



refugee
law
lab

Quote Solicitation

Refugee Law Portal: Minimum Viable Product

Release date: 1 March 2021
Closing date: 22 March 2021

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1. Introduction and Project Summary

The [Refugee Law Lab \(RLL\)](#)—based out of York University’s [Centre for Refugee Studies & Osgoode Hall Law School](#)—undertakes research and advocacy related to new legal technologies and their impact on refugees, displaced communities, and people on the move.

To support this mandate, the RLL is seeking to develop an open-access legal analytics online application—the Refugee Law Portal (**Portal**)—for an existing extensive collection of refugee data. The Portal would provide refugee lawyers and other stakeholders access to data and analysis relating to refugee decision-making, including data visualization, statistical analysis, customizable views of granular data, links to relevant [CanLII](#) published decisions, and, for users in authorized groups, a forum for sharing tips for appearing before specific decision-makers.

The RLL is seeking to stand up a minimum viable product (**MVP**) of the Portal for internal and external pilot users. This pilot project will provide the foundation for a fully functioning public portal; facilitate future expansion to other types of legal analytics; and offer a model for developing non-profit open-access legal technology that advances access to justice.

Suppliers are invited to submit [proposals](#) for standing up a Portal MVP according to the proposal response format this Quote Solicitation (**QS**) specifies. This QS’s purpose is identifying suppliers capable of meeting requirements in a feasible, economical, and timely manner.

While the RLL is seeking this QS, the RLL operates out of York University. Any ultimate contract will be between York University and the supplier.

2. Schedule of Events

Figure 1 is a schedule of events for this QS. Milestone dates after the closing date are only provided as estimates, though best efforts will be made to meet these dates.

Figure 1: Schedule of Events

Task	Date
Last day for receipt of questions	15 March 2021
QS Closing Date and Time	22 March 2021
Tentative Evaluation Complete	26 March 2021
Tentative Interview/Presentation	Week of 5 April 2021
Tentative Supplier Selection and Negotiation	Week of 12 April 2021
Tentative Project Start Date	May 2021(or to be negotiated)

3. Proposal Response Format

Suppliers must prepare and submit their proposal in one package. Proposals must follow the (1) the proposal requirements from the “Proposal Structure and Evaluation section”; and (2) the Quote

Sheet requirements for including a cost estimate for each aspect of the proposed project (see [Appendix](#)). The RLL expects the proposals to be approximately 5-10 pages.

4. Proposal Submission

The RLL must receive proposal packages as follows:

Date	On or before 22 March 2021
eMail	refugeelab@yorku.ca
eMail Subject Line	“Refugee Law Portal MVP Proposal – [Supplier Name]”
eMail Content	Package files must be in two separate attachments with these file names: “Technical Bid” & “Financial Bid”.

5. Inquiries

Inquiries related to this QS must be received no later than 15 March 2021 and directed to:

Name	Prof. Sean Rehaag
Title	Director of the Centre for Refugee Studies & the Refugee Law Laboratory
eMail	refugeelab@yorku.ca
Organization	York University

All inquiries and answers to inquiries will be shared with all suppliers who pose questions. Out of fairness to other suppliers, questions posed after the inquiry deadline will not be answered.

6. Statement of Work

For over a decade, the RLL’s director, Prof. Sean Rehaag, has collected data through access to information requests and automated online data-scraping techniques on trends in refugee law decision-making. He has amassed one of the largest datasets in the world about refugee adjudication outside the control of governments and international organizations. It includes millions of datapoints on over 15 years of decisions at all levels of Canada’s refugee determination system.

This refugee law database can make a much broader impact if the Portal was developed to help refugee lawyers, researchers, policymakers, and others navigate the data. This potential can be best achieved through a sophisticated application that allows users without technical expertise to draw on insights from the data.

Nothing like the Portal is currently available in Canada’s refugee law sector.

