

Attestation Form

Prepared in accordance with section 15 of the *Broader Public Sector
Accountability Act, 2010 (BPSAA)*

TO: The Board of Directors Unity Health Toronto (the “Board”)

FROM: Dr. Timothy Rutledge
President & CEO
Unity Health Toronto

Date: June 21, 2022

RE: April 1, 2021 to March 31, 2022 (“the Applicable Period”)

On behalf of Unity Health Toronto (the “Hospital”) I attest to:

- the completion and accuracy of reports required of the Network pursuant to section 6 of the BPSAA on the **use of consultants**;
- the Hospital’s compliance with the prohibition in section 4 of the BPSAA on **engaging lobbyist services** using public funds;
- the Hospital’s compliance with any applicable **expense claims directives** issued under section 10 of the BPSAA by the Management Board of Cabinet;
- the Hospital’s compliance with any applicable **perquisite directives** issued under section 11.1 of the BPSAA by the Management Board of Cabinet; and
- the Hospitals’s compliance with any applicable **procurement directives** issued under section 12 of the BPSAA by the Management Board of Cabinet,

during the Applicable Period, except for those circumstances detailed in Schedule A to this Attestation.

In making this attestation, I have exercised care and diligence that would reasonably be expected of a President and CEO in these circumstances, including making due inquiries of Hospital staff that have knowledge of these matters.

I further certify that any material exceptions to this attestation are documented in the attached Schedule A. Dated at Toronto, Ontario on June 21, 2022.



Dr. Timothy Rutledge
President & CEO
Unity Health Toronto

I certify that this attestation has been approved by the board of the Hospital on June 21, 2022.



Colleen Johnston
Chair of the Board
Unity Health Toronto

Material Exceptions to the BPS Procurement Directive

1. **No known exceptions** to the completion and accuracy of reports required in section 6 of the BPSAA on the **use of consultants**;
2. **No known exceptions** to the Network's compliance with the prohibition in section 4 of the BPSAA on **engaging lobbyist services** using public funds;
3. **No known exceptions** to the Network's compliance with the **expense claims directive** issued under section 10 of the BPSAA by the Management Board of Cabinet;
4. **No known exceptions** to the Network's compliance with the **perquisites directive** issued under section 11.1 of the BPSAA by the Management Board of Cabinet; and
5. **Exceptions** to the Network's compliance with the **procurement directive** issued under section 12 of BPSAA by the Management Board of Cabinet are noted as follows:

The following initiatives has been identified as material exceptions to the BPS Procurement Directive:

1. SMH 470-002 Ontario Renal Network (ORN) Dialysis Acid Concentrate Agreement – Fresenius Kabi

Date: 23 August 2021

Value: \$300,700.00

Department: Kidney & Metabolism Program

Concentrates are required as part of hemodialysis therapy. Funding is provided by ORN for dialysis treatments so in 2017 the ORN and Cancer Care Ontario (CCO) completed a provincial-wide RFP for acid concentrates, establishing an agreement that is in effect until March 31, 2023 + 1 option year. Hospitals wishing to leverage this pricing agreement were compelled to set up their own local agreement with the awarded vendor. When Unity established the local agreement, an oversight occurred whereby the extension option was not included and dates were not aligned with the ORN master agreement. While this does not meet one of the accepted exception codes under the Canadian Free Trade Agreement (CFTA), it is necessary to extend the agreement by means of a non-competitive process to align contract dates with the original ORN master agreement.

2. SMH 1820-001 Neuromodulation Agreement – Abbott Medical Canada

Date: 2 December 2021

Value: \$2,387,450

Department: Perioperative Services

Unity Health Toronto – St. Michael's Hospital site entered into an agreement with Abbott Medical for the supply of neuromodulation spinal cord stimulation products through a competitive RFP process. This agreement expired on August 31, 2020. Unity Health Toronto had been without a formal contract since that time but the vendor had been honouring all terms and conditions of the previous contract, including financial terms. In December 2021, Unity extended the agreement through a non-competitive process to October 31, 2023, while participating in a RFP process that will result in a new contract.

Material Exceptions to the BPS Procurement Directive

While this does not meet one of the accepted exception codes under CFTA, it is necessary to extend the agreement by means of a non-competitive process to bridge the gap until the competitive procurement is completed and new contract awarded.

