

Request for proposals: Engineers Canada paper on the regulation of emerging disciplines

Date Issued: July 14, 2023

Interest Disclosure and Question Period Deadline: July 21, 2023

Proposal Submission Deadline: August 14, 2023

Questions concerning this RFP should be directed to:

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1. Statement of purpose

The Canadian Engineering Qualifications Board (“CEQB”) of Engineers Canada is seeking proposals from firms or individual consultants (“Bidders”) to develop an Engineers Canada paper on the regulation of emerging disciplines (the “Project”). The Project will be developed through a phased, consultation-based approach, with an anticipated completion date of October 2024.

Successful completion of the Project will entail several key deliverables, developed with the support of the CEQB Secretariat and in consultation with Project stakeholders, including the CEQB Admissions Issues Committee:

- The development and facilitation of a virtual workshop in October 2023 on the regulation of emerging disciplines;
- The creation and revision of a general direction document following the workshop, to be circulated for consultation among key Engineers Canada stakeholders; and
- The creation and revision of an Engineers Canada paper on the regulation of emerging disciplines.

2. Background information

2.1. Engineers Canada background

Engineers Canada upholds the honour, integrity, and interests of the engineering profession by supporting consistent high standards in the regulation of engineering, encouraging the growth of the profession in Canada, and inspiring public confidence. For over 80 years, we have worked on behalf of the provincial and territorial associations that regulate engineering practice and license the country’s 300,000 members of the engineering profession.

Our work is focussed on ten (10) core purposes, as established by Engineers Canada’s members, the engineering regulators:

1. Accrediting undergraduate engineering programs.
2. Facilitating and fostering working relationships between and among the regulators.
3. Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
4. Offering national programs.
5. Advocating to the federal government.
6. Actively monitoring, researching, and advising on changes and advances that impact the Canadian regulatory environment and the engineering profession.
7. Managing risks and opportunities associated with mobility of work and practitioners internationally.
8. Fostering recognition of the value and contribution of the profession to society and sparking interest in the next generation of professionals.

9. Promoting diversity and inclusivity in the profession that reflects Canadian society.
10. Protecting any word(s), mark, design, slogan, or logo, or any literary, or other work, as the case may be, pertaining to the engineering profession or to its objects.

2.2. Background on the CEQB and Admissions Issues Committee

The CEQB develops national guidelines, Engineers Canada papers, examination syllabi, and other products as mandated by the Engineers Canada Board. CEQB deliverables serve the needs of Canada's engineering regulators, engineering licence holders, and applicants for licensure by enabling the assessment of engineering qualifications, fostering excellence in engineering practice and regulation, and facilitating mobility. Several standing sub-committees assist the CEQB in its work. Each is chaired by a CEQB member and consists of volunteers and, as needed, staff from the provincial and territorial engineering regulators.

In January 2023, the Canadian Engineering Qualifications Board assigned its standing Admissions Issues Committee to advise on the development of this Engineers Canada paper. With regard to the paper, the Admissions Issues Committee's purpose is to provide expert feedback throughout the paper's development, and to approve documents for subsequent CEQB approval and consultation.

2.3. Background to develop an Engineers Canada paper on the regulation of emerging disciplines

[Engineers Canada's current strategic plan](#) identifies "Support regulation of emerging areas" as one of the strategic priorities for the organization. To date under this priority, Engineers Canada has focused on the development of guidelines and tools to support the assessment of engineering applicants in specific emerging areas. However, currently there is no overarching guidance examining the fundamental principles by which emerging fields are identified, defined, assessed, and regulated.

As a result, the Canadian Engineering Qualifications Board is seeking a consultant or consulting firm to support development of an Engineers Canada paper on the regulation of emerging engineering disciplines. The paper is intended to support effective regulation of emerging disciplines by providing Canadian engineering regulators with insight into key topics, including:

- 1) **Factors influencing the regulation of emerging areas:** What are the social, technological, political, regulatory, academic, globalizing etc. forces that contribute to the need to regulate new disciplines of engineering? What are the strengths, weaknesses, opportunities, and threats of regulating and not regulating in emerging areas? What are the risks and/or potential benefits of regulation of emerging areas of engineering practice being undertaken by organizations other than engineering regulators? What are good practices for assessing the academics of applicants in emerging areas?
- 2) **Methods for determining the timing, scope, and type of engagement required for regulating emerging areas:** How can regulators most effectively identify and define areas requiring engineering regulation? Who should be consulted when identifying and defining new areas (e.g. industry, academia, public) and how? What does "right touch" regulation

look like in the context of emerging disciplines? How can regulators most effectively determine the point at which an emerging discipline requires regulation?