The RLL has multiple goals for the Portal, including:

- making refugee law decision-making in Canada more transparent to lawyers, researchers, policymakers, and the public;
- democratizing access to refugee law data;
- making Canadian refugee law data freely available to the public while also seeking to protect applicable privacy interests and satisfy any third-party data sharing agreements and requirements;
- collecting comments and feedback on refugee decision-makers;
- deploying new legal analytics technologies to ensure data is presented in the most useful and accessible formats;
- pursuing opportunities to leverage refugee law data to enhance refugees' rights—e.g., by using machine learning technologies;
- establishing an application programming interface to allow other developers to engage with Portal data in their own applications;
- exploring models for developing and maintaining open-access, non-proprietary, and non-profit legal analytics and machine learning tools to enhance access to justice for marginalized groups; and
- demonstrating a proof of concept for open-access, non-proprietary, non-profit legal analytics that can serve as a model for developing non-profit, open-access legal technologies that advance access to justice.

6.1 Project Objective

The RLL recognizes that developing a mature Portal requires multiple development iterations. At this Project stage, the RLL is seeking to build a Portal MVP.

The MVP Project goal is carrying out a first iteration of the Portal's key aspects and features. The MVP will inform the design and subsequent full implementing of the Portal. It will be a stepping-stone towards implementing of a fully mature Portal.

6.2 Project Description

Here is how we envision the app being used: if a lawyer were arguing a Ugandan sexual minority refugee claim, the moment they entered a hearing room and found out which decision-maker (Board Member) they were appearing before, they could use the Portal. They could pull up data for and visual representations of the Board Member's acceptance and refusal rates in similar claims. The Portal would also identify any publicly available Refugee Appeal Division (**RAD**) or Federal Court (**FC**) case involving the Board Member's decisions. And it would provide [CanLII](#) links to those decisions with filters for particular types of claims. If the lawyer is a member of an organization that has formed a group on the portal (e.g., Refugee Lawyers Association, Legal Aid Ontario Refugee Law Office) they could access and share tips in a private forum with other authorized users about appearing before that Board Member (tips would only be available to verified members of groups—e.g., refugee law lawyers). The lawyer could then quickly tailor their strategy to the decision-maker's record, including whether they should focus their energies on winning the Board Member over or on creating a strong appeal record.

The Portal would provide similar data on FC judges. When lawyers appear at FC judicial review hearings and learn what judge is presiding, they could bring up metrics about and links to cases the presiding judge typically relies on in their positive and negative decisions in comparable cases. Members of groups established on the Portal could also access tips about appearing before particular judges (e.g., for this judge, prepare to speak slowly to facilitate notetaking; for that judge, prepare to answer rapid questions).

6.3 Project Scope and Tasks

The project's principal task is achieving a useful Portal MVP. Accordingly, the RLL recognizes that not all the Portal's elements may be implemented to the same extent; that not all possible features may be implemented; and that not all features or data will be fully present or processed.

The project priority is providing a MVP Portal capable of allowing select pilot project users to interface with beta features (highlighted in the next section), test them, and provide feedback during the pilot project.

6.4 Project Deliverables and Services

The primary project deliverable is a Portal MVP, including components that support the following functionality:

- easy public access to the Portal's data;
- facilitating legal analytics technology to ensure this data is presented in the most useful and accessible formats—including data visualization, statistical analysis, customizable views of granular data, and links to relevant CanLII published decisions; and
- establishing a venue (e.g., a private comment forum/board) through which authorized users who are members of groups can share tips about appearing before particular decision-makers.

Within the context of this high-level description, the RLL expects the exact nature of the project deliverable will evolve as the project progresses through iterations. In addition to the primary deliverable, the supplier is expected to provide informal assistance to enable RLL staff to work with the MVP and familiarize themselves with its infrastructure and architecture.

The supplier is also expected to provide documentation of all user interfaces, including any API, and to provide some support and troubleshooting during the pilot project, specifically as it relates to the MVP's functionality and development.

6.5 Project Structure and Client Support

The supplier will closely develop the MVP with RLL's Director and with RLL staff, including a researcher with legal training and a data scientist. The RLL will commit to regular meetings and input with the supplier. The RLL will also commit to participating in architecture and design

sessions as well as providing relevant user testing feedback to assist in developing and implementing the MVP.

