**Revised Jan 2022 - 08**

Request for Expression of Interest

REQUEST FOR EXPRESSION OF INTEREST

RFEI No. *[Insert]*

For

***[Insert high level description of solution for which expression of interest is being sought]***

Issue Date: *[Insert]*

RESPONSE Submission Deadline: 12:00:00 P.M. Eastern *[Insert “standard” or “daylight savings”]* Time On

[Insert Response Submission Deadline]

[Drafting notes and input fields are set off with square brackets, shaded and in italics and bold. After considering all drafting notes, change any text that is to remain in the draft agreement so that the formatting aligns with the surrounding text.]

[Input fields that are formatted in italics and bold, but not highlighted are inputs for the respondent and should be left as is in the posted RFEI.]

[Remove all instructions before issuing.]

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REQUEST FOR **EXPRESSION OF INTEREST**

# Introduction and Background

* 1. Document Purpose

This Request for Expression of Interest (“RFEI”) is issued by [insert name of organization] (“[Insert the term by which the solution seeking organization will be defined (i.e. HSCN) and then use Microsoft Word’s replace function to replace the Solution Seeking Organization with the selected term throughout the document]”) to gather information about supplier interest in the opportunity, as set out and defined at Section 1.4 (Opportunity). Interested parties (each, a “Respondent”) are invited to respond to this RFEI by submitting a response to the Solution Seeking Organization that includes a brief statement of the nature of their interest in the opportunity (the “Response”).

A Response will not be used to pre-qualify a Respondent and will not influence the Respondent’s chances of becoming a successful proponent in a subsequent procurement opportunity. (NB: non-response on the part of a supplier will not disqualify that supplier from participating in any subsequent, associated procurement opportunity).

* 1. Not a Formal Competitive Bidding Process

The RFEI is not a call for tenders or a pre-qualification exercise. It is intended to collect information only. The results may be used to inform future procurement specifications and strategies, to ensure a range of innovative solutions is considered.

Notwithstanding any other term of this document that may be interpreted otherwise, it is not the intent of the Solution Seeking Organization, nor the effect of this document, to initiate a contractual relationship with any Respondent to this RFEI.

* 1. Background on the Solution Seeking Organization and Prospective Purchasers

This RFEI is issued by the Solution Seeking Organization on behalf of the stakeholders listed in the following table (each, a “**Stakeholder**”):

[Include only participating Stakeholders below]

|  |
| --- |
|  |
|  |
|  |

The Solution Seeking Organization is [briefly describe the organization and its mandate]. The Solution Seeking Organization will administer the RFEI process described in the RFEI for the benefit of the Stakeholders.

* 1. Opportunity

***[Insert statement of needs, including background, description, objectives, and scope. Do not include technical specifications]*** (the “**Opportunity**”).

* 1. Target Audience

***[Insert the audience (e.g. direct respondents, industry bodies, subcontractors, or other organizations) of the RFEI.]***

* 1. RFEI Timetable

The following is a summary of the key dates in the RFEI process:

[The following timetable represents some of the dates that may be applicable to a particular RFEI process; they should be set out in chronological order. Delete all dates that are not applicable to the RFEI, and add any date that should be included. Do not duplicate dates in the RFEI, and note that Part 3 (Questions, Addenda, and Response) needs to be adjusted to reflect the approach and schedule selected for each RFEI process.]

|  |  |
| --- | --- |
| Event | Date |
| RFEI Issue Date | [Insert] |
| Deadline for Questions  *(see Section 3.1.1 (Submission of Questions))* | [Insert] |
| Last Day to Issue Addenda Before Response Submission Deadline *(see Section 3.2 (Issued Addenda))* | [Insert] |
| Response Submission Deadline | [Insert and include date and time] |
| *[Only include this row if the Solution Seeking Organization intends on reporting on the results of the RFEI. If a report will not be created, delete this row.]* Anticipated Date for Publication of Report | [Insert] |

The Solution Seeking Organization may change any of the above dates and times, including the Response Submission Deadline, in its sole discretion and without liability, cost, or penalty. If a change is made to any of the above dates, the Solution Seeking Organization will post any such change on ***[insert platform]***.