- 3) **Methods for monitoring, assessment, and the creation of national alignment in regulating emerging areas:** How can regulators most effectively monitor trends in industry, technology, and academia to be proactive with regard to emerging areas? How can regulators handle the question of finding qualified supervisors when they may not exist for an emerging area? How can regulators attract and assess applicants in emerging areas when these applicants may not understand the value of licensure?

This paper will be developed under the guidance of the CEQB Admissions Issues Committee, and in consultation with Canadian engineering regulators. Depending on findings, the consultants may choose to advance a framework and/or recommendations on how Canadian engineering regulators could implement changes to their current systems with regard to regulating emerging disciplines.

3. Scope of work

The successful Bidder (the “**Consultant**”) will be required to develop and deliver several major pieces of work, with the guidance and support of the CEQB Secretariat and in consultation key with stakeholders, including the Admissions Issues Committee. These are to be delivered over a multi-year timeline:

1. **Prepare and facilitate a half-day national virtual workshop for CEQB members, regulators, and relevant experts to help develop the general direction of the Engineers Canada paper. (October 2023)**

It is policy of the Engineers Canada Board that the outputs of the CEQB involve a substantial input and consultation process with Canada’s twelve (12) engineering regulators and, as needed, key engineering stakeholders (for example, industry experts). A national workshop in the early-stages of CEQB projects ensures the smooth development of CEQB documents as they proceed through later stages.

In the case of this specific paper, preparation for this workshop will require conversations with regulators and relevant experts to be determined by the consultant and Admissions Issues Committee to ensure that the paper will be developed through a robust, inclusive process. The workshop approach and content will also be validated under the advisement of the Admissions Issues Committee.

The **intended outcome** of this requirement is to gather key information required for the successful development of the general direction document (and, by extension, the final deliverable).

The **deliverable** is the workshop.

2. **Write a draft general direction document based on the workshop outcomes, outlining paper’s topics and direction. (November 2023)**

Information gathered from the national workshop, as well as any relevant research, will be used to develop a **draft** general direction document, which will subsequently be sent to engineering regulators and the Engineers Canada Board for consultation. This consultation process is run by the CEQB Secretariat, who summarize stakeholder feedback and communicate it to the committee and Consultant to aid in the next steps of project development. The draft general direction requires sequential approvals by the Admissions Issues Committee and then the CEQB in order to be sent for regulator consultation.

The **intended outcome** of the draft general direction is to provide a document that the CEQB Secretariat will use to confirm the project's overall direction with key stakeholders.

The **deliverable** is the draft general direction.

3. Finalize the general direction document using collated feedback from the consultation process. (March 2024)

As mentioned, following the development of the draft general direction, the CEQB Secretariat circulates the document to engineering regulators and the Engineers Canada Board for consultation. With support of the Consultant and the Secretariat, the Admissions Issues Committee responds to feedback. This collated feedback is then used by the Consultant to finalize the general direction document. The Admissions Issues Committee's responses are also shared with regulators and those who provided feedback.

The **intended outcome** of the finalized general direction document is to establish consensus about what the paper will contain.

The **deliverable** is the final general direction.

4. Develop the draft paper, based on the final general direction document. (May 2024)

Once the general direction is final, the Consultant commences work on the paper under the advisement of the Admissions Issues Committee. The draft general direction requires sequential approvals by the Admissions Issues Committee and then the CEQB in order to be sent for regulator consultation.

The **intended outcome** of the draft paper is to provide a consultation-ready version of the document to the CEQB Secretariat.

The **deliverable** is the draft paper for engineers and engineering firms on the regulation of emerging disciplines.