6.6 Estimated Value and Timeline

The all-in budget is \$50,000 (inclusive of taxes) for the supplier. Funding comes from an external grant, and there is no flexibility on this budget. The RLL has tentatively envisioned the following timeline of expenditures, but we are open to breaking down the expenditures in some other fashion:

- \$20,000: Initial application development;
- \$10,000: Revisions to application during beta testing;
- \$10,000: Ongoing support (year 2); and
- \$10,000: Ongoing support (year 3).

As noted in the Project Scope and Tasks, some project components or features may be considered optional at the MVP stage. The RLL is operating on this timeline:

- *Within four months of Project launch*, the supplier is expected to develop an MVP Portal capable of beta testing with a project partner organization (the Legal Aid Ontario Refugee Law Office).
- *Within eight months of Project launch*, the supplier is expected to have completed revisions to the initial MVP iterations.
- *Within one year of Project launch*, the RLL will launch the Portal to the public.

6.7 Technical Environment and Requirements

Because the RLL is not rely on any existing Portal, the MVP is the opportunity to select appropriate technologies:

- The MVP is expected to avail cloud technology.
- The RLL is committed to open-source software and intends that this project will to the extent possible use and contribute to the development of open-source software.
- Outside of these points, the RLL is currently system and vendor agnostic.
- Suppliers are expected to justify why their recommended technologies are appropriate for the Portal relative to other available technologies, systems, and vendors.
- Security must be in place to protect data, including data involving tips submitted by users to groups and any data obtained through data sharing agreements. Servers must be located in Canada.

The supplier must consult RLL staff, including its backend developer(s) and data scientist(s), about the suitability of technologies before selecting them.

6.8 Approach and Methodology

The RLL expects the supplier to take a mostly agile approach. The RLL staff will work with the supplier to provide feedback and communicate changes throughout the process (as required).

While the RLL itself is not an agile organization, it expects the supplier to take a mostly agile approach. The RLL recognizes that software infrastructure projects benefit from flexibility for project direction and deliverables.

The supplier is expected to be an active participant with the RLL during the project and to espouse agile-based practices, including:

- individuals and interactions over processes and tools;
- working software over excessive project documentation;
- collaboration over contract negotiation; and
- responding to change over following a plan.

7. Proposal Structure and Evaluation

Because the RLL has a fixed budget for this project, it will not use price as a factor in evaluating proposals (other than by disqualifying proposals that exceed the budget). Rather, we are interested in what proposals offer for the fixed budget available.

Submissions must include two main elements:

- Element 1 (75%): Describe how the supplier will accomplish the Statement of Work.
- Element 2 (25%): Describe how the supplier's previous experience relates to the proposed work.

Suppliers may intermix these two elements in their proposals. But suppliers should clearly identify each proposal element. The RLL will give greater weight to Element 1 (75% to Element 1 and 25% to Element 2). In reviewing proposals, the RLL will place emphasis on the specificity of the Portal's design and operation that suppliers note in Element 1, including future iterations.

Element 1 should describe:

- the components of the Portal the supplier is proposing to implement;
- the extent to which the supplier will rough-in vs. fully implement Portal components;
- the supplier's process for designing the Portal and components;
- a description of the technology(s) the supplier plans to use for implementing components (if multiple options exist, the supplier should discuss how it will determine which option to use as the project develops);
- how the chosen technologies will achieve desired goals;
- a high-level work plan that describes the expected development stages (and strategy) and approximate expected timeline for the project;
- key project risks and proposed mitigation strategies; and
- what elements and features the pricing for the project encompasses as well as cost estimates or ranges for these elements using the Appendix A Quote Sheet.

Element 2 should describe:

- the supplier’s level of expertise and experience in previous relevant projects (including, if applicable, projects in the non-profit immigration/refugee sector) and how that experience and expertise will inform this project;
- the supplier’s methodology and approach for working with clients on similar projects (including, if applicable, commitments to open source development);
- which elements of the current project, if any, are outside the supplier’s scope and would require the supplier to work with other companies; and
- references from past partners and projects.

