



CAPR
Canadian Alliance
of Physiotherapy
Regulators

ACORP
Alliance canadienne des
organismes de réglementation
de la physiothérapie

Request for Proposals

Research and Consultations to inform the future of CAPR's Evaluation Services

- Part 1: Review of the Research Literature: Evaluation Services
- Part 2: Environmental Scan: Evaluation Services
- Part 3: Primary research: Future of CAPR's Evaluation Services

Closing Time and Date

- Proposals must be received via email sent to Kathy Davidson, National Director - Evaluation Services at kathy.davidson@alliancept.org by 6:00 PM Eastern Friday May 6, 2022

Issue date: April 6, 2022

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The Future of Evaluation Services: Entry-to-practice physiotherapy in Canada

Overview

The Canadian Alliance of Physiotherapy Regulators (CAPR) is the pan-Canadian federation of provincial and territorial physiotherapy regulators (Members). Members have provincial mandates to govern the practice of physiotherapy in the public interest. The Members of CAPR (the regulators) include:

- Yukon Territory Professional Licensing
- College of Physical Therapists of British Columbia
- Physiotherapy Alberta College
- Saskatchewan College of Physical Therapists
- College of Physiotherapists of Manitoba
- Ordre professionnel de la physiothérapie du Québec
- College of Physiotherapists of New Brunswick
- Prince Edward Island College of Physiotherapists
- Nova Scotia College of Physiotherapists
- Newfoundland and Labrador College of Physiotherapists

CAPR has two main lines of business on behalf of Members:

1. Evaluation Services
 - a. Credentialling: CAPR assesses the education and qualifications of all internationally educated physiotherapists (IEPTs) to determine their readiness to take physiotherapy competency exam (the PCE);
 - b. Assessment: CAPR develops and administers the PCE for all candidates, whether Canadian-educated (CEPT) or internationally educated.
2. Policy: CAPR works with staff of Members to deliver policy services and knowledge brokering.

CAPR Evaluation Services are supported by the Evaluation Services Committee (ESC) – a Board Committee – and its sub-committees. The mandate of the ESC is to provide proactive, strategic advice and makes recommendations to the CAPR Board of Directors (Board) on matters pertaining to the Evaluation Services' Credentialling and

Examination programs. In accordance with ISO standard 17024¹, and the Standards for the Accreditation of Certification Programs of the National Commission for Certifying Agencies², the ESC provides oversight for the Credentialling and Examination Programs and assures the effective delivery of those services.

Background

While CAPR regularly follows international best practice standards for high-stakes licensure exams and undertakes external expert reviews of its program, in 2016, the Board sought to strengthen CAPR's work from "meeting" best practice standards to "exceeding" them. As such, the 2018-2022 Board strategic plan directed CAPR staff to develop an innovation agenda starting in the third year of the strategic plan.

Work on the innovation agenda began in earnest in 2019 with a broad Stakeholder Visioning Day. At its February 2020 meeting, the CAPR Board of Directors approved key priorities for the innovation agenda and staff prepared for implementation.

The implementation was interrupted by the declaration of the global pandemic just two weeks after the Board meeting. However, CAPR did continue with key elements of the innovation plan as best as possible. Innovations included: the inclusion to a remote proctoring delivery option for candidates challenging the Written Component of the PCE, the reduction of the number of stations in the Clinical Component (including the elimination of the written questions of the Objective Structured Clinical Examination or OSCE), exploration of a virtual delivery format of the Clinical Component (including electronic scoring), and more frequent exam administrations.

At this time, and in agreement with Board direction from April 2021, CAPR returns in earnest to its interrupted plan to consider major innovations to its evaluation services.