3. UHT 3401-001 Orthocast Video Series Production Services – TritonHQ Inc.

Date: 15 February 2022

Value: \$190,000

Department: Orthopaedics/Surgery Research

Unity Health Toronto – St. Michael’s Hospital’s Chair of Orthopaedics was charged to make videos of the entire orthopaedic syllabus in 2019. TritonHQ was engaged to complete two videos as a pilot project. Appropriate procurement processes were not followed at that time. TritonHQ was then requested to expand their scope of work for an additional 5 videos for a total commitment to the vendor of \$190,000. Since no formal compliant competitive or non-competitive procurement process was followed prior to the procurement of these services, this is therefore a material exception to the BPSD.

Hospital Report on Consultant Use

Name of Hospital: Unity Health Toronto
 Reporting Period: April 1, 2021 to March 31, 2022

No.	Consultant Firm Name	Name and Title of Consulting Contract	Contract Term <i>(If the contract term has been extended please include the original contract term & the amended contract term)</i>	Procurement Value (A+B+C) A=Original Value B=Value of Amendments C=Total Procurement Value Total Paid \$	Consultant Selection Process <i>(Open Competitive, Invitational Competitive, Non-competitive - if non-competitive explanation required)</i>	Modifications to Agreement <i>(If yes, did the procurement documents permit modifications to the term or value of the agreement?)</i>	Contract <i>(or other supporting documentation)</i>	PO Number
1	Deloitte Inc.	SMH 3067-000 SSW 201166 HIS/EPR Replacement Advisory Services	Jun 1, 2020 to May 31, 2021 Contract Extension: Jun 1, 2020 to Nov 30, 2021	A = \$179,000.00 B = \$40,105.00 C = \$219,105.000	Competitive <i>Open RFP Piggyback</i> Funding Source: Hospital - IT Capital	Yes, 1x1 year extension	Yes	60013500-0-CAPT 90010950-0001-SERV
2	Jackman Reinvention Inc.	SMH 3062-000 MAP Centre for Urban Health Solutions Brand Building Services	May 1, 2020 to May 1, 2021	A = \$250,000.00 B = \$100,000 (in-kind donation) C = \$350,000.00	Non-Competitive <i>Non-Application: Funded by donations</i> Funding Source: Research - Donor Funded	Yes, extension by written agreement of both parties.	Yes	90010980-0001-SERV
3	Mercer (Canada) Limited	SMH 3320-000 Compensation Audit	Feb 1, 2021 to Jun 30, 2021	A = \$60,000.00 B = \$15,000 C = \$75,000	Non-Competitive <i>Limited Tender: Technical reasons</i> Funding Source: Hospital - HR Operational	No	Yes	No PO issued - direct pay
4	Dr. Russell Goldman	UHT 3683-001 External Review of Palliative Services	Nov 1, 2021 to Dec 31 2021	A = \$3,000.00 B = \$0 C = \$3,000.00	Invitational Competitive	No	Yes	No PO issued - direct pay
5	Dr. James Downar	UHT 3683-002 External Review of Palliative Services	Nov 1, 2021 to Dec 31 2021	A = \$3,000.00 B = \$0 C = \$3,000.00	Invitational Competitive	No	Yes	No PO issued - direct pay
6	Paula Doering	UHT 3683-003 External Review of Palliative Services	Nov 1, 2021 to Dec 31 2021	A = \$3,000.00 B = \$0 C = \$3,000.00	Invitational Competitive	No	Yes	No PO issued - direct pay
7	Benard and Associates	UHT 3759-000 - External Performance Review	Jan 6, 2022 to Jan 31, 2022	A = \$9,322.50 B = \$0 C = \$9,322.50	Non-Competitive <i>Limited Tender: reasons of urgency brought about by events unforeseeable by the procuring entity</i>	No	Yes	7500163252
8	Axler and Associates	UHT 3726-001 - Strategic Planning Services for Choosing Wisely Canada	January 2022 to Apr 2022	A = \$24,000.00 B = \$0 C = \$24,000.00	Non-competitive <i>Absence of receipt of submitted tenders</i>	No	Yes	No PO issued - direct pay