



Request for Proposals

All enquiries related to this Request for Proposals, including any requests for information and clarification, are to be submitted by **December 3, 2021*** and directed, in writing, to procurement@bcogc.ca, who will respond if time permits. Information obtained from any other source is not official and should not be relied upon. Enquiries and any responses will be recorded and may be distributed to all Proponents at the Commission's option.

RFP # 21422003

Modern Digital Workplace

Closing Time: Proposal must be received electronically **before 2:00 PM Pacific Time on: December 10, 2021***
(*amended / extended)

Delivery of Proposals

Proposals must be submitted electronically.

To: <https://procurement.bcogc.ca/>

Proponent's Meeting

A Proponent's meeting will not be held.

Organization Overview

The BC Oil and Gas Commission (Commission) is an independent, single-window regulatory agency with responsibilities for overseeing oil and gas operations in British Columbia. Regulatory responsibility is delegated to the Commission through the *Oil and Gas Activities Act* and includes specified enactments under the *Forest Act*, *Heritage Conservation Act*, *Land Act*, *Environmental Management Act*, and *Water Sustainability Act*. The operating costs of the Commission are funded through industry fees and levies on a cost recovery basis.

The Commission's core roles include reviewing and assessing applications for industry activity, consulting with First Nations, ensuring industry complies with provincial legislation and cooperating with partner agencies. The public interest is protected by ensuring public safety, protecting the environment, conserving petroleum resources and ensuring equitable participation in production.

The regulatory responsibility of the Commission extends from the exploration and development phases of oil and gas activities through to facilities operation, and ultimately decommissioning of industry projects. It is charged with balancing a broad range of environmental, economic and social considerations.

A. Definitions and Administrative Requirements

1. Definitions

Throughout this Request for Proposals, the following definitions apply:

- a) "Contract" means the written agreement resulting from this Request for Proposals executed by the Commission and the Contractor;
- b) "Contractor" means the successful Proponent to this Request for Proposals who enters into a written Contract with the Commission;
- c) "Must", or "mandatory" means a requirement that must be met in order for a proposal to receive consideration;
- d) "Proponent" means an individual or a company that submits, or intends to submit, a proposal in response to this Request for Proposals;
- e) "Commission" means the Oil and Gas Commission;
- f) "Request for Proposals" means the process described in this document; and
- g) "Should" or "desirable" means a requirement having a significant degree of importance to the objectives of the Request for Proposals.

2. Terms and Conditions

Submitting a proposal indicates acceptance of all the terms and conditions set out in the RFP, including those that follow and that are included in all appendices and any Addenda.

A proposal must be signed by a person authorized to sign on behalf of the Proponent with the intent to bind the Proponent to the RFP and to the statements and representations in the Proponent's proposal. A scanned copy of the signed cover page of this RFP is acceptable as is a cover letter identifying the Proponent, identifying the RFP and including a signature of an authorized representative of the Proponent that confirms the Proponent's intent to be bound. For proposals submitted to an electronic proposal constitutes the signature of an authorized representative of the Proponent and is acceptable without additional signature.

3. Electronic Submissions

For electronic submissions the following applies:

- a) The Proponent is solely responsible for ensuring that the complete electronic Proposal, is received before Closing Time;
- b) The maximum size of each attachment must be 500 MB or less and uploaded in a single attachment;
- c) Proponents should submit proposal submissions in a single upload and avoid sending multiple submissions for the same opportunity;
- d) Attachments must not be compressed, must not contain a virus or malware, must not be corrupted and must be able to be opened. Proponents submitting by electronic submission are solely responsible for ensuring that any emails or attachments are not corrupted. The Commission may reject proposals that are compressed, cannot be opened or that contain viruses or malware or corrupted attachments.

4. Additional Information Regarding the Request for Proposals

All subsequent information regarding this Request for Proposals, including changes made to this document will be posted on the BC Bid website at www.bcbid.ca. It is the sole responsibility of the Proponent to check for amendments on the BC Bid website.

5. Late Proposals

Proposals will be marked with their receipt time once submit. Only complete proposals received and marked before closing time will be considered to have been received on time. Proposals that are received late will be marked late and will not be considered or evaluated. In the event of a dispute, the proposal receipt time as recorded by the electronic date stamp shall prevail whether accurate or not.

6. Eligibility

- a) Proposals will not be evaluated if the Proponent's current or past corporate or other interests may, in the Commission's opinion, give rise to a conflict of interest in connection with the project described in this Request for Proposals. This includes, but is not limited to, involvement by a Proponent in the preparation of this Request for Proposals. If a Proponent is in doubt as to whether there might be a conflict of interest, the Proponent should consult with the Commission Procurement Specialist prior to submitting a proposal.
- b) Proposals from not-for-profit agencies will be evaluated against the same criteria as those received from any other Proponents.

