

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON MAY 24 , 2017
FROM:	SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME
SUBJECT:	DEARNESS HOME: DIETARY SOFTWARE UPGRADE SYNERGY ON DEMAND

RECOMMENDATION

That, on the recommendation of the Administrator, Dearness Home and with the concurrence of the Managing Director, Housing, Social Services and Dearness Home, the following actions **BE TAKEN** with respect to the upgrade of the dietary software at the Dearness Home:

- 1) The attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of May 30, 2017:
 - a) **To approve** a Software and Services Agreement (attached as Schedule A) to be entered into between The Corporation of the City of London and Sysco Canada Inc., 21 Four Seasons Place, Suite 400, Toronto, Ontario, Canada, which includes:
 - i. Synergy on Demand® Subscription Service Agreement between the Corporation of the City of London, Sysco Canada Inc., and SureQuest Systems Inc., 3330 Keller Springs, Suite 205, Carrollton, TX, United States of America; and
 - ii. Business Associate Agreement between the Corporation of the City of London and SureQuest Systems Inc.
 - b) **To authorize** the Mayor and the City Clerk to execute the agreements; and
- 2) That Civic Administration **BE AUTHORIZED** to undertake all the necessary administrative acts in connection with the Agreements; and
- 3) That approval **BE GIVEN** to declare Sysco Canada Inc. to have a prime vendor partnership with the City of London as required by the Agreement in (1) (a)(i) above.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Community and Protective Services Committee – December 9, 2013 – Single Source for a Supply Chain Group Purchasing Program
- Community and Protective Services Committee – January 21, 2013 – Single Source for the Supply of Food Products

BACKGROUND

In January 2008, Dearness Home purchased Synergy Max software, a food service management software system developed by SureQuest Systems Inc. (SQ) and distributed through Sysco Canada Inc. (Sysco). The purpose of the software was to allow the Home to transition from a manual, paper based system of creating recipes, menus, order guides and tracking resident nutritional needs to an automated process that fully integrated resident nutritional profiles, menu development, meal production, purchasing, costing and inventory. The software also assisted the Home to meet its obligations under the *Long Term Care Homes Act, 2007* for the requirement of an “organized program of nutritional care and dietary service” as well as specific requirements related to menu planning, food production and dining and snack service under sections 70 to 73 of the *Ontario Regulations 79/10*.

Current Environment & Required Replacement of Dietary Software:

Sysco has given notice that the Synergy Max software has become obsolete and the software support for the current version in use at Dearness Home will expire in July 2017. Additionally, the hardware, operating systems, software platforms and technology required to run the existing Synergy software are expected to be discontinued by SQ. In order to continue to provide a high quality food service program to the residents at the Home, and to meet the requirements under the current legislation, the Home will need to upgrade the dietary management software.

To replace the Synergy Max software, SQ has developed an upgraded version of their dietary management software that is more streamlined and user friendly. This software continues to be distributed through Sysco. There are many additional benefits to the Synergy on Demand upgrade, including but not limited to:

1. Accessing Synergy on Demand – Web based dietary system solution that can be accessed anywhere.
2. Week at a Glance reports – Forecast daily food production requirements, generate grocery lists, menu development, meal production, costing, and inventory.
3. Diet Extension reports (Therapeutic spreadsheets) – Aids Dietary staff in ensuring they use the correct serving utensils for each diet.
4. Nutritional Analysis report – This assists the Dietary Department in ensuring they are meeting the correct nutritional balanced diet that fully integrates resident nutritional profiles and conforms to Canada's food guide. It provides for nutritional risk assessments and assists the Home to meet its obligations under the *Long Term Care Homes Act, 2007*.
5. Recipe Cookbook – Access to Sysco's On Demand database of ingredients, recipes, nutritional information, menus and pricing are all included. This is a substantial library of standard recipes that can be customized to any portion amount which will minimize food wastage.
6. People profiles – This assists the Department to create a report to ensure we capture all residents needs/dislikes/allergies.
7. The ability to interface with the Point Click Care nursing software currently in use at the Dearness Home.