* 1. RFEI Coordinator

All communications with the Solution Seeking Organization (or any Stakeholder) regarding any aspect of this RFEI are to be directed to the contact identified below (the “**RFEI Coordinator**”).

|  |  |
| --- | --- |
| Name: | [Insert applicable information] |
| Title: | [Insert applicable information] |
| Address: | [Insert applicable information] |
| Phone #: | [Insert applicable information] |
| Email address: | [Insert applicable information] |

# RFEI Terms

## Respondents Only to Communicate with the RFEI Coordinator

A Respondent is not at any time to directly or indirectly communicate with anyone in relation to this RFEI except the RFEI Coordinator.

## Information in RFEI an Estimate

The Solution Seeking Organization makes no representation, warranty or guarantee as to the accuracy of the information contained in this RFEI. Any information contained in this RFEI is for the sole purpose of indicating the general scope of the Opportunity.

## Respondents Shall Bear Their Own Costs

Respondents shall bear all costs associated with or incurred in the preparation and presentation of its Response including, if applicable, costs incurred for presentations.

## Response to be Retained by the Solution Seeking Organization

All Responses and accompanying documentation shall become the property of the Solution Seeking Organization and will not be returned to the respondents.

## Respondents to Obtain RFEI Only Through *[Insert Platform]*

This RFEI is available only through ***[insert platform]***, the electronic tendering system used by the Solution Seeking Organization. For further information about ***[insert platform]***, call ***[insert phone number of platform]*** or visit the ***[insert platform]*** website at ***[insert web address of platform.]***

## Confidentiality and Privacy

### Confidential Information of the Solution Seeking Organization and the Stakeholders

At any time during this RFEI process, the Solution Seeking Organization may request that a Respondent sign a confidentiality agreement in connection with matters arising out of this RFEI, and as a requirement to continue to participate in the RFEI.

[Given that open early market engagement processes inherently involve the disclosure of information to the public, it is not necessary to impose blanket confidentiality restrictions on Respondents at the outset. However, if the Solution Seeking Organization intends to disclose Stakeholder confidential information, then (per the above section) Respondents should be asked to sign a separate confidentiality agreement prior to that information being provided. Imposing a confidentiality agreement would likely only be relevant at an advanced stage of a subsequent innovation procurement process (e.g., after an initial shortlist was created), if required at all. Remember, this section is about Solution Seeking Organization / Stakeholder confidential information. The Section below is about Respondent confidential information.]

### Confidential Information of the Respondent

Except as provided otherwise in this RFEI, or as may be required by applicable laws, the Solution Seeking Organization will treat the Respondents’ Responses and any information gathered in any related process as confidential and will restrict access to such information to those of its employees or advisors who require access to the information for the purposes of this RFEI and who are subject to binding confidentiality obligations.

The Solution Seeking Organization does not intend to treat as confidential any information that is or becomes generally available to the public other than as a result of disclosure by the Solution Seeking Organization.

## Freedom of Information and Protection of Privacy Act

The *Freedom of Information and Protection of Privacy Act* (Ontario), applies to records in the custody or control of Ontario hospitals, which includes any information provided to the Solution Seeking Organization by Respondents in connection with this RFEI. Such information may be subject to requests for access under that Act and can only be withheld from disclosure in specific circumstances.

A Respondent should identify any information in its Response that, if disclosed to any other person, would harm that Respondent’s competitive position. The confidentiality of such information will be maintained by the Solution Seeking Organization, except as otherwise required by law or by order of a court, tribunal, or the Information and Privacy Commissioner (Ontario). Generally, only specific portions of a Response should be identified.

## Next Steps

The Solution Seeking Organization may choose to conduct further early market engagement activities in order to develop the best possible description of the problem. The Solution Seeking Organization may engage in future dialogue with the market place, which may or may not include open discussions, facilitated workshops, seminars, presentations, or one-on-one meetings.

The Solution Seeking Organization may also choose to conduct a procurement process based on the information gathered by this Market Sounding Exercise.