7. Evaluation

Evaluation of proposals will be by a committee formed by the Commission and may include employees and contractors of the Commission. All personnel will be bound by the same standards of confidentiality. The Commission's intent is to enter into a Contract with the Proponent who has the highest overall ranking.

8. Negotiation Delay

If a written Contract cannot be negotiated within thirty days of notification of the successful Proponent, the Commission may, at its sole discretion at any time thereafter, terminate negotiations with that Proponent and either negotiate a Contract with the next qualified Proponent or choose to terminate the Request for Proposals process and not enter into a Contract with any of the Proponents.

9. Debriefing

At the conclusion of the Request for Proposals process, all Proponents will be notified of the award by BCBid. Unsuccessful Proponents may request a debriefing meeting with the Commission.

10. Alternative Solutions

If alternative solutions are offered, please submit the information in the same format, as a separate proposal.

11. Changes to Proposals

By submission of a clear and detailed written notification, the Proponent may amend or withdraw its proposal prior to the closing date and time. Upon closing time, all proposals become irrevocable. The Proponent will not change the wording of its proposal after closing and no words or comments will be added to the proposal unless requested by the Commission for purposes of clarification.

12. Proponents' Expenses

Proponents are solely responsible for their own expenses in preparing a proposal and for subsequent negotiations with the Commission, if any. If the Commission elects to reject all proposals, the Commission will not be liable to any Proponent for any claims, whether for costs or damages incurred by the Proponent in preparing the proposal, loss of anticipated profit in connection with any final Contract, or any other matter whatsoever.

13. Limitation of Damages

Further to the preceding paragraph, the Proponent, by submitting a proposal, agrees that it will not claim damages, for whatever reason, relating to the Contract or in respect of the competitive process, in excess of an amount equivalent to the reasonable costs incurred by the Proponent in preparing its proposal and the Proponent, by submitting a proposal, waives any claim for loss of profits if no Contract is made with the Proponent.

14. Proposal Validity

Proposals will be open for acceptance for at least 90 days after the closing date.

15. Firm Pricing

Prices will be firm for the entire Contract period unless this Request for Proposals specifically states otherwise.

16. Currency and Taxes

Prices quoted are to be:

- a) In Canadian dollars;
- b) Inclusive of duty, where applicable; FOB destination, delivery charges included where applicable; and
- c) Exclusive of taxes

17. Completeness of Proposal

By submission of a proposal the Proponent warrants that, if this Request for Proposals is to design, create or provide a system or manage a program, all components required to operate the system or manage the program have been identified in the proposal or will be provided by the Contractor at no charge.

18. Subcontracting

- a) Using a subcontractor (who should be clearly identified in the proposal) is acceptable. This includes a joint submission by two Proponents having no formal corporate links. However, in this case, one of these Proponents must be prepared to take overall responsibility for successful performance of the Contract and this should be clearly defined in the proposal.
- b) Subcontracting to any firm or individual whose current or past corporate or other interests may, in the Commission's judgment, give rise to a conflict of interest in connection with the project or program described in this Request for Proposals will not be tolerated. This includes, but is not limited to, any firm or individual involved in the formulation of this Request for Proposals. If a Proponent is in doubt as to whether a proposed subcontractor gives rise to a conflict of interest, the Proponent should consult with the Commission Contact Person listed on page 1 prior to submitting a proposal.
- c) Where applicable, the names of approved sub-contractors listed in the proposal will be included in the Contract. No additional subcontractors will be added, nor other changes made, to this list in the Contract without the written consent of the Commission.

19. Acceptance of Proposals

- a) This Request for Proposals should not be construed as an agreement to purchase goods or services. The Commission is not bound to enter into a Contract with the Proponent who submits the lowest priced proposal or with any Proponent. Proposals will be assessed in light of the evaluation criteria. The Commission will be under no obligation to receive further information, whether written or oral, from any Proponent.
- b) Neither acceptance of a proposal nor execution of a Contract will constitute approval of any activity or development contemplated in any proposal that requires any approval, permit or license pursuant to any federal, provincial, regional district or municipal statute, regulation or by-law.

20. Definition of Contract

Notice in writing to a Proponent that it has been identified as the successful Proponent and the subsequent full execution of a written Contract will constitute a Contract for the goods or services, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events.

