

File No.: 04-1000-20-2017-509

December 15, 2017

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 responding to your request of December 13, 2017 for:

1. Any and all proposal responses, technical proposals, documentation, reports, submittals, pricing, including, but not limited to any best and final offers and other information submitted by any vendor (other than Election Systems & Software Canada, ULC) in response to Request for Applications, RFA No. PS20161793, Supply of Optical Ballot Tabulators (the "RFP"); and
2. Any and all documentation, reports, analysis, scoring or other information related to the evaluation, scoring and ranking of all vendors proposal responses submitted in response to the RFP, including each individual evaluation team member's scoring sheets, notes and other information; and
3. Any contract associated with the RFP.

Date Range: March 1, 2017 to December 13, 2017

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:

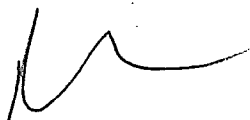
8.3 All City Information Confidential

(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 the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

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Encl.

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