Expert Advisory Panel

In February 2022, members were appointed to the Expert Advisory Panel ([see membership here](#)) by the Evaluation Services Committee (ESC). The ESC will act as the steering committee for the current project. The Expert Advisory Panel (the Panel) will lead the exploratory background work and preparatory research towards re-envisioning CAPR's work – our evaluation services. The Panel will develop recommendations to present to the CAPR Board of Directors in 2023, and these recommendations will be the foundation of CAPR's innovations for the future. The

¹ International Organization for Standardization (2012). *Conformity assessment – General requirements for bodies operating certification of persons (ISO Standard No. 17024:2012)*
<https://www.iso.org/standard/52993.html>

² Institute for Credentialling Excellence (2021). *Standards for the Accreditation of Certification Programs*.
<https://my.credentialingexcellence.org/ice-product-details?id=71409d48-e65d-ec11-a3ee-501ac544a8c6&reload=timezone>

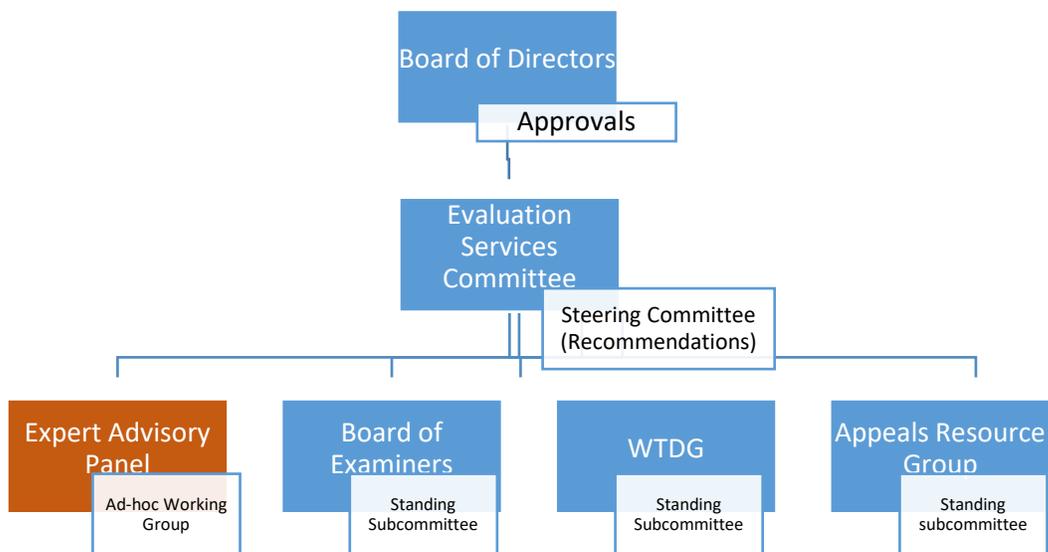
responsibilities and the lines of accountability of various groups involved in the work of the Expert Advisory Panel is described below.

CAPR Board of Directors: approves project funding and final recommendation(s) generated by the project (the future of CAPR evaluation services).

CAPR Evaluation Services Committee: acts as the steering committee for the project - provision of guidance and input about the project to the Expert Advisory Panel, review/agreement of final recommendation(s), and presentation of the recommendation(s) for approval to Board of Directors. The Chair of the Evaluation Services Committee will act as liaison between the Expert Advisory Panel (see below) and the Board of Directors of CAPR.

Expert Advisory Panel: acts as the working committee to re-envision CAPR competency assessment based on data gathered through a broad consultations process (primary/secondary research including surveys, focus groups, interviews, environmental scan and peer-reviewed literature review). The Chair of the Expert Advisory Panel will work hand in hand with the consultants, will assist in facilitating Panel meetings, provide input into meeting agendas, and liaise if necessary with the Board of Directors.

CAPR Staff: support the work of the Evaluation Services Committee and the Expert Advisory Panel, arrange for translation of materials through the project as required (e.g. communications, survey, invitations to participate). Facilitate communications between all of the above groups (Expert Advisory Panel, Evaluation Services Committee, Board of Directors).



Roles and responsibilities of the Expert Advisory Panel

The Panel is composed of innovative and forward-thinking members with expertise in measurement, assessment, and competence from various contexts. The Panel's responsibilities are to:

1. Invoke an innovative thinking mindset to entry-to-practice competency assessment for physiotherapists in preparation for licensure.
2. Contribute to the identification and scope of background research necessary to inform the work of the Panel (e.g. environmental scans, surveys, focus groups, literature review, etc.). External consultant(s) will be engaged to conduct the necessary background research.
3. Apply a hub and spoke model to gather and review input from a broad range of stakeholders (see [Figure A](#))
4. Seek input from Fairness Commissioners across Canada as appropriate/necessary.
5. Participate in collaborative discussions to formulate recommendation(s) about the future of the credentialing and examination services provided by CAPR, taking into consideration stakeholder input, and applying their collective expertise in measurement, assessment, and competence.
6. Contribute to validating the recommendation(s) with key stakeholders prior to presentation to the Evaluation Services Committee and the Board of Directors.
7. Contribute to an implementation plan for launch beginning after Board approval of the recommendation(s).