21. Contract

By submission of a proposal, the Proponent agrees that should its proposal be successful, the Proponent will enter into a Contract with the Commission in accordance with the terms of the [Commission's General Service Agreement](#).

22. Liability for Errors

While the Commission has used considerable efforts to ensure the information in this Request for Proposals is accurate, the information contained in this Request for Proposals is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Commission, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposals is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposals.

23. Modification of Terms

The Commission reserves the right to modify the terms of this Request for Proposals at any time in its sole discretion. This includes the right to cancel this Request for Proposals at any time prior to entering into a Contract with the successful Proponent.

24. Ownership of Proposals

All proposals submitted to the Commission become the property of the Commission. They will be received and held in confidence by the Commission, subject to the provisions of the *Freedom of Information and Protection of Privacy Act* and this Request for Proposals.

25. Use of Request for Proposals

Any part of this document, or any information provided by the Commission in relation to this Request for Proposals may not be used or disclosed, for any purpose other than for the submission of proposals. Without limiting the generality of the foregoing, by submission of a proposal, the Proponent agrees to hold in confidence all information provided by the Commission in relation to this Request for Proposals.

26. Reciprocity

The Commission may consider and evaluate any proposals from other jurisdictions on the same basis that the Commission purchasing authorities in those jurisdictions would treat a similar proposal from a British Columbia supplier.

27. No Lobbying

Proponents must not attempt to convey directly or indirectly with any employee, contractor or representative of the Commission, including the evaluation committee and any elected officials of the Commission, or with members of the public or the media, about the project described in this Request for Proposals or otherwise in respect of the Request for Proposals, other than as expressly directed or permitted by the Commission.

B. Requirements and Responses

1. Summary of the Requirement

The Commission is seeking interested parties to architect and develop a high availability, collaborative and integrated digital workplace built on the M365 platform. The Commission is licensed at an E5 level. Certain foundational elements of M365 have already been implemented and this project is aimed at extending the capabilities to address collaboration, knowledge sharing, improved search, and digital socialization aspects of a modern workplace. The Commission is also seeking support in establishing and participating in a sustainable governance model, as well as establishing and implementing a user centric adoption plan.

2. Anticipated Schedule

The following table outlines the anticipated schedule for this RFP. All times identified in the table are in Pacific Time.

Event	Anticipated Date
Enquiries deadline	November 26, 2021
Request closing time	December 3, 2021
Interviews and reference checks, as required	December 6-10, 2021
Preferred Proponent selected by	December 13, 2021
Commencement of work	January 2022

3. Commission Situation/Overview

The Commission is the provincial regulatory agency for permitting and overseeing oil and gas activities, from exploration and development through to operations and ultimately decommissioning of oil and gas industry projects under British Columbia jurisdiction. The Commission's current legislated mandate, regulatory framework, core activities and organizational structure are described in the [2021/22 – 2023/24 Service Plan](#) available on the Commission's website at www.bcogc.ca.

3.1 Commission Responsibility

The purposes of the Commission, outlined in Section 4 of the Oil and Gas Activities Act, are briefly summarized as follows:

- (a) to regulate oil and gas activities in British Columbia in a manner that
 - (i) provides for the sound development of the oil and gas sector, by fostering a healthy environment, a sound economy and social well-being,
 - (ii) conserves petroleum and natural gas resources,
 - (iii) ensures safe and efficient practices, and
 - (iv) assists owners of petroleum and natural gas resources to participate equitably in the production of shared pools of petroleum and natural gas;
- (b) to provide for effective and efficient processes for the review of applications for permits and to ensure that applications that are approved are in the public interest having regard to environmental, economic and social effects;
- (c) to encourage the participation of First Nations and aboriginal peoples in processes affecting them;
- (d) to participate in planning processes;
- (e) to undertake programs of education and communication in order to advance safe and efficient practices and the other purposes of the commission.

3.2 Background

The Commission's current intranet, MyOGC, was created in 2012, with a "refresh" in navigation in 2014. It is built on Drupal as a traditional intranet site and is nearing end-of life. It has been a significant internal communication tool for Commission news and updates to staff, but it has more recently been repurposed to meet new needs with non-optimal results. By modern standards, MyOGC is outdated in appearance, navigation, search, functionality, ease of use, and ease of administration.

