



**Engineers Canada  
The PIEVC Program**

# **Request for Expressions of Interest (REOI)**

Issued by:

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## A. INTRODUCTION

This Request for Expressions of Interest (REOI) is to notify and ask interested organizations to submit an expression of interest to receive a Request for Proposal (RFP) from Engineers Canada to assume the legal, financial, and operational responsibilities of Engineers Canada's PIEVC Program ("the Program").

This document provides some preliminary information on the PIEVC Protocol and operation of the Program by Engineers Canada. It should enable organizations to assess the opportunity and submit their interest. Further information will be provided in the RFP to follow.

The Engineers Canada Board has mandated the divestment of the Program. Engineers Canada is not seeking financial compensation for this divestment, but rather a commitment of the assuming organization to invest time and resources to ensure the Program and access to the PIEVC Protocol is sustained in Canada and internationally. The Program will be transferred in its entirety in accordance with conditions to be negotiated between Engineers Canada and the winning proponent.

Note that Engineers Canada is releasing a separate RFP to assume its Infrastructure Resilience Professional (IRP) program at the same time and with the same submission deadline as the PIEVC RFP. Engineers Canada is open to proposals where one organization assumes the responsibilities for both programs. An indication of interest to assume both programs is requested in this REOI so that Engineers Canada can anticipate such a possibility as part of its evaluation of proposals for both programs.

Partnerships between organizations may be proposed at this stage or at the RFP stage. Engineers Canada recognizes that partnerships may be necessary to have the range of capabilities required to operate and sustain the Program.

Responses to this REOI are requested by no later than 5 p.m. ET, Friday, April 19, 2019.

On April 29, 2019, RFPs for the PIEVC and IRP Programs will be released simultaneously. Information sessions for each Program will be organized in the second or third week of May. Details on scheduling will be provided in the RFPs.

The deadline for submission of proposals will be June 28, 2019. By the end of August 2019, preferred proponents will be notified by Engineers Canada after which will begin negotiation and signing of transfer agreement(s).

## B. THE OPPORTUNITY

This REOI is to formally solicit organizations to express their wish to receive the RFP. It is intended to stimulate interest in the opportunity, to ensure that the appropriate organizations/individuals are aware of the opportunity, and to gather information that will serve to inform the evolution of the project. The goal is to solicit meaningful responses from interested proponents.

The PIEVC Program opportunity includes the following elements:

- the PIEVC Protocol documentation and the intellectual property
- trademarks for English and French variations of PIEVC and its logo
- PIEVC website and all posted PIEVC reports

- PIEVC training materials and presentations
- administrative files
- advice from Engineers Canada as and where needed for a limited time after transfer of the program

The current Program consists of offering and supporting the application of the PIEVC Protocol towards assessing the risks and vulnerabilities of public infrastructure to current and future climate. It is a procedure and process that requires documentation of steps using forms provided in the Protocol as well as best practices from organizations that have used the Protocol.

The Protocol is offered at no charge to users in Canada. It is considered a public good since the federal government provided 50 per cent of the funding to develop the tool. As such, the federal government has a perpetual, royalty-free licence to use the Protocol for its infrastructure. Fees can be charged for use outside Canada.

The Intellectual Property is preserved through Non-Disclosure and Release Agreements (NDRA) and registered official marks. Trademarks owned by Engineers Canada include the PIEVC logo and the English and French words and acronyms with the PIEVC logo registered at the Canada Intellectual Property Office. The federal government is exempt from such agreements through a royalty-free, perpetual licence to use the Protocol and any updates for its own infrastructure assessments. However, if the federal government uses a consultant to apply the Protocol, that consultant must sign an NDRA.

The opportunities for the Protocol include:

- Expanding application of the Protocol to other economic public sectors, and possibly to the private sector where fees for use might be possible.
- Training and educational delivery – single point and collaborative delivery in Canada and internationally.
- Integration of the Protocol with other asset management tools such as Return on Investment relating to adaptation measures that improve the climate resilience of infrastructure.
- International use of the Protocol.

