



CPO-RFP.2020-3

## Request for Proposal:

# Legal Advisor for the Council of the College of Physiotherapists of Ontario

The Council of College of Physiotherapists of Ontario (the Council) is inviting submissions for proposals from lawyers or law firms interested in serving as the advisor to the Council on legal issues relating to its role as the Board of Directors of the College.

Submissions must be received by **March 31, 2020**.

## Background and Description

The College of Physiotherapists of Ontario's mandate is to register physiotherapists for practice in Ontario and regulate their conduct. The College has a statutory duty to conduct its activities in the interest of the public. Its authority comes from the [Physiotherapy Act, 1991](#), and the [Regulated Health Professions Act, 1991](#). There are 25 similar bodies in Ontario that regulate other health professions.

The College's Council, which is composed of elected and appointed members of the physiotherapy profession and members of the public appointed by the provincial government, acts as the College's Board of Directors, with a mandate to provide strategic direction, make policy decisions, and provide financial oversight to the College.

Periodically, when considering issues that come before them, the Council of the College requires independent advice on legal matters, especially in the areas of:

- its governance responsibilities as a Board of Directors,
- interpretive questions on the [Physiotherapy Act, 1991](#), and the [Regulated Health Professions Act, 1991](#), the regulations and by-laws under these statutes,
- the interpretation of the College's governance policies and conduct rules for councillors, and
- its duties and responsibilities in the context of acting in the public interest.



## Purpose of the Engagement

The College's Council requires an independent legal advisor that will provide it with the advice it needs to understand, act on, and fulfill its regulatory obligations.

This RFP is intended to identify a lawyer or a legal firm that will be available to provide Council with this ongoing advice upon request.

Once a lawyer or legal firm has been engaged, this relationship will continue until one or both of the parties decide to terminate the relationship.

## Submission Requirements

1. All proposals will be treated in confidence.
2. Proposals should be succinct yet comprehensive and include:
  - Identification of the lawyer or lawyers that will be responsible for providing advice.
  - The relevant qualifications/experience of the lawyer/lawyers involved.
  - Information on how legal work will be directed to lawyers (if the use of more than one lawyer is proposed)
  - The costs associated with the services of each lawyer.
  - Previous work of a similar nature.
  - References.

## Project Resources

The Council will provide relevant information and documents to the chosen lawyer or legal firm to provide the background of any legal question upon which advice is being solicited.

The Council also has Councillors available to assist the chosen lawyer or legal firm in understanding the context of any legal question upon which advice is being solicited.

## Selection Criteria

The College Council will use the following criteria in order to select a lawyer or legal firm.

- a) The demonstrated expertise of the lawyer or legal firm in providing legal advice in areas including:
  - The governance responsibilities of Boards of Directors,



- Interpretive questions on the [Physiotherapy Act, 1991](#), and the [Regulated Health Professions Act, 1991](#), the regulations and by-laws under these statutes,
  - Interpretation of governance policies and conduct rules for councillors/member of boards of directors, and
  - The duties and responsibilities required of an organization mandated to act in the public interest.
- b) Understanding of the professional regulatory environment in Ontario
- c) Thoroughness/quality of the submission
- d) Reasonableness of costs
- e) Availability
- f) Consideration of any potential, actual, or perceived conflict of interest and how it would be managed.

## Events and Deadlines

- **Questions regarding this RFP must be received by March 15, 2020.** Any correspondence or questions about this RFP should be emailed to Elicia Persaud, the Governance Analyst at [ePersaud@collegept.org](mailto:ePersaud@collegept.org).
- Emailed submissions are preferred. Proposals must be submitted on or before midnight on **March 31, 2020**, to:  
  
Darryn Mandel  
President  
Council of the College of Physiotherapists of Ontario  
375 University Ave, Suite 800, Toronto, ON, M5G 2J5  
c/o Elicia Persaud at [ePersaud@collegept.org](mailto:ePersaud@collegept.org)  
  
tel. 416 591-3828 ext. 231 or toll-free 1-800-583-5885 ext. 231
- The anticipated timeline for the initiation of the agreement is **April 15, 2020**
- The successful candidate will be contacted in April 2020. We look forward to receiving your response.