Figure A: Proposed consultations



Overall Project Timelines

The overall timelines for the work of the Expert Advisory Panel are outlined in [Table A](#) with Consultant timelines highlighted in grey between April and September 2022.

Table A: Project timelines

Tentative Timing	Activity
Nov 2021	<ul style="list-style-type: none"> • Convene Evaluation Services Committee • Recommend Terms of Reference for the Expert Advisory Panel to the Board of Directors • Identify potential Panel members

Tentative Timing	Activity
	<ul style="list-style-type: none"> • Develop a communications plan to keep stakeholders informed about the progress and next steps of the project
Dec 2021	<ul style="list-style-type: none"> • Board approval of Terms of Reference
Jan 2022	<ul style="list-style-type: none"> • Implementation of the communications plan • Approach potential Panel members • Circulate broad call for Panel members
Mar 2022	<ul style="list-style-type: none"> • Appointment of members to the Panel by Evaluation Services Committee • Welcome/Orientation meeting of Expert Advisory Panel <ul style="list-style-type: none"> ○ Propose background work, including broad consultations, to be done to inform committee discussions and recommendations; ○ Develop description of research to be conducted (primary and secondary research, peer-reviewed literature) and plan for collection
Apr-May 2022	<ul style="list-style-type: none"> • Expert Advisory Panel meeting <ul style="list-style-type: none"> ○ Review/approve draft RFPs and circulate ○ Review proposals submitted (due date May 6) ○ Select and secure consultant(s) to provide the identified deliverables (start date May 24, due date for deliverables Sept 15, 2022)
May-Sept 2022	<ul style="list-style-type: none"> • Consultant(s) conduct consultations and collect research information • Expert Advisory Panel meetings as needed to oversee consultant work • Evaluation Services Committee meetings as needed to steer Panel work
Aug 2022	<ul style="list-style-type: none"> • Consultant(s) submit and present draft findings/reports to Expert Advisory Panel – preliminary feedback
Sept 2022	<ul style="list-style-type: none"> • Expert Advisory Panel meeting <ul style="list-style-type: none"> ○ Review final consultant(s) report(s) ○ Apply input to inform recommendations
Oct 2022	<ul style="list-style-type: none"> • Expert Advisory Panel meetings

Tentative Timing	Activity
	<ul style="list-style-type: none"> ○ Formulate recommendations for the future of competency assessment ○ Presentation of results and preliminary recommendations to ESC • Evaluation Services Committee meeting <ul style="list-style-type: none"> ○ Discuss preliminary recommendations and prepare presentation to the Board • Develop high level survey to those who were consulted for validation and feedback
Dec 2022	<ul style="list-style-type: none"> • Circulate validation survey, close mid January • Develop draft implementation plan pending approval
Feb 2023	<ul style="list-style-type: none"> • Expert Advisory Panel meeting <ul style="list-style-type: none"> ○ Convene to review survey results ○ Develop final recommendations for review and approval by Evaluation Services Committee • Evaluation Service Committee meeting <ul style="list-style-type: none"> ○ Discuss final recommendations and prepare presentation to the Board
Mar 2023	<ul style="list-style-type: none"> • Present recommendation(s) to the Board for approval • Final Board approvals of future of CAPR evaluation services and the implementation plan
Apr 2023	<ul style="list-style-type: none"> • Finalize implementation plan (likely 3-5 years) • Begin implementation

Statement of Purpose

The Canadian Alliance of Physiotherapy Regulators is seeking proposals from consultants/consulting firms (Bidder) for three pieces of exploratory background work and preparatory research to be shared with the Expert Advisory Panel. The results of this work will inform their discussions and their recommendations to CAPR. These three pieces of work will be conducted concurrently. Broadly these pieces are:

- Part 1: Peer-Reviewed Literature Review (scoping review)
- Part 2: Environmental Scan
- Part 3: Primary Research

Bidders are invited to submit proposals for one, two or three of these Parts/pieces of work. Submissions must clearly reference which Part the proposal addresses, and ensure that all components described in the section *Proposal Format* are addressed for each Part.