Identifying out-of-scope elements will not disqualify suppliers from participating in the project.

8. Contractual Agreement

The RLL will attempt to negotiate a written contractual agreement with the preferred supplier. If the RLL cannot negotiate an acceptable contractual agreement with the preferred supplier, then it may select another preferred supplier or may take alternative measures, such as a new round of quote solicitation.

9. Conflict of Interest

Suppliers must fully disclose, in writing, any circumstances of actual, potential, or perceived conflicts of interest to the RLL on or before the QS’s closing date. The RLL will review all supplier’s disclosures. And, in its sole discretion, the RLL will take the steps it deems necessary to address potential conflicts, including requiring the supplier to address and remedy the conflict of interest to the RLL’s satisfaction or otherwise disqualifying the supplier from further participation.

10. Appendix A – Quote Sheet

Please see the included PDF, “Vendor_Quote_Solicitation_Fillable”. On p. 2, please ensure you insert breakdown project costs according to the Technical Submission’s proposed project work plan. Include individual costs (e.g., resource costs, travel and accommodation, office expenses, and product costs) to provide the required services.

11. Appendix B – Definitions

Throughout this QS, these definitions apply:

- **Agreement:** the written contract between the RLL and the preferred supplier to provide the services contemplated by this QS.
- **Client:** RLL.
- **Conflict of Interest:** any situation or circumstance where a participating supplier has an unfair advantage; a perception of an unfair advantage; or engages in conduct, directly or indirectly, that may give it an unfair advantage in its relationship with the RLL—including

having, or access to, information in preparing its proposal that is not available to other vendors; communicating with any person with a view to influencing preferred treatment in the procurement competition (including lobbying of decision-makers involved in the procurement competition); and engaging in conduct that compromises, or could be seen to compromise, the integrity of the open and competitive procurement competition or renders that competition non-competitive, less competitive, or unfair.

- **Desirable:** “should” means requirements that may have a degree of importance to be QS’s objectives.
- **Evaluation Team:** the individuals who will evaluate the proposals on the RLL’s behalf.
- **RLL:** The RLL is based out of York University, and York University, through its Refugee Law Laboratory at the Centre for Refugee Studies, is the legal entity and final signatory for this QS.

12. Appendix C – Detailed Description of Existing Data

The RLL’s director has used four methodologies to gather data on refugee law decision-making:

1. *Access to information requests to obtain data from the IRB’s internal database about every first instance and appellate level decision.* Datapoints include: file numbers, country, claim category, claim type, year of birth, gender, date of application, date of hearing, date of decision, outcome, decision-maker, whether the minister intervened, name of interpreter, name of counsel, whether the decision was judicially reviewed, and, if so, the FC number. This data is available in Excel spreadsheets for applications made from 2005 to present. Data is updated annually. The RLL is currently in the process of negotiating access to improved data through a data sharing agreement, which if successful may require some security measures.
2. *Collecting information from online FC dockets.* This online system includes structured information about each application for judicial review (**JR**), such as the court number, filing date, nature of case, office and language. The online docket also includes information set out in natural language about each step in the process. Using a computer program written in Python, Prof. Rehaag has scraped and parsed data from all dockets for FC applications for JR of refugee matters. The dataset has datapoints on each application for JR in refugee law matters arising in Canada—including file number; style of cause; whether the applicant is the government or the claimant; whether (and when) the application was perfected; whether (and when) the application was opposed; whether (and when) a reply was filed; the date of the leave decision; the judge deciding leave; and the leave outcome. In cases where leave is granted, datapoints include: whether the respondent consented to the application, the hearing date, the judge deciding on the merits, and the outcome on the merits. This data is available for applications for JR made from 2005 to present. Data updates regularly.
3. *Linking to metadata about all refugee JR decisions on CanLII.* Metadata on legal decisions is available through CanLII’s API, which is accessible to developers on request. Data updates regularly.
4. *Using the FC’s online decision webpage to gather the full text of the same set of decisions within the CanLII metadata dataset.* Professor Rehaag wrote a Python program to collect the full text of each decision. This data is available for refugee JR decisions

made from 2005 to present that are published on the FC's decisions website. Data updates regularly.