## **C. ABOUT THE PROJECT**

Changing climate is a global issue affecting the quality and service lifespan of infrastructure, resulting in economic loss and increased risks to public health and safety. Canadian engineers have responsibility for planning, designing, operating, maintaining, and managing public infrastructure. This responsibility is entrenched in demand-side legislation and supports the profession's self-regulation mandate to protect the public interest.

Public infrastructure is at increased risk and vulnerability because of the increasing frequency and intensity of extreme weather events and our changing climate. These changes undermine design assumptions that may cause premature failure and/or unforeseen damage over the life cycle of the infrastructure. Failure to account for or consider these changes may result in professional liability to engineers. It is incumbent on engineers to understand the risks and vulnerabilities that infrastructure may be subjected to by our changing climate.

In supporting engineers in conducting this critical task, Engineers Canada, in partnership with Natural Resources Canada, established the Public Infrastructure Engineering Vulnerability Committee in August 2005. With three phases of financial contribution from NRCan totalling over \$2.5 million, combined with in-kind and external

financial contributions of more than \$3.5 million secured by Engineers Canada, the Committee's work produced a report entitled "First National Engineering Vulnerability Assessment of Canada's Public Infrastructure" in April 2008. This was followed in March 2012 with a finalized version of the Public Infrastructure Engineering Vulnerability Committee (PIEVC) Protocol. By this time, the Protocol had been applied to over 30 infrastructures in Canada. The Protocol was now a robust, validated, and credible process to define infrastructure climate risks and vulnerabilities that inform design, operations, and maintenance of infrastructure as well as procurement policies and decision-making.

Since April 2012, Engineers Canada has supported the application of the Protocol to an ever-expanding range of infrastructure located across Canada and internationally in Costa Rica and Honduras. Training of engineers and other professionals was greatly expanded as awareness of the Protocol and its applications among infrastructure owners increased.

The Protocol is a nationally and internationally recognized five-step process that supports engineers in assessing the vulnerability of public infrastructure and making recommendations to increase resilience and adaptation. Engineers Canada owns the Protocol's Intellectual Property, which has been shared for free with Canadian engineers/businesses, and for a fee for applications outside Canada. There are several ways to leverage the Protocol with the engineering regulators including:

- Regulators can contact the assuming organization to train their members in the tool as part of continuing professional development activities.
- Regulators can engage with their provincial/territorial governments on climate resilience and adaptation policies as these relate to public infrastructure, including review and adjustments to infrastructure codes and standards to account for changing climate.
- Regulators can proactively lobby their governments to hire engineers to use and implement the Protocol.

The Protocol has been successfully used by approximately 100 engineers in Canada and has also achieved national and international recognition. Under the current federal government, the Protocol has enabled the engineering profession to engage in climate policy consultations with several federal departments that own, operate, or regulate federal infrastructure assets, including Transport Canada, Natural Resources Canada, Public Works and Procurement Services, Treasury Board, National Research Council, and Indigenous and Northern Affairs.

Through applications of the Protocol in various jurisdictions across Canada, provincial and territorial governments have recognized the need for climate risk and vulnerability assessment as an integral part of infrastructure planning, design, operations, and maintenance over the entire life cycle. Infrastructure Canada has added a climate lens to massive infrastructure funding programs over the next 12 years that will require risk and vulnerability assessment as part of the approval process. The work of the development and testing of the Protocol has contributed significantly to the federal government adoption of the climate lens to improve the climate resilience of new and rehabilitated infrastructures under these new funding programs.

## **D. SUBMISSION REQUIREMENTS**

The following is a list of the steps to be followed for the submission process:

### **STEP 1 – ELIGIBILITY REQUIREMENTS**

Engineers Canada is seeking organizations from the non-government, non-profit sectors. All levels of government in Canada are not eligible. Institutions that are affiliated or supported by government are eligible. Organizations are encouraged to contact Engineers Canada to discuss eligibility if there is uncertainty.

Non-profit, non-government entities may include educational and research institutions such as universities, colleges or institutes. Eligibility includes professional, technical and industry organizations/societies/associations, and bodies such as standards organizations. Private sector entities are eligible to receive the RFP if they partner with non-profit, non-government organizations. Organizations are encouraged to contact Engineers Canada to discuss eligibility if there is uncertainty.