Part 1: Peer-Reviewed Literature Review (scoping review)

CAPR and the Expert Advisory Panel seek to answer the following question:

What peer-reviewed literature exists that would inform the components, scope, and nature of determining educational equivalency (internationally educated) and high-stakes competency assessment (all) of entry-to-practice health professionals, in particular, physiotherapists? (a scoping review)

1. The methods (literature searching) and results (key findings from the literature) should focus on health professions and physiotherapy in stepwise fashion (not limited to Canadian literature):
 - a. Peer-reviewed literature that is about, or includes, health-related professions entry-to-practice evaluation (credentialling + assessment) in preparation for licensure (may need to be stepwise in the searching: occupational therapy, speech language pathology, nursing, medicine)
 - b. Peer-reviewed literature that is about, or includes, physiotherapist entry-to-practice evaluation (credentialling + assessment) in preparation for licensure.
2. Key search terms should be identified (in consultation with an academic librarian if necessary/appropriate) to enable success in finding literature related to:
 - a. Entry-to-practice evaluation (credentialling + assessment) models in health care
 - b. Risks associated with entry-to-practice competency assessment
 - i. Risk of bias (content bias, examiner bias, etc.)
 - ii. Risk to public safety (licensure of non-competent physiotherapists)
 - iii. Risk of failure of competent physiotherapists
 - c. Best practices in high-stakes entry-to-practice competency assessment
 - d. Innovation/leading-edge practices in entry-to-practice evaluation (credentialling + assessment)
 - e. Diversity advances or initiatives

Research that discusses approaches used to mitigate barriers at the systems level that disproportionately affect those from under-represented, marginalized, and overburdened groups should be sought and included.

Deliverables for Part 1

The selected Bidder shall:

1. Confirm the scope of the review, the key research questions, the search terms, inclusion/exclusion criteria and the methodology with the Expert Advisory Panel or designate.
2. Complete a systematized review of the research literature in alignment with the above, focussed on finding the balance between compiling a comprehensive number of sources and allowing time to extract relevant information from the identified documents.
3. Submit a first draft of the report/preliminary findings for review and feedback by the Expert Advisory Panel or designate, by August 15, 2022.
4. Present a brief summary of the findings to the Expert Advisory Panel virtually, and answer any questions arising from the presentation.
5. Submit the final report, taking into consideration any feedback received from Expert Advisory Panel or designate, presenting the findings in a way that is accessible and relevant to the target audiences (Expert Advisory Panel, Evaluation Services Committee and the Board of Directors), by September 15, 2022.
6. Throughout the project the selected Bidder will be expected to liaise with CAPR staff on an agreed-upon frequency.

Assumptions: Part 1

1. The successful Bidder has academic library access necessary to conduct the review.
2. All final materials/reports to be submitted in English.

Part 2: Environmental Scan

CAPR and the Expert Advisory Panel seek to answer the following two questions:

Question: What models of physiotherapy entry-to-practice evaluation (credentialling + assessment) exist internationally to determine eligibility for licensure?

1. Three countries (USA, UK, and Australia) should be targeted in an initial search. Additional countries may be added if compiling the information for the above three countries is straightforward to achieve. Decisions about which other countries or jurisdictions to add, if feasible, would be made in conjunction with the members of the Expert Advisory Panel.
2. Differences in methods of eligibility for licensure of those domestically educated and those internationally educated should be described.
3. Approaches used to mitigate barriers at the systems level that disproportionately affect those from under-represented, marginalized, and overburdened groups should be explored.

Question: What models of entry-to-practice evaluation (credentialling + assessment) exist nationally in other professions to determine eligibility for licensure?

1. Five professions (occupational therapy, pharmacy, medicine, law, engineering) should be targeted in an initial search. Additional professions may be added if compiling the information for the above five professions is straightforward to achieve. Decisions about which other professions to add, if feasible, would be made in conjunction with the members of the Expert Advisory Panel, but might include nursing/nurse practitioner, dentistry or chiropractic.
2. Differences in methods of determination of competency leading to eligibility for licensure of those domestically educated and those internationally educated should be described.
3. Approaches used to mitigate barriers at the systems level that disproportionately affect those from under-represented, marginalized, and overburdened groups should be explored.

