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**REPORT TITLE: Supply of Health Information Management System Licensing, Maintenance and Support, Document 2022-579N**

**FROM: Gary Kent, CPA, CGA, ICD.D, Chief Financial Officer and Commissioner of Corporate Services**

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## **RECOMMENDATION**

- 1. That the contract (Document 2022-579N) for the Supply of Health Information Management System Licensing, Maintenance and Support be awarded to Hedgerow Software Ltd. for one 12-month period from January 1, 2023 to December 31, 2023 in the estimated amount of \$163,000, (excluding applicable taxes), pursuant to Procurement By-law 30-2018, as amended; and**
- 2. That authority be granted to renew the contract annually (or for multiple years to take advantage of multi-year discounts) for ongoing software licenses, subscription, maintenance, and ongoing support and to increase the contract for any upgrades, technical support, implementation services, additional modules, hosting, licenses, and other products and services for the lifecycle of the solution, subject to satisfactory performance, price, and approved budget.**

## **REPORT HIGHLIGHTS**

- The Region of Peel Public Health administers a food safety performance disclosure program pursuant to 2002 Council endorsement and Regional By-law 59-2005.
  - Hedgerow Software Ltd. (formerly Decade Software Canada Ltd.) was awarded a contract in 2004 for the supply of a management information system and the Region has been renewing the software licenses annually since then.
  - The software can only be procured from Hedgerow Software Ltd. as they have proprietary rights to the software.
  - This contract is being awarded in accordance with Procurement By-law 30-2018, as amended, Section 5.2.1.
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## **DISCUSSION**

### **1. Background**

The Region of Peel has been utilizing Hedgerow software since 2004 to electronically capture public health inspections results and to publicly disclose those inspection results on the Region of Peel's website.

In 2002, Regional Council endorsed an approach to develop a food safety performance disclosure program, including the creation of a Regional By-law 59-2005 and the implementation of a management information system to support the program. Hedgerow Software Ltd. (formerly Decade Software Canada Ltd.) was awarded a contract to supply

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the required software through a competitive procurement process under Document 2003-661P.

In 2014, Regional Council endorsed the expansion of the inspection performance disclosure program to include personal service settings, business that offer services such as hairdressing, tattooing, manicures/pedicures, etc. and passed Regional By-law 39-2014. Hedgerow software was used to support the disclosure of inspection findings on the Peel Health Inspections website.

In 2018, the Ministry of Health expanded the requirements for the Board of Health to provide convenient public access to health inspection findings. The requirements for inspection disclosure are contained in the Ontario Public Health Standards (OPHS) and accompanying protocols. As a result, the use of Hedgerow software has been expanded to include the capture and disclosure of inspection programs within the Region of Peel – Public Health’s mandate, including:

- Food safety inspections;
- Personal service setting inspections;
- Recreational water inspections; and,
- Childcare inspections.

Hedgerow Software Ltd. is the vendor who has proprietary rights to the software and therefore a competitive process is not feasible.

As this software is currently being used for Public Health inspection program and is still a viable solution, Public Health and IT Solutions staff are seeking approval to continue renewing the software licenses for the remaining lifecycle of the system.

## **2. Procurement Process**

This is a non-competitive procurement process and requires Regional Council approval. The process to award this contract is in compliance with the Procurement By-law 30-2018, as amended.

Procurement By-law 30-2018, as amended, Section 5.2.1, authorizes the award of contracts through direct negotiation for goods and services that are reasonably available from only one source by reason of the scarcity of supply in the market or the existence of exclusive rights held by any vendor or the need for compatibility with goods and services previously acquired and there are no reasonable alternatives or substitutes.

## **RISK CONSIDERATIONS**

### **Provincial Funding for the Region of Peel – Public Health:**

The Board of Health is required to publicly disclose inspections in accordance with the OPHS. Failure to renew the contract with Hedgerow Software Ltd. would leave the Region without an information system solution record and publicly disclose inspection findings. This could impact Provincial funding.

The public disclosure of inspections results supports Council priorities of improving service and confidence and advancing community safety and well-being. Failure to renew the contract with Hedgerow Software Ltd. would create barriers for residents accessing inspection information

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and data. Public Health Inspectors use the disclosure of inspection results as one of several escalated enforcement tools to bring businesses into compliance with public health regulations as quickly as possible ensuring community safety.

**FINANCIAL IMPLICATIONS**

There are sufficient funds in the operating budget within cost centre HE10001 to renew the contract.

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*G. Kent.*

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