### **STEP 2 – INFORMATION SESSIONS FOR REOI RESPONDENTS**

An information session for the PIEVC Program will be held in May 2019 with interested parties to provide details about the opportunity that may not be apparent in the RFP. It is an opportunity to answer questions and discover concerns about the project.

The information session will be held as a webinar. Proponents will need to register in advance.

### **STEP 3 – COMPLETE AN INFORMATION FORM**

The attached information form must be provided as part of your submission.

### **STEP 4 – PREPARE AND SUBMIT AN EXPRESSION OF INTEREST**

Organizations responding to this REOI should provide information on the following elements:

#### 1. Organization history (*1 page maximum*)

- Mission statement
- A brief history of the organization including years of operation
- Describe the organization's current programs and services
- Provide information on any awards, successes and relevant impact statistics

#### 2. Statement of interest and experience (*2 pages maximum*)

- Why is the organization interested in the Program?
- What is the organization's experience working on similar programs?
- How is the organization service(s) or practice(s) relevant to the Program?

#### 3. Financials

- Please provide your organization's most recent audited financial statements

## **D. ABOUT Engineers Canada**

Information about Engineers Canada can be found at our website [www.engineerscanada.ca](http://www.engineerscanada.ca).

## E. LIMITATIONS

### Confidentiality

Information submitted by proponents will be treated as proprietary, held confidential, and used only for evaluating the ability of the proponent to handle the Project. The details will be shared only with the persons involved with the selection and approval process.

This REOI is, similarly, intended solely for the purposes of inviting proponents to receive the Request for Proposal. Engineers Canada reserves the right to disqualify a proponent from the selection process if any breach of confidence is determined or if information is used for purposes other than the submission of a proposal.

### REOI Terms and Conditions

#### **Process conditions**

This REOI 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 proponents upon the submission of their REOI.

For greater certainty, nothing in this REOI, 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 proponent in any manner whatsoever. Engineers Canada retains the right, in its absolute discretion, to consider and analyze the expressions of interest and may:

- Reject or accept any expression of interest, whether or not complete, and whether or not it contains all the required information;
- Require clarification;
- Request additional information;
- Reject any or all expressions of interest without any obligation, or any compensation or reimbursement to the Bidders;
- Cancel and reissue the REOI;
- Extend any of the stated dates and deadlines and/or amend the REOI process;
- Re-advertise for new submissions

Further, Engineers Canada may, in its sole discretion, independently verify any information in any expression of interest. The expressions of interest must be made in good faith, and Engineers Canada reserves the right to make a choice from the various expressions of interest, 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.**

#### **Competitive process**

With the issuance of this REOI, Engineers Canada is making a business opportunity available to select proponents interested in assuming the Program.

#### **Expression of Interest revisions**

All revisions must be received by Engineers Canada prior to the Submission Deadline.

**Cost of preparing expressions of interest**

Proponents are solely responsible for all costs they incur in preparing and submitting their expressions of interest.

**Clarification of expression of interest**

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

Engineers Canada, upon receipt of appropriate clarification and/or rectification, may waive the minor defect or irregularity and accept the proposal. Failure by a proponent 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 ineligibility to receive the RFP.

**Acceptance of REOI conditions**

Receipt of an expression of interest by Engineers Canada will be considered acceptance by the proponent of the REOI terms and conditions.

**Notification of success**

The RFP will be issued to proponents as the only valid form of notification of success in response to this REOI.

**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 the issuance of the RFP, at any time for any reason;
- accept or reject any expression of interest based on the evaluation criteria in Section 4.1, above, as determined in the sole discretion of Engineers Canada;
- not accept any expression of interest; and
- reject or disqualify all or any proposal without any obligation, compensation or reimbursement to any proponent.

**Limitation of damage**

Each proponent, by submitting a proposal, agrees that:

- In the event any or all expressions of interest 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 proponent waives any claim for loss of profits or loss of opportunity if : (i) the proponent 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.

**Expression of Interest documents**

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