Deliverables for Part 2

The selected Bidder shall:

1. Confirm the scope, target countries/target professions, and the methodology with the Expert Advisory Panel or designate.
2. Complete an environmental scan in alignment with the above, focussed on finding the balance between compiling a comprehensive number of sources and allowing time to extract and summarize the relevant information.
3. Submit a first draft of the report/preliminary findings for review and feedback by the Expert Advisory Panel or designate by August 15, 2022.

4. Present a brief summary of the findings to the Expert Advisory Panel virtually, and answer any questions arising from the presentation.
5. Submit the final report, taking into consideration any feedback received from Expert Advisory Panel or designate, presenting the findings in a way that is accessible and relevant to the target audience (Evaluation Services Committee and the Board of Directors), by September 15, 2022.
6. Throughout the project the selected Bidder will be expected to liaise with CAPR staff on an agreed-upon frequency.

Assumptions: Part 2

1. All final materials/reports to be submitted in English.
2. CAPR staff will assist in connecting the selected Bidder with relevant organizations when possible.

Part 3: Primary Research

CAPR and the Expert Advisory Panel seek to review data collected directly from stakeholders and key informants through interviews, focus groups and a survey. The proposed methodology is outlined below:

National survey:

A national online survey will be developed and circulated to physiotherapists and physiotherapy organizations/groups across the country to gather perspectives and suggestions regarding the future of CAPR's evaluation services (credentialling + assessment) in physiotherapy. Survey questions designed to gather input from under-represented, marginalized, and overburdened groups who are disproportionately affected by barriers at the systems level should be included.

Focus groups/interviews:

A series of small focus groups (6 to 10 members each) and key informant interviews should be conducted over 3 to 4 months to gather input, perspectives and suggestions regarding the future of evaluation (credentialling + assessment) in physiotherapy. These groups should include representation from:

- CAPR Clients – internationally educated and Canadian-educated physiotherapists
- Physiotherapy patients

- Physiotherapy clinicians
- Academics in entry-to-practice PT education
- Leaders and participants in physiotherapy bridging programs
- Canadian Physiotherapy Association, including the National Student Assembly, and Branch staff/Boards
- Physiotherapy Regulators
- CAPR Committee members (current and past members) – Written Test Development Group, Clinical Test Development Group, Board of Examiners, Evaluation Services Committee
- Internal CAPR Staff

Decisions about other stakeholders to include, if feasible, would be made in conjunction with the members of the Expert Advisory Panel. Consideration should be given to ensuring input is gathered from under-represented, marginalized, and overburdened groups who are disproportionately affected by barriers at the systems level.

Deliverables for Part 3

The selected Bidder shall:

1. Confirm the proposed questions and the target audience of the national survey with the Expert Advisory Panel or designate.
2. Develop and circulate a survey instrument (e.g. Survey Monkey) nationally to gather the high level perspectives of physiotherapists and physiotherapy organizations/groups about CAPR's future, specifically regarding internationally educated physiotherapists (educational equivalency) and the future of entry-to-practice competency assessment.
3. Collect, collate and analyse the survey results.
4. Confirm the proposed number of focus groups, the composition of each focus group, and the proposed structure/format and discussion guide/questions of each focus group with the Expert Advisory Panel or designate.
5. Confirm the names of any proposed key informants, and the proposed questions to be asked with the Expert Advisory Panel or designate.
6. Submit a first draft of the report/preliminary findings for review and feedback by the Expert Advisory Panel or designate by August 15, 2022.
7. Present a brief summary of the findings to the Expert Advisory Panel virtually, and answer any questions arising from the presentation.
8. Submit the final report, taking into consideration any feedback received from Expert Advisory Panel or designate, presenting the findings in a way that is

accessible and relevant to the target audience (Evaluation Services Committee and the Board of Directors), by September 15, 2022.