5. Incorporate feedback from the draft paper consultation, and finalize paper for CEQB and subsequent Engineers Canada Board approval. (October 2024)

Following the development of the draft paper, the CEQB Secretariat circulates the document to engineering regulators and the Engineers Canada Board for consultation. The Admissions Issues Committee, in collaboration with the Consultant, responds to feedback. This collated feedback is then used by the Consultant to finalize the paper, and committee responses are shared with regulators and those who provided feedback. Further revision and consultation may be completed by the CEQB Secretariat. The final paper is presented by the Admissions Issues Committee chair to the CEQB for approval to then be sent to the Engineers Canada Board.

The **intended outcome** of the final paper

is to present the document to the Engineers Canada Board for final approval and subsequent publication on the public website.

The **deliverable** is the final paper for engineers and engineering firms on the regulation of emerging disciplines.

4. Budget

Proposals should include the entire Project cost capped at maximum \$60,000 plus taxes.

5. RFP submission & evaluation process

5.1. Submission schedule

The following is a list of key events from Request for Proposal (RFP) issuance through to Notice of Award. The dates are subject to change by Engineers Canada, at its sole discretion.

No.	Description	Key Dates
1	Issue RFP	July 14, 2023
2	Interest disclosure and Bidder meeting request deadline	July 21, 2023
3	Bidder meetings (see section 5.2)	July 26, 2023
4	Proposal Submission Deadline	16:00 EST on August 14, 2023
5	Evaluation of proposals, including reference checks	August 15 to 25, 2023
6	Notice of Award issued (subject to negotiation of Service Agreement)	August 28, 2023

5.2. Bidder meetings

There will be an opportunity for prospective Bidders to meet with Engineers Canada staff for a question-and-answer session on July 26. While these meetings are not mandatory, they provide an opportunity for Bidders and Engineers Canada staff to meet prior to proposal evaluation. If you wish to participate, please contact the person identified in section 5.3 (Inquiries) to schedule a meeting. Bidders are requested to limit meeting participants to two (2) people per Bidder entity.

Questions must be submitted twenty-four (24) hours prior to a Bidder meeting. Questions raised at the Bidders meeting will be collated and distributed to all Bidders who have expressed interest in submitting a proposal.

5.3. Inquiries

Questions concerning this RFP or the Bidders meeting may be directed by email to Ryan Melsom, Manager, Qualifications and CEQB Secretary at Ryan.Melsom@engineerscanada.ca.

5.4. Proposal Evaluation

5.4.1. Evaluation Process

Upon the closing of the Proposal Submission Deadline, Engineers Canada will evaluate proposals in accordance with the following process:

Stage 1: Initial Assessment

All proposals received by Engineers Canada will initially be assessed by the CEQB Secretariat (or their delegates) and any other individuals(s) that are deemed necessary.

The assessment of each proposal will be based on the contents of the Bidders' written proposal and any statements provided in writing, if needed, in response to requests for clarification made by Engineers Canada. Staff will ensure compliance with the stated mandatory requirements and will score each proposal, in accordance with section 5.4.4 (Scoring Legend).

Stage 2: Interviews and Reference Checks

Following staff's initial assessment of the proposals, the 1-2 highest scoring Bidders will be contacted to conduct interviews and further confirm their ability and fit to provide the required services and deliverables. The references of the top-scoring Bidders may also be contacted at this stage.

Once this assessment is complete, Engineers Canada will proceed to select and notify the successful Bidder, by issuing a Notice of Award.

5.4.2. Mandatory Requirements

Engineers Canada has several requirements that are deemed mandatory when submitting a response to this RFP. The following criteria have been identified as mandatory:

- Proposals must be received prior to the Proposal Submission Deadline;

- Proposals must indicate that the Bidder is able to deliver the services and complete the Project within the stated timelines;
- Proposals must include the information requested in section 5.4.5 (Proposal Evaluation) of this RFP; and
- Proposals must clearly state the total Project cost, including all fees and expenses, in Canadian funds.

Proposals which fail, in the sole discretion of Engineers Canada, to meet any mandatory requirement will be eliminated from further consideration in the evaluation process. However, Engineers Canada reserves the right to waive any mandatory requirements if it deems fit and appropriate to meet the interests of and provide best value to Engineers Canada. This clause should be interpreted solely for the benefit of Engineers Canada and not for the benefit of the Bidders.

