, the team determined that more time was required to complete the evaluation, and that certain members of the team would need to return from Vancouver to their homes in Iqaluit for the balance of evaluation activities. I concurred in the team's decision to amend the Evaluation Manual to provide those individuals with access to Responses while in Iqaluit, under appropriate conditions to preserve security.

I observed that the processes described in the Evaluation Manual were followed by the Project team, including the processes for receipt and initial completeness review of Responses, relationship review, secure storage of and access to Responses, detailed review, and correspondence with proponents. Evaluations of Responses were conducted in accordance with the process and criteria described in the RFQ and the Evaluation Manual. The teams discussed in detail and in turn the specific content of each Response, compared it against the requirements of the RFQ and assigned a score. I observed that:

- Prior to and during their work, teams discussed the requirements of the Evaluation Manual, including issues as to consistency and fairness;
- The evaluation team included persons with expertise in the areas under consideration, and was supported with appropriate physical resources and by assistance as needed from professional advisors;
- Team members were familiar with each of the Responses, such that each member could fully discuss the Responses in meetings;
- Teams debated among themselves to ensure that scores were careful, rational, consistent and based in the requirements of the RFQ and the Evaluation Manual;
- Discussions were thorough, and participants were open to persuasion. All scores were approved by the full Evaluation Committee;
- The due diligence advisor carefully reviewed the work of the evaluation teams, and asked numerous questions to test the conclusions reached, both as to individual scores and as to the overall results of the competition.

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Periodically, I have asked questions of the Project team about the process, or have offered comments related to issues of fairness. In each case I have been satisfied with the team's response, and have observed that any advice I offered was handled appropriately.

I am satisfied that:

- The RFQ properly described the requirements for Responses and the basis for their evaluation;
- The Evaluation Manual provided reasonable procedures to ensure confidentiality of the Responses, and a thorough and unbiased review;
- Evaluation of the Responses was conducted diligently and carefully, and in accordance with the pre-determined procedures.

I am satisfied that the procurement process as described in the RFQ has been fair, reasonable, and appropriate; and that the Project team has reasonably implemented and complied with that process.

Signed at Vancouver, September 25, 2012.

Jane Shackell, Q.C.