9. Throughout the project the selected Bidder will be expected to liaise with CAPR staff on an agreed-upon frequency.

Assumptions: Part 3

1. Survey questions will be circulated in both English and French. CAPR will be responsible for translation of questions.
2. Bidder will be responsible to provide survey platform, populate questions to the platform, and conduct analysis of responses.
3. All final materials/reports to be submitted in English.
4. CAPR staff are available to assist with identifying and inviting survey recipients, focus group participants, and key informants, and to facilitate cooperation/participation.

Budget

The maximum contract amount for this project (Parts 1, 2, 3) is \$ 72,000 exclusive of taxes.

Deliverable	Maximum Amount
Part 1: Peer-Reviewed Literature Review	\$13,000.00
Part 2: Environmental Scan	\$21,000.00
Part 3: Primary Research	\$38,000.00
Total	\$72,000.00

Proposal Format and Content

Each proposal must not exceed seven (7) pages in length per proposal (excluding curriculum vitae if included) and include the following components:

- Confirmation of proponent's intent to be bound.
- An introductory section that describes the consultant's understanding of the scope of the work.

- A project plan/workplan, including an outline of proposed methodology, delivery dates (milestones), level of effort (proportion of time) and illustration that the consultant(s) understands how to approach this type of work.
- Timelines associated with each step of the workplan.
- An overview of personnel (number, expertise, responsibilities) comprising the Project Team if a team is being used.
- Qualifications and related experience of the personnel involved in all phases of the project, including a brief account of any similar projects the consultant(s) has completed in the past with specific attention to those dealing with similar research. A link to publicly available completed reports is appreciated.
- Proposed budget (in Canadian dollars). Please outline invoicing timelines and structure proposed.
- Statement regarding conflict of interest and description of any potential conflict of interest (financial or other).
- References from three former clients for whom the consultant(s) has completed similar work which CAPR may contact at its discretion.
- Risks to successful completion and mitigation strategies
- Intent to sign Non-Disclosure and Confidentiality Agreement (see [Appendix B](#))

Questions

Bidders are invited to send questions regarding the project or this RFP on or before April 29th, 2022 to kathy.davidson@alliancept.org . Answers will be provided by email; questions and answers will be posted on this webpage <https://www.alliancept.org/get-involved/requests-for-proposals/> .

Timelines

The timing associated with the work described is summarized in the table below. These timelines apply to all three Parts/pieces of work described above, which will occur concurrently. Bidders may suggest minor adjustments/alterations to this schedule in their proposals.

Timing	Activity	Responsibilities
April 15, 2022	RFP Issued	CAPR
April 29, 2022	Final day for proponents to ask questions regarding the RFP	Bidders
May 6, 2022	RFP closing date – bids submitted	Bidders

Timing	Activity	Responsibilities
May 13, 2022	Successful Vendor(s) chosen	CAPR
May 20, 2022	Contract(s) finalized	CAPR, Consultant(s)
May-Sept, 2022	Work completed	Consultant(s)
Aug 15, 2022	First draft/preliminary findings submitted and reviewed – feedback provided	CAPR, Consultant(s)
Early Sept, 2022	Presentation to Expert Advisory Panel	Consultant(s)
Sept 15, 2022	Final report(s) submitted	Consultant(s)

Selection Process and Criteria

Proposals will be reviewed and scored by a selection team based upon the criteria outlined below. A contract may be offered solely on the basis of a proposal, without a meeting with the proponent. CAPR reserves the right to invite one or more proponents to attend a meeting with the selection team and/or to provide written clarification of their response(s).

The RFP should not be construed as an agreement to purchase goods or services. The lowest priced or any proposal will not necessarily be accepted. The RFP does not commit CAPR in any way to award a contract.

Proposals will be evaluated using the following criteria:

Merit and feasibility of approach

- Does the proposal demonstrate a clear understanding of the requirements of the work?
- Are the proposed data collection/research methods feasible and likely to be effective?

Workplan and timelines

- Are the work plan and schedule, including breakdown of major tasks, delivery dates (milestones), and level of effort by individual team members in sufficient detail to allow a complete understanding of how and by whom the work is to be carried out, and to demonstrate sufficient availability of individual team members

throughout the course of the work to ensure its successful completion within time and budget?

Quality and qualifications of personnel

- Does the team include individuals with the appropriate capabilities, experience and knowledge to complete the deliverables?