The Software Services Agreement between the City and Sysco requires the City to “agree to a prime vendor partnership arrangement whereby Client shall obtain 80% of food service purchase requirements for the Dearness Home from Sysco.” Historically, the Home has purchased food supplies from Sysco; currently under our Supply Chain Group Purchasing contract with Silver Group Purchasing (SGP), and prior to SGP under our contract with Complete Purchasing Services Inc. Going forward it is important to note that any renewal of our Supply Chain Group Purchasing Contract will be required to have Sysco as a supplier under the contract in order to fulfil the terms of the Agreement.

It should be noted that the term of the agreements are for a period of one year, with the agreements automatically renewing for further one year terms, unless cancelled by 30 days' prior written notice by either party. This cancellation provision provides a safeguard in the event that the Dearness Home's dietary software needs or food service purchasing requirements change in the future.

The Dearness Home considered other dietary software solutions but has elected to proceed with the implementation of Synergy on Demand®. This decision was based on the following factors: the upgrade from Synergy Max to Synergy on Demand® will not require the additional work of input of resident information into a new data base; staff are currently familiar with the Synergy platform which will allow for a shorter learning curve and reduced training time on implementation; and management at the Home has been happy with the Synergy products based on past experience. Administrator of the Dearness Home jointly with the Manager of Dietary services will be administering this agreement.

Risk Considerations:

The City of London has undertaken a Privacy Impact Assessment (PIA) and Threat Risk Assessment (TRA) to identify any potential privacy and security risks with implementing the new Synergy On Demand® dietary software. This assessment has found the Synergy On Demand® solution to be an acceptable risk with proper procedures and controls implemented and maintained.

The Synergy Agreement's jurisdiction is the State laws of Texas and Federal laws of the U.S. and the parties agree to conform to those jurisdictions as set out under the section 12.4 of the Synergy On Demand® Subscription Service Agreement (Schedule 2). However, this provision is not superseded by section 10 of the Software & Services Agreement between the Corporation of the City of London and Sysco Canada, Inc. which states “That this Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada

applicable therein.” Sysco acknowledges and agrees that the provisions of MFIPPA and PHIPA apply to this agreement.

Indemnity section 6 of the Sysco Canada Inc. Software & Services Agreement and Indemnity section 11 of the Synergy on Demand® Subscription Service Agreement exposes the Corporation of the City of London to liability. Risk Management advises that these clauses are common for these types of agreements and despite the exposure, the value gained in using the service is worth accepting this risk. The Limit of Liability clause, section 7 of the Sysco Canada Inc. Software & Services Agreement, limits City damages to the amount paid to Sysco in the past 12 months. The limit does not apply to claims made against the Corporation of the City of London caused by SQ negligence and is acceptable as it does not limit remedy to third party damages.

Implementation:

Transition to Synergy on Demand system would require some initial training, which will be supported by Sysco and SQ. Training levels are designed to train and evaluate each end user to ensure they are able to use the software system effectively. Technical and maintenance support will be provided on a regular basis through a variety of methods, including but not limited to telephone support, emergency telephone support within 90 minutes or less, email support, fax support and the SQ Customer Support Portal.

FINANCIAL IMPACT

Required fees for the upgrade to Synergy on Demand include a one-time set up and training fee of \$2,840 (plus HST) and annual ongoing maintenance fees of \$1,920 (plus HST) for the provision of technical and functional support. These costs will be supported within the approved 2016-19 Dearness Home Budget.

Acknowledgements:

This report was prepared with the assistance of Janice Brown, Financial Business Administrator, Nora Rexhvelaj, Manager Accounting and Reporting and James Drummond, Manager Dietary Services.

SUBMITTED BY:	
JANICE BROWN FINANCIAL BUSINESS ADMINISTRATOR	
RECOMMENDED BY:	CONCURRED BY:
ANGIE HEINZ ADMINISTRATOR, DEARNESS HOME	SANDRA DATARS BERE MANAGING DIRECTOR HOUSING, SOCIAL SERVICES AND DEARNESS HOME

- cc: K. Murray, Manager Financial & Business Services
 J. Brown, Financial Business Administrator
 L. Marshall, Solicitor
 J. Wills, Risk Management
 N. Rexhvelaj, Manager of Accounting & Reporting
 J. Drummond, Manager Dietary Services
 G. Smith, Manager Purchasing & Supply Operations