5.4.3. Scoring

Proposals will be evaluated and scored by Engineers Canada, using predetermined criteria to determine which proposal potentially provides the best value. Scoring of proposals and evaluation comments are confidential and will not be disclosed.

In terms of relative importance, each criterion is given a pre-assigned weight, as outlined in section 5.4.5 (Proposal Evaluation), by which each proposal will be evaluated. Each criterion is rated on a scale of 0 to 10 (see section 5.4.4 (Scoring Legend), below). Each criterion’s rating is then multiplied by the assigned weight to yield a total for that element. Summation of the individual totals yields a total score, which represents the overall degree of satisfaction for the respective submission.

5.4.4. Scoring Legend

0 Points Deficient	1-3 Points Poor	4-6 Points Fair	7-8 Points Good	9-10 Points Excellent
The proposal fails to meet the requirements of the applicable scoring criteria in a suitable and documented manner.	The proposal fails to meet the requirements of the applicable scoring criteria in a suitable and documented manner.	The proposal barely meets the requirements of the applicable scoring criteria in a suitable and documented manner.	The proposal reasonably demonstrates that the requirements of the applicable scoring criteria are met in a documented and suitable manner.	The proposal fully demonstrates that the requirements of the applicable scoring criteria are met in a documented and suitable manner.
The proposal fails to demonstrate that the Project will be performed in an acceptable manner.	The proposal reveals significant weaknesses that could result in unacceptable shortcomings in performance of the Project.	The proposal reveals weaknesses that could result in tolerable or reasonably correctable shortcomings in performance of the Project.	The proposal reveals minor weaknesses that should not significantly impact performance of the Project.	There are no apparent weaknesses.

5.4.5. Proposal evaluation

The proposals will be evaluated as follows:

No.	Scoring Criteria	Weight	Points	Total Points
1	Mandatory requirements (section 5.4.2)		Elimination	
2	Qualifications and relevant experience	50		
3	Approach and methodology	30		
4	Fees and expenses	15		
5	Quality of submission	5		
	Total	100		

To confirm the above criteria, Bidders must include with their proposal, at a minimum, the following supporting information:

Qualifications and relevant experience:

- Detail your experience developing research projects, papers, and/or guidelines in support of regulation of professions in Canada;
- Detail your experience working within Canada's complex regulatory environment (e.g. multiple jurisdictions, differing provincial and territorial legislation);
- Describe any relevant experience pertaining to the assessment of professional and academic qualifications;
- Detail your expertise in complex stakeholder engagement and facilitation (Both individual/team expertise and applied knowledge of relevant methodologies).

Approach and methodology:

- Describe how you will approach the Project;
- Describe your understanding of the Project requirements and deliverables;
- Describe the process you would follow to develop the national workshop, identified as the second deliverable in section 3 (Scope of work).
- Identify the expected challenges for this Project and the proposed mitigation strategies;
- Provide a detailed work plan, with timelines.

Fees and expenses:

- Outline your proposed costs and fees.

In addition to the above, Bidders must supply the name, email address, and phone number of two (2) recent clients (within the past 24 months) who have received services similar to those requested in this RFP and who may be contacted as references. Include a short description of the work performed, including how it was similar to this Project.

Engineers Canada will communicate with the winning Bidder throughout this Project in English. All proposals must therefore be submitted in English.

5.4.6. Confidentiality

Proposals and information submitted by Bidders will be treated as proprietary, held confidential, and used only for evaluating the ability of the Bidder to handle the Project. The details of any proposals will be shared only with the persons involved in the Project evaluation process.