In 2020, the Commission entered into an enterprise agreement with Microsoft for M365 services. This agreement entitles the Commission to use several Microsoft products including their online cloud services. M365 provides the Commission with an opportunity to modernize its workplace and advance its enterprise maturity. The Commission has already implemented some M365 foundational elements and services to enable a collaborative and remote work force. The Commission has already implemented the following M365 services to date:

- Identity Management
 - Azure Active Directory with multi-factor authentication
- Office 365 Suite of apps and client software (Word, Excel, PowerPoint, One Note)
- Exchange Online / Outlook
- Microsoft Teams (including Team sites)
- Security and Threat Detection (Azure ATP, Azure Sentinel)

To expand on the M365 foundations and seek a replacement for MyOGC, the Commission undertook a study to evaluate M365 services to use as an intranet replacement. The resulting recommendations were to take a holistic approach to M365 and using the platform as the next step in the evolution of the Commission's digital workplace.

3.3 Expected Project Outcomes

This initiative will be deemed successful when the following outcomes are realized. Based on staff interviews conducted during M365 evaluation, and in alignment with the Commission's Digital Workplace Program, this initiative aims to accomplish the following outcomes:

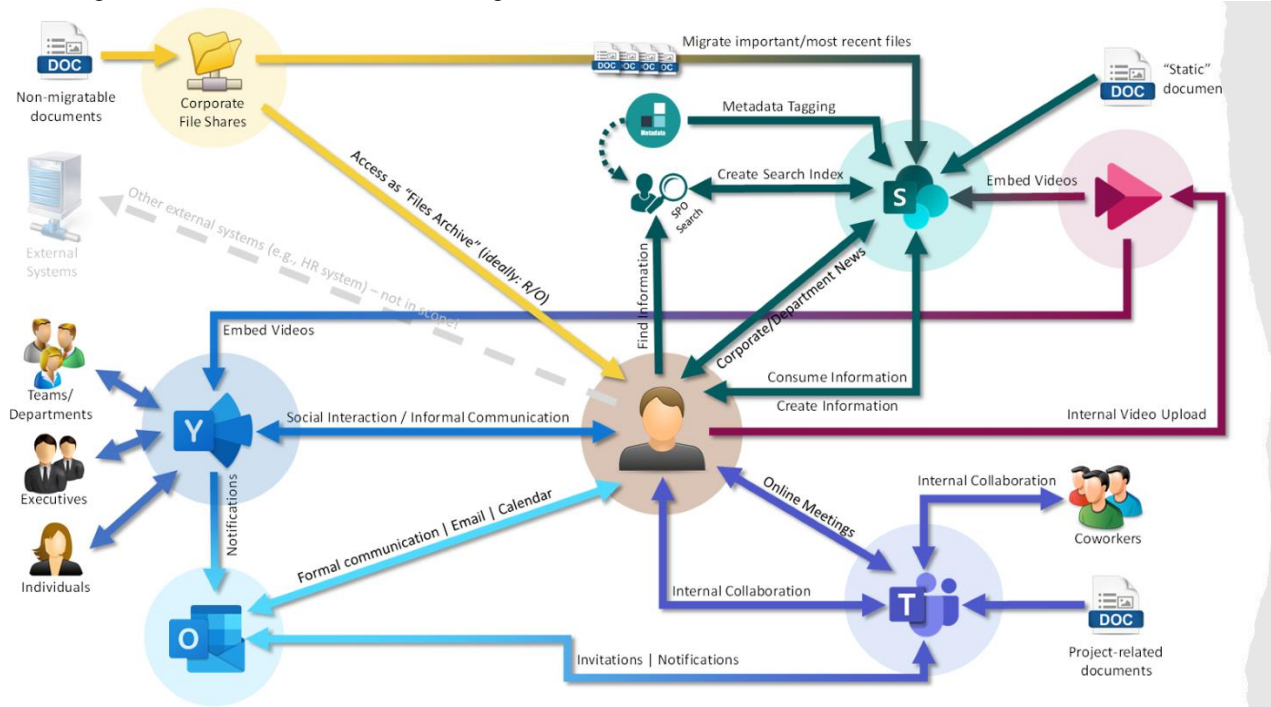
- Implement workplace tools that are user friendly and intuitive
- Ensure information is easily searchable and securely shareable
- Collaborate in real time, and remotely, in a digital environment
- Effectively manage asynchronous communication
- Socialize with other staff in a virtual environment using modern platforms
- Support communication and information access on the go securely (e.g., on mobile devices)
- Provide department ownership and control over their content
- Provide user process centric training to ensure effective adoption across staff with varied learning methods and demographics
- Ensure document libraries and migration of documents are aligned with the Commission's Electronic Document Retention and Management (EDRM) plan and recommendations
- Ensure a smooth process for complying with records management policies (e.g., applying document tags and retention policies)
- Apply governance structures that provide effective oversight to ensure a sustainable