Financial plan and payment terms

- Are the proposed financial plan and payment terms reasonable?

Risk mitigation

- Has the proponent provided a reasonable analysis of significant risks to the research project's development and implementation, and the mitigation strategies to address them?

Value-added services

- Does the proposal include a brief description of any value-added services that the Bidder will provide, such as advice to CAPR staff on issues related to the work of the Expert Advisory Panel or other? We welcome the Bidder to address any additional services not specifically mentioned in this RFP that may be of potential benefit to CAPR.)

Proposal Delivery

Proposals must be in English and must be submitted using the following submission method:

- Email submission: two copies (Word and PDF) of the proposal should be submitted via email to kathy.davidson@alliancept.org .
- The Bidder should clearly indicate in the Subject Line which Part(s) of the RFP the submission addresses.

The deadline for submission of proposals is **6:00 p.m. (Eastern Time) May 6, 2022.**



APPENDIX A – Standard RFP Terms and Conditions

This RFP process is subject to the following terms and conditions:

1. The submission of a proposal shall not in any manner obligate CAPR to enter into a contract or to be responsible for the costs incurred by your organization in responding to this request.
2. All proposals will become the property of CAPR.
3. Neither CAPR nor its representatives bear any liability whatsoever regarding any costs or other burdens your firm may incur during the preparation, submission, and review of this RFP response.
4. Once all proposals are received they will be considered by CAPR and it is anticipated that a Bidder(s) will be selected. The selection will be at the sole discretion of CAPR. CAPR reserves the right to retain more than one vendor for the various products / services contemplated by this Request for Proposal and to retain vendors other than those to whom the Request has been sent.
5. Evaluation of submissions will include a weighted scoring of qualitative criteria as outlined in the RFP document, as well as an evaluation of the financial aspects of the submissions. In the event of a tie score the CAPR evaluation team will consider all available information, both tangible and intangible, and including but not limited to the information contained in the submissions, to arrive at a tiebreaking decision.
6. Any submissions that do not meet mandatory criteria will be disqualified.
7. For the successful Bidder, any or all answers and information contained within your proposal shall become part of the final agreement between your CAPR and CAPR.
8. Conflict of Interest: By submitting a proposal, the Bidder certifies that no known conflict of interest exists between themselves, CAPR, or any related party with respect to the work described herein.
9. Agreement of Non-Disclosure: This document is considered to be proprietary and shall not be disclosed to any other party. It is designed, developed and submitted to potential partners of CAPR solely for the benefit of CAPR, along with our strategic partners.
10. Bid Rigging: The respondent certifies that any submitted proposal has been arrived at independently from that of any other respondent. Furthermore, the

prices in the proposal have not been knowingly disclosed, and will not knowingly be disclosed by the respondent prior to or after the awarding of any preferred relationship, directly or indirectly to any other respondent or competitor.

11. CAPR reserves the right to engage or maintain other Bidders, outside of this RFP.

12. At no time shall anyone be contacted at CAPR in regards to this RFP other than the above listed contact person.



Appendix B

NON-DISCLOSURE AND CONFIDENTIALITY AGREEMENT

For signature by successful Bidder (do not sign as part of submission)

THIS AGREEMENT, dated as of _____, 20__, is between THE CANADIAN ALLIANCE OF PHYSIOTHERAPY REGULATORS (“CAPR”), a company incorporated under the laws of Canada, and _____ (the “Bidder”), (a company incorporated under the laws of _____.)

WHEREAS, CAPR and the Bidder entered into an agreement for services (the “Services”) which included the requirement that each party enter into this Non-Disclosure and Confidentiality Agreement; and

WHEREAS, CAPR and the Bidder may provide to each other certain confidential information in connection with the provision of the Services, and each party desires that any such information shall be kept confidential by the other party; and

WHEREAS, in consideration of the agreement for Services and the disclosure of such confidential information, each party is willing to keep such information confidential in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for good and valuable consideration the sufficiency and receipt of which is acknowledged, CAPR and the Bidder hereby agree as follows:

1. **Definition.** "Confidential Information" of a party includes but is not limited to all trade secrets, proprietary information, research and data, operating and marketing information, product, services and merchandising information, techniques, procedures, operations, credentialling and examination candidate lists, employee and affiliate lists, customer and supplier lists, training manuals and materials, policies, procedures, business and other plans, projections, strategies, forecasts and forecast assumptions, pricing information, financial reports and other business and financial information, information concerning the current, past and future activities of the party and all other information, in any medium, which is not generally known to the public, and without limiting the generality of the foregoing, includes all information with respect to, or materials (in any medium) comprising, describing or incorporating:
 - (i) technical data including any and all information regarding the content of the CAPR exam item bank, exams or exam outcomes,
 - (ii) personal or personal health information of credentialling or exam candidates, CAPR and Bidder staff, volunteers, board or committee members or any other persons carrying out the business of CAPR or the Bidder;
 - (iii) information respecting the customers and suppliers of such party including, without limitation, customer and supplier names and prices;

- (iv) and, any other oral or visual information which is summarized in writing and provided to the other party in such written form promptly after such oral or visual disclosure, whether communicated before or after the date hereof.

2. **Protection of Confidential Information**

- (a) **Protection.** Each party will use the same means it uses to protect its own confidential and proprietary information, but in any event not less than reasonable means, to prevent the disclosure and to protect the confidentiality of the Confidential Information of the other party. Each party agrees that it will not use the Confidential Information of the other party except in connection with the provision of the Services and that it will not disclose the Confidential Information or make it available to third parties (including to its consultants, contractors or agents) other than such persons having a need for access to such Confidential Information in connection with the provision of the Services and with respect to whom such party takes steps, no less rigorous than those it takes to protect its own proprietary information, but in any event not less than reasonable means, to prevent such persons from acting in a manner inconsistent with the terms of this Agreement. Provided however that in the event such steps are taken, neither party will be responsible for improper disclosure of Confidential Information by a third party beyond its control.
- (b) **Exception.** Section 2(a) shall not prevent either party from disclosing Confidential Information which belongs to such party or is: (i) already known by the recipient party without an obligation of confidentiality, (ii) publicly known or becomes publicly known through no unauthorized act of the recipient party, (iii) rightfully received from a third party, (iv) independently developed by the recipient party without use of the other party's information, (v) intentionally disclosed without similar restrictions to a third party by the party owning such Confidential Information, (vi) approved by the other party for disclosure or (vii) required to be disclosed pursuant to a requirement of a governmental agency or law so long as the disclosing party provides the other party with reasonable advance written notice of such requirement prior to any such disclosure.

3. **Return of Confidential Information.** Upon completion of the Services or upon the written request of the party owning Confidential Information, the other party shall return all copies of Confidential Information, and no copies thereof shall be retained, and certify that all derivatives of Confidential Information have been destroyed.

4. **No Further Rights; No Third Party Beneficiary.** Nothing contained in this Agreement shall be construed as granting or conferring any rights by license or otherwise in Confidential Information except for the use of such Confidential Information in connection with the Services. This Agreement is not intended, nor shall it be construed, to create or convey any right in or upon any person or entity not a party to this Agreement.

5. **Enforcement.** Each party acknowledges that the other would suffer irreparable damage in the event of any material breach of the provisions of this Agreement.

Accordingly, in such event, a party will be entitled to preliminary and final injunctive relief, as well as any other applicable remedies at law or in equity against the party who has breached or threatened to breach this Agreement.

6. **Term.** The obligations of the parties hereto shall remain in effect until terminated in writing by the mutual agreement of the parties hereto.

7. **Miscellaneous.** The parties agree that this Agreement (i) is the complete and exclusive statement between the parties with respect to the protection of the confidentiality of Confidential Information, (ii) supersedes all related discussions and other communications between the parties, (iii) may only be modified in writing by authorized representatives of the parties, and (iv) shall be governed by the laws of the Province of Ontario and the parties attorn to the jurisdiction of the Ontario courts.

IN WITNESS WHEREOF, CAPR and the Bidder have each caused this Agreement to be signed and delivered all as of the date first set forth above.

**CANADIAN ALLIANCE OF
PHYSIOTHERAPY REGULATORS.**

_____ [Bidder]

Per: _____

Name:

Title:

I have authority to bind the Corporation

Per: _____

Name:

Title:

I have authority to bind the Corporation