## Governing Law

The RFEI and the Respondent’s Response will be interpreted according to the laws of Ontario and the federal laws of Canada applicable therein.

# Questions, Addenda, and Response Process

## Respondent Questions

### Submission of Questions

The Solution Seeking Organization will use the following process regarding any request for clarification of any aspect of the RFEI:

Respondents are to submit requests for clarification by ***[choose the preferred mode(s) of communication: email, courier, or mail]*** to the RFEI Coordinator, or as may otherwise be directed by the RFEI Coordinator.

In submitting a request for clarification, a Respondent is to include its address, telephone number, and email address.

Where a question relates to a specific section of this RFEI, reference should be made to the specific section number and page of the RFEI.

Requests for clarification are to be submitted at least 10 Days ***[adjust timeline as appropriate]*** prior to the RFEI Submission Deadline.

### Responses to Questions

The Solution Seeking Organization will make reasonable efforts to provide Respondents with written responses to questions that are submitted in accordance with Section 3.1.1 (Submission of Questions), subject to the provisions of this section. Questions and answers will be distributed in numbered addenda to Respondents by posting such addenda in accordance with Section 3.2 (Issued Addenda). In answering a Respondent’s question(s) in any addenda, the Solution Seeking Organization will set out the question(s), but without identifying the Respondent that submitted the question(s). Also, the Solution Seeking Organization may, in its sole discretion:

#### edit the question(s) for clarity;

#### exclude any question(s) that are either unclear or inappropriate; and

#### provide a single, consolidated answer to similar questions from various Respondents.

Where an answer results in any change to the RFEI, such answer will be formally documented through the issue of a separate addendum reflecting that change.

## Issued Addenda

The Solution Seeking Organization will only amend or supplement the RFEI by issuing an addendum. Any amendment or supplement to the RFEI made in any other manner will not apply to the RFEI, the Solution Seeking Organization or any Stakeholder.

Before submitting a Response, a Respondent shall be responsible for verifying that it has received all of the addenda that have been issued. All addenda will be posted on the ***[insert platform]*** at least ***[10]*** Days ***[adjust timeline as appropriate – 10 days is likely too short for respondents in an innovation procurement]*** prior to the Response Submission Deadline, unless it is an addendum that extends the Response Submission Deadline.

## Response

Respondents are asked to limit their total Response to 15 pages, and to not include any marketing material.

Respondents are asked to complete the Questionnaire (Appendix A) and are to complete and sign the Covering Form (Appendix B), unamended, to indicate participation.

Responses to this RFEI are to be submitted, in writing, by ***[12:00:00 p.m.]*** Eastern ***[insert “standard” or “daylight savings”]*** time on ***[insert RFEI Response Submission Deadline]***to the RFEI Coordinator.

Responses are to clearly indicate the RFEI name and number as provided on the cover page.

All Responses are to be in English only.

 Questionnaire

[Insert questionnaire developed with input from stakeholders (e.g. buyers, practitioners, administrators, and/or end users) that gathers information on Respondents ability to develop and deliver the solution. The HSCN IPTE Early Market Engagement Questionnaire template can be used as guide.]

 Covering Form

**Respondent’s registered legal business name and mailing address:**

|  |  |
| --- | --- |
| Registered Legal Business Name: |  |
| Mailing Address: |  |

**Respondent’s representative’s full name, telephone number, and email address:**

|  |  |
| --- | --- |
| Name: |  |
| Telephone Number: |  |
| Email Address: |  |

Respondent hereby declares and acknowledges that:

1. the information that is submitted is, to the best of the Respondent’s knowledge, complete, accurate and up-to-date;
2. the Respondent consents to the disclosure and use of its information contained in its Response by the Solution Seeking Organization for any disclosure, use or purpose reasonably contemplated by this RFEI, including use in a subsequent procurement by the Solution Seeking Organization; and
3. the RFEI does not create any legal obligation on the part of the Solution Seeking Organization or restrict the Solution Seeking Organization’s rights regarding the future procurement of any good or service.

I have the authority to represent the Respondent.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_