6. RFP terms and conditions

6.1.Process conditions

This RFP is not an offer by Engineers Canada to any person, and no contract of any kind whatsoever (including, without limitation, no "Contract A") is formed between Engineers Canada and any Bidder upon the submission of a proposal in response to it. For greater certainty, nothing in this RFP, including without limitation, the use of mandatory language, language reserving rights to Engineers Canada, or other language that might, but for this clause, be indicative of contractual intention, is intended by Engineers Canada to indicate an intention to be contractually bound to any Bidder in any manner whatsoever. Engineers Canada retains the right, in its absolute discretion, to consider and analyze the proposals, negotiate with any Bidder at any time, select a preferred Bidder, or enter a service contract with a Bidder. Without limiting the foregoing, since this clause precludes Contract A, none of the usual Contract A terms apply, and Engineers Canada may:

- Reject or accept any proposal, whether or not complete, and whether or not it contains all the required information;
- Require clarification of any proposal;
- Request additional information on any proposal;
- Reject any or all proposals without any obligation, or any compensation or reimbursement to the Bidders;
- Refuse to enter into a service contract with any of the Bidders;
- Re-advertise for new submissions, or call for tenders for this work or for work of a similar nature.

Engineers Canada may, in its sole discretion, independently verify any information in any proposal. The proposals submitted by Bidders must be offers made in good faith, and Engineers Canada reserves the right to make a choice from the various proposals, or not choose any. Engineers Canada shall not be obligated in any manner until a written agreement relating to an approved proposal has been duly executed.

6.2.Competitive process

With the issuance of this RFP, Engineers Canada is making a business opportunity available to Bidders having the experience, competence, and managerial sophistication to enter into a service contract to complete the work.

6.3.Proposal revisions

All proposal revisions must be received by Engineers Canada prior to the Proposal Submission Deadline stated in Section 5 (RFP Submission & Evaluation Process), above.

6.4.Cost of preparing proposals

Bidders are solely responsible for all costs they incur in preparing and submitting proposals.

6.5. Clarification of proposal

Engineers Canada reserves the right, but does not have an obligation, to request clarification of a proposal or request further information from any or all Bidders. In addition, if, in the opinion of Engineers Canada, any proposal contains a minor defect or irregularity or fails in some way to comply with any requirement of the RFP in a way that, in the opinion of Engineers Canada can be remedied without providing an unfair advantage to one or more Bidders, the Engineers Canada Contact Person may request rectification from the Bidder(s).

Engineers Canada, upon receipt of appropriate clarification and/or rectification, may waive the minor defect or irregularity and accept the Bidder. Failure by a Bidder to provide a written response that, in the opinion of Engineers Canada, properly clarifies or rectifies its proposal, within the time specified in the request for clarification or rectification, may result in disqualification of the proposal.

6.6. Acceptance of RFP conditions

Receipt of a proposal by Engineers Canada will be considered acceptance by the Bidder of the RFP terms and conditions, and will be incorporated in the Bidder's proposal.

6.7. Negotiation delay

If a written agreement cannot be concluded within fifteen (15) business days of notification to the designated Bidder, Engineers Canada may, in its sole discretion, terminate negotiations with that Bidder and either negotiate a service agreement with another Bidder of its choice or choose to terminate the RFP process and not enter into a contract with any of the Bidders.

6.8. Notification of success

A written Notice of Award shall be the only valid form of notification of success in response to this RFP.

6.9. Reservation of rights

Engineers Canada reserves the right, in its sole discretion, to:

- modify, cancel or suspend the selection process, or any or all stages of the selection process, including before or after provision of a Notice of Award, at any time for any reason;
- accept or reject any proposal based on the evaluation criteria in section 5, above, as determined in the sole discretion of Engineers Canada;
- not accept any proposal; and
- reject or disqualify all or any proposal without any obligation, compensation, or reimbursement to any Bidder.

6.10. Limitation of damage

Each Bidder, by submitting a proposal, agrees that:

- In the event any or all proposals are rejected or disqualified, or the Project or selection process is modified, suspended or cancelled for any reason, neither Engineers Canada, nor its employees, agents, officers, or directors will be liable under any circumstances for any claim, or to reimburse or compensate any person in any manner whatsoever, including but not limited to costs of preparation of the proposal, loss of anticipated profits, loss of opportunity, or for any other matter; and
- The Bidder waives any claim for loss of profits or loss of opportunity if : (i) the Bidder is rejected or disqualified or is not successful in the selection process; (ii) the selection process for the

project is suspended, cancelled or modified at any time; or (iii) cancellation occurs per the above.

6.11. Proposal Documents

All documents submitted by Bidders will become the property of Engineers Canada.