



OUTSTANDING CARE – NO EXCEPTIONS!

TO: The Board of Windsor Regional Hospital, (the "Board")
FROM: David Musyj, President and Chief Executive Officer
DATE: June 1, 2023
RE: April 1, 2022 to March 31, 2023 ("the Applicable Period")

On behalf of Windsor Regional Hospital, (the Hospital), I attest to:

- the completion and accuracy of reports required of the Hospital pursuant to Bill 122, section 6 of the Broader Public Sector Accountability Act, 2010 (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 Hospital's compliance with any applicable procurement directives issued under section 12 of the BPSAA by the Management Board of Cabinet, during the applicable period.

In making this attestation, I have exercised care and diligence that would reasonably be expected of a President and Chief Executive Officer in these circumstances, including making due inquiries of Hospital staff and those of our procurement agency, TransForm Shared Service Organization, 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 Windsor, Ontario this June 1, 2023.

David Musyj
President and Chief Executive Officer,
Windsor Regional Hospital

I certify that this attestation has been approved by the board of Windsor Regional Hospital on this June 22, 2023.

Anthony Paniccia
Chair of the Board,
Windsor Regional Hospital

SCHEDULE A to Attestation

1. Exceptions to the completion and accuracy of reports required in section 6 of the BPSAA on the use of consultants;

PAUL LANDRY PROJECT CONSULTING AND ADVISORY SERVICES

WRH Annual Spend: \$ 369,619.16

Explanation: The engagement of this consultant for the New Windsor Essex Acute Care Hospital Project was endorsed by the Board of Directors and included an interview of Mr. Landry by the Board. Though a non-competitive approval was not explicitly completed at the time, the Hospital and its Board of Directors undertook the engagement based on its due diligence and market/jurisdictional research that indicated a lack of competitors with the experience, expertise and availability of Mr. Landry. Mr. Landry is no longer providing consulting services to the Hospital; therefore, no further action is required for 2023/24.

2. Exceptions to the Hospital's compliance with the prohibition in section 4 of the BPSAA on engaging lobbyist services using public funds;

No known exceptions

3. Exceptions to the Hospital's compliance with the expense claims directive issued under section 10 of the BPSAA by the Management Board of Cabinet;

No known exceptions

4. Exceptions to the Hospital's compliance with the perquisites directive issued under section 11.1 of the BPSAA by the Management Board of Cabinet; and

No known exceptions

5. Exceptions to the Hospital's compliance with the procurement directive issued under section 12 of the BPSAA by the Management Board of Cabinet.

CYCLOMEDIA CANADA LIMITED

WRH Annual Spend: \$ 119,124.19

Explanation: Increased use of proprietary consumables due to global CT Contrast shortage

EVCOR SOLUTIONS INC.

WRH Annual Spend: \$ 133,308.19

Explanation: The Hospital changed vendor and product for drain maintenance. The cost of the product and volume required was not expected to be more than \$100,000 based on previous experience. A non-competitive procurement approval will be completed for 2023/24.

HCA MINDBOX ADVERTISING INC.

WRH Annual Spend: \$ 240,149.49

Explanation: The Hospital purchased signage during the COVID-19 pandemic and used the same vendor to update that signage on an urgent basis as protocols, messaging and communication was changing. The original purchase was erroneously believed to be done compliantly and thus making the subsequent purchase compliant. Any future similar acquisitions will be done via an appropriate open competitive procurement process.

OR ORTHOPEDIC TOTAL JOINTS 2014 – STRYKER TRANSFORM

- Current Contract Expiry Date: December 31, 2022
- Extended End Date: January 31, 2026
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRM Spend: \$ 400,581.80 WRO Spend: \$ 1,260,379.90

OR ORTHOPEDIC TOTAL JOINTS WRH SHOULDERS 2015 - STRYKER

- Current Contract Expiry Date: June 30, 2022
- Extended End Date: December 31,, 2022
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRM Spend: \$ 8,768.63 WRO Spend: \$ 187,070.62

MILR DIALYZERS 2015 - FRESENIUS

- Current Contract Expiry Date: January 31, 2023
- Extended End Date: April 30, 2024
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering and,
- If the goods and services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist to ensure compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative.
- WRO Spend: \$ 181,335.00

OR TRAUMA AND BONE FIXATION PRODUCTS – SPINAL SYSTEMS 2016 - MEDTRONIC

- Current Contract Expiry Date: December 31, 2022
- Extended End Date: December 31, 2024
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRO Spend: \$ 316,302.28

MMNCL STERILIZATION AND ENDOSCOPIC REPROCESSING PRODUCTS 2016 - STERIS

- Current Contract Expiry Date: April 30, 2023
- Extended End Date: November 30, 2023
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRM Spend: \$ 105,551.48 WRO Spend: \$ 2,679.53

OR ORTHOPEDIC BONE GRAFT 2017 – MEDTRONIC

- Current Contract Expiry Date: December 31, 2022
- Extended End Date: December 31, 2023
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRO Spend: \$ 156,753.00

OR OPHTHALMOLOGY PRODUCT - MULTI (BAUSCH & LOMB)

- Current Contract Expiry Date: October 31, 2022
- Extended End Date: December 31, 2023
- Exception Type: Extended
- Explanation: If strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.
- WRM Spend: \$ 511.77 WRO Spend: \$ 146,815.25

PH NON-COMPETITIVE CN DEVELOPMENT 2022-23 (FRESENIUS)

- Current Contract Expiry Date: July 8, 2022
- Extended End Date: September 30, 2024
- Exception Type: Limited Tender
Explanation: If the goods and services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist.
- WRM Spend: \$ 184,907.60 WRO Spend: \$ 187,192.37