

File No. 04-1000-20-2016-352

September 28, 2016

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am writing in response to your request for:

In regards to RFP PS20150910 "Public Bicycle System," all available vendor proposals, presentations, evaluations and recommendations as of the RFP closing time on August 31, 2015.

Supply Chain Management has notified my office that you are a representative of one of the corporate entities that submitted a proposal/bid in response to these RFPs. As such you read and agreed to the submission conditions in the City of Vancouver's Request for Proposal, (RFP), one of which is the following:

**8.3 All City Information Confidential**

*(b) The Proponent now irrevocably waives all rights it may have by statute, at law or in equity, to obtain any records produced or kept by the City in evaluating its Proposal (and any other submissions) and now agrees that under no circumstances will it make any application to the City or any court for disclosure of any records pertaining to the receipt, evaluation or selection of its Proposal (or any other submissions) including, without limitation, records relating only to the Proponent.*

This clause precludes using the Freedom of Information and Protection of Privacy legislation to request records covered under clause 8.3 of the standard RFP submission.

Please do not hesitate to contact me if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to be 'B. Van Fraassen', with a long horizontal flourish extending to the right.

Barbara J. Van Fraassen, BA  
Director, Access to Information  
*City Clerk's Department, City of Vancouver*  
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