

File No. 04-1000-20-2024-486

August 12, 2024

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 of July 31, 2024 under the ***Freedom of Information and Protection of Privacy Act*** for:

1. **Record of the complete RFP (PS20230456-COV-RFP) responses from HotSpot Parking Inc., PayByPhone Technologies Inc., Precise ParkLink Inc., ZipBy USA LLC, and ParkMobile LLC, including all appendices, annexes, schedules, pricing calculations, and any other supporting documents submitted by a proponent for the Provision of Mobile Parking Payment System; and**
2. **Record of City of Vancouver memos, correspondence, or any other work product created in the ranking or scoring of each proponent's RFP response. Date range: November 8, 2023 to July 30, 2024.**

Supply Chain Management has notified our office that you are a representative of one of the corporate entities that submitted a proposal/bid in response to this RFP. As such, you have 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.

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner,

[info@oipc.bc.ca](mailto:info@oipc.bc.ca) or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (2024-486); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

Kevin Tuerlings, FOI Case Manager, for

*[Signed by Kevin Tuerlings]*

**Cobi Falconer, MAS, MLIS, CIPP/C**  
**Director, Access to Information & Privacy**

If you have any questions, please email us at [foi@vancouver.ca](mailto:foi@vancouver.ca) and we will respond to you as soon as possible. You may also contact 3-1-1 (604-873-7000) if you require accommodation or do not have access to email.

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