




CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Long Term Care

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	October 7, 2021
SUBJECT/REPORT NO:	Procurement of Physiotherapy Services (HSC21040) (Wards 7 and 13)
WARD(S) AFFECTED:	Wards 7 and 13
PREPARED BY:	Holly Odoardi (905) 546-2424 Ext. 1906
SUBMITTED BY:	Grace Mater General Manager Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION

That Council approve the single source procurement with Hamilton Physio Clinic, pursuant to Procurement Policy #11 – Non-competitive Procurements, and extend the current contract for Physiotherapy Services and Exercise Services used at Macassa and Wentworth Lodges for a period of 18 months through the Funding Program provided by the Ministry of Long-Term Care (“MLTC”) and that the General Manager, Healthy and Safe Communities Department be authorized to negotiate and execute the amendment to the Contract and any ancillary documents required to give effect thereto, in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

This Report is requesting Council’s approval for the extension of Contract C5-21-14 to maintain continuity of physiotherapy and exercises services to the residents of Macassa and Wentworth Lodges (the “Homes”) until another competitive procurement process can be issued and awarded for the work.

Alternatives for Consideration – Not Applicable

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications associated with Report HSC21040. This service for residents is fully funded through the Ministry of Long Term Care

Staffing: There are no staffing implications associated with Report HSC21040.

Legal: Legal Services staff may be required to assist with any amendment to extend the Contract.

HISTORICAL BACKGROUND

The current contract for Physiotherapy Services and Exercise Services required at the Homes, Contract C5-21-14 (“Contract”) which was awarded to Hamilton Physio Clinic (“Hamilton Physio”) on January 26, 2015, was due to expire on March 31, 2020. With the onset of the pandemic in March 2020, staff at both Homes did not have the capacity to undertake a competitive procurement process as their sole focus at this time was to provide enhanced care to the residents during the COVID-19 pandemic. In order to maintain the continuity of the services provided by Hamilton Physio, staff brought forward and approved four Policy #11 Non-Competitive Procurements to extend the current Contract; first Policy #11 approved on January 14, 2020 for three months, second Policy #11 approved on March 13, 2020 for nine months, third Policy #11 approved on January 25, 2021 for five months and the fourth Policy #11 approved on August 5, 2021 for one month. The Policy #11 extensions allowed for a total of 18 months to be added to the Contract (April 1, 2020 to September 30, 2021).

In May of 2021, the nursing leadership team worked with the Procurement Section to develop and complete the issuance of C5-12-21, a Request for Proposals (“RFP”) to secure a new contract for a proponent to provide on-site physiotherapy and exercise services for the residents of the Homes. The proposal evaluations and selection of a successful proponent were expected to be completed by September 30, 2021.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Long Term Care Homes have an obligation under the Long- Term Care Homes Act 2007 (2010) and Ontario O. Reg. 79/10: GENERAL, indicating that they shall ensure that therapy services are available for residents on-site, specifically physiotherapy and exercise programs provided to residents.

The recommendations in Report HSC21040 comply with the City of Hamilton’s By-law 20-205, Procurement Policy 4.11, Policy #11 – Non-Competitive Procurements and Policy 4.19 – Policy #19 Non-compliance with the Procurement Policy to seek Council

Approval to temporarily continue with the current vendor until the award is completed through the upcoming RFP process.

RELEVANT CONSULTATION

Procurement was consulted and supports the Recommendation in this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Staff's intentions were to complete the proposal evaluations and select a successful proponent by the deadline. However, during the consensus evaluation meetings, it became evident that the criteria included in the RFP was not robust enough to ensure both a qualified successful proponent and the level of care required at the Homes. Prior to the completion of the evaluations, staff determined that it was most appropriate to cancel C5-12-21 and issue a revised RFP at a later date.

Notwithstanding the cancellation of the RFP, staff need to maintain the continuity of services.

The Procurement Policy, Policy #4.11, Policy 11 Non-Competitive Procurement requires Council approval where the extension of a contract "exceeds 18 months from the expiry of the contract with a vendor". Since the Contract has been extended from April 1, 2020 to September 30, 2021, Council approval is required to extend the Contract any further. In addition to this Report, Council is advised that staff has also submitted a Policy #19 – Non-compliance to bridge the September 30, 2021 completion date of the Contract to the date of Council's approval of this Report. The final amount of the Policy #19 will be reported to the Audit, Finance and Administration Committee. and Council in FCS21010(b) - 2021 Second Quarter Non-Compliance with the Procurement Policy Report (to be submitted in the near future).

Due to continuance of the pandemic, and specifically Wave 4, staff is requesting an additional 18-month extension to the Contract with the current service provider, Hamilton Physio, to allow the leadership team to continue to focus on the health and safety of our residents, staff, and Homes. Hamilton Physio has proved to be a competent and satisfactory vendor to the City. The extension of the Contract will allow staff to continue to work with the Procurement Section to reconsider the terms and reference and evaluation criteria to ensure a successful competitive procurement. The further extension will also ensure there are no service disruptions to our 430 residents across both Homes.

ALTERNATIVES FOR CONSIDERATION

None

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

APPENDICES AND SCHEDULES ATTACHED

None