These datasets have been combined into a single database where the FC Number is the common identifier. This database on refugee adjudication is one of the most comprehensive of any jurisdiction in the world (outside of databases maintained by governments or international organizations). It can be used to track individual cases all the way through the refugee determination system: one can easily leverage data from one level of the system when looking at decisions in subsequent levels. One can link out from the data into open-access online legal databases such as CanLII.

The RLL is working with an in-house data scientist to build reliable and efficient data pipelines for these datasets.

13. Appendix D – Portal Use Cases

RLL staff and non-RLL staff will use the Portal. The following use cases are provided to give insight into end users.

13.1 RLL Staff

Use case: RLL staff's goal is improving the refugee law system; better understanding how new technologies can help or hinder procedural fairness, efficiency, consistency, and equity; and advocating for solutions for problems in Canada's refugee law system.

How they will use the Portal: The Portal would allow RLL staff to better understand existing data, create new tools, collaborate with other stakeholders in Canada's refugee system, *etc.*

Impact: Improving Canada's refugee system is one of the most important issues in Canada's legal system. Refugee law involves extraordinarily high stakes. If claimants are not properly recognized as refugees, they risk deportation to face persecution, torture, or even death.

13.2 Self-represented Litigants

Use case: Legal counsel play a fundamental role in the refugee determination process. Unrepresented refugee claimants are less likely to succeed than represented claimants.

How they will use the Portal: The Portal would provide claimants who cannot access legal representation an ability to better understand their decision-makers and to better hone in on key legal and factual issues.

Impact: Improving unrepresented claimants' knowledge could help reduce the likelihood of improperly, failed claims.

13.3 Lawyers

Use case: The RLL anticipates substantial take-up amongst refugee lawyers when the Portal goes live because of existing connections in the refugee law community.

How they will use the Portal: The Portal would allow lawyers to quickly pull up data and visual representations related to their cases' decision-maker. They can then quickly tailor their submissions to that decision-maker or find worthwhile appeal grounds if their claim fails.

Impact: Increasing lawyers' knowledge and reducing information asymmetries between the government, decision-makers, and the immigration bar could improve procedural fairness and reduce the likelihood of successful claims being erroneously or improperly denied.

13.4 Empirical Researchers

Use case: The RLL's director has completed extensive analysis of existing data. New tools and technologies, however, provide the chance for new empirical research on refugee law issues.

How they will use the Portal: The Portal would allow empirical researchers ready access to the Portal's datasets, code, and technologies. Such access could facilitate replicating previous research or conducting novel research using newer technologies or linked datasets.

Impact: Increasing empirical research could highlight previously undiscovered issues in Canada's refugee law system and provide the basis for empirically reforming the system.

13.5 Decision-makers

Use case: Decision-makers have limited tools to review their decision-making patterns aside from scholarly research on their decision-making or potential internal decision-databases.

How they will use the Portal: The Portal would allow any decision-makers present in the datasets to quickly and easily review their approach to refugee law issues. Such access would allow them to identify trends in their decision-making that may require further attention.

Impact: Making decision-makers further aware of the potential for heuristics and biases in their decision-making—as well as solutions for both—could reduce erroneously denied claims.

13.6 Policymakers

Use case: Policymakers likely rely on internal research, intuition, and ideology to generate reforms of the refugee law system. While scholarly attention on these issues can stimulate change, further open-access research and data could proliferate important change.

How they will use the Portal: The Portal would help policymakers quickly and easily identify trends in the datasets, including metrics for “success” or “failure” in the refugee law system.

Impact: Making policymakers further aware of potential problems in Canada's refugee law system could reduce the likelihood of erroneously denied claims.

13.7 General Public

Use case: Refugee law issues frequently generate substantial media coverage.

How they will use the Portal: The Portal would help Canadians quickly and easily access information about the refugee system.

Impact: Increasing knowledge of refugee law issues among the voting public could bring about necessary changes to Canada's refugee law system.