




CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

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| TO: | Chair and Members of Governance Review Sub-Committee |
| COMMITTEE DATE: | September 9, 2022 |
| SUBJECT/REPORT NO: | Integrity Commissioner and Lobbyist Registrar Contract (FCS22074) (City Wide) |
| WARD(S) AFFECTED: | City Wide |
| PREPARED BY: | Andrea Holland (905) 546-2424 Ext. 5409 |
| SUBMITTED BY: | Andrea Holland City Clerk |
| SIGNATURE: |  |

RECOMMENDATION

- a) That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton until May 31, 2027 and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor.
- b) That the City Clerk report back to Governance Review Sub-Committee on the results of the negotiation.

EXECUTIVE SUMMARY

The term of contract for Council's Integrity Commissioner, Principles Integrity is ending in November 2022. Under the current Contract, C2-06-19, the City may extend the contract for a further term. Staff have had preliminary discussions with Principles Integrity, and they are willing to extend the contract and are open to further negotiations. Staff are seeking approval and authority to proceed with negotiation and an extension.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Currently, the annual costs for the Integrity Commissioner and Lobbyist Registrar are funded through IC-Lobbyist Registrar (Account Number 300400). The annual costs from the previous five (5) years is listed below in chart 1.

Chart 1: 5 Year History of Integrity Commissioner Costs

| Dept ID 300400 | | | | | |
|----------------------|-----------|-----------|-----------|-----------|------------|
| | 2018 | 2019 | 2020 | 2021 | 2022 |
| GEORGE RUST D'EYE | 6,360.00 | | | | |
| PRINCIPLES INTEGRITY | 9,950.96 | 30,715.62 | 66,475.36 | 64,846.69 | 32,350.64* |
| Total | 16,310.96 | 30,715.62 | 66,475.36 | 64,846.69 | 32,350.64* |

Note: *2022 costs are reflective of processed invoices at the time of this writing this report

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

In 2019, the City Manager, Executive Director of Human Resources, City Solicitor and City Clerk, with the assistance of Procurement staff issued a Request for Proposals, C2-06-19, on November 25, 2019 to select and retain an Integrity Commissioner and Lobbyist Registrar. The City received three Proposals in response to the RFP. All of the Proposals were evaluated and as a result, two Proposals met the benchmark and were eligible to have their Costing Proposal opened and evaluated in accordance with the RFP with Principles Integrity approved as the successful Proponent in 2020.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Under the current agreement with Principles Integrity, Council has an option to renew as outlined below.

TERM

“The Successful Proponent for the position of Integrity Commissioner and Lobbyist Registrar for the City of Hamilton will be expected to enter into

the Agreement to the satisfaction of the City Solicitor. The Agreement shall be executed by the Mayor and City Clerk.

The Agreement shall commence at the discretion of the City of Hamilton between March 1, 2020 and shall expire on the last day of the current Council term. The City shall have the option to renew Agreement for one additional term of Council based on the same terms and conditions, subject to satisfactory performance to the date of renewal and price negotiations.

There is no obligation on the City to extend the Agreement. Should the City decide to extend the Agreement, such extension shall be on the same terms and conditions of the original Agreement(s) including price.”

Staff are seeking direction from Council to enter into negotiation with Principles Integrity to extend the current Contract. If negotiations are unsuccessful, staff would proceed with a recruitment process for a new Integrity Commissioner.

RELEVANT CONSULTATION

Staff consulted with the City Manager and Manager of Procurement to inform the report and recommendations.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The recruitment completed in 2019 resulted in 3 proposals and only two proposals met the benchmark for evaluation. Staff are recommending a contract extension as there was little response in the last recruitment for an Integrity Commissioner and the current contract provides Council with the ability to extend through negotiation.

Staff recommend that the renewed term be set to end on or around May 31, 2027 rather than expire on November 14, 2026, to enable sufficient opportunity for the new Council to determine a mechanism for appointing its next Integrity Commissioner and Lobbyist Registrar.

ALTERNATIVES FOR CONSIDERATION

Alternatively, Council could choose to allow the next Council to decide the process for selection. Additionally, staff could proceed with a new open competitive process for a new Integrity Commissioner and Lobbyist Registrar for the new Council's approval.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.