



**HOUSE OF ASSEMBLY**  
Newfoundland and Labrador

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**Barry Petten**

*MHA - District of Conception Bay South*

September 13, 2021

Ms. Denise Hanrahan  
Auditor General of Newfoundland and Labrador  
Box 8700, St. John's, NL  
A1B 4J6  
E-mail: [oagmail@oag.nl.ca](mailto:oagmail@oag.nl.ca)  
E-Mail: [denisehanrahan@oag.nl.ca](mailto:denisehanrahan@oag.nl.ca)

Dear Auditor General:

I write pursuant to Section 16 of the *Auditor General Act* to request that you inquire into all aspects the process by which air purification systems have been, or are being, purchased for installation in our province's schools to address pandemic concerns.

Despite months of advance notice that schools were expected to be open for in-classroom learning in September 2021, the tender for air purification systems was not issued until August 13, less than a month before schools were to reopen, with a hurried closing date of August 20 (TENDER NLESD-21-306). Addressing the matter about August 18, the Education Minister said the plan was to have air purification systems for approximately 4,000 classrooms in time for the start of school in September. As has been reported, 26 companies bid on the tender, but all tenders were rejected as being noncompliant for various reasons. Some bidders have challenged the process and contended that their bids were indeed compliant. The Newfoundland and Labrador English School District together with the provincial government then issued an untendered contract for the purchase of air purification systems of their own choosing.

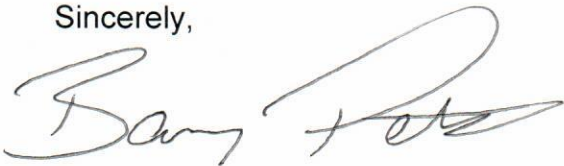
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Questions raised by this process include when the government and/or the board determined that air purification systems were needed; when and how the tender specifications were developed; why the tendering process was left so late; whether the tendering process was fair, transparent, typical and reasonable; whether bidders had fair opportunities to have their questions answered; whether all the bids were indeed non-compliant and in what ways they were non-compliant; how the decision was made to enter into the untendered contract; when the purchased systems will be installed in classrooms; which classrooms will be without such systems and for how long; whether it is reasonable to believe the purchased systems will indeed be effective in protecting students, teachers and staff; whether taxpayers are getting fair value for their money; and so forth.

As Budget 2021 announced, NLESD is being integrated into the Department of Education. Responsibility for this matter ultimately rests with the Minister of Education and Cabinet. It is reasonable to inquire into how this integration process may have affected the way these decisions were made.

I urge you to undertake this investigation and report your findings to the people and the House.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry Petten', written in a cursive style.

BARRY PETTEN  
MHA Conception Bay South  
Official Opposition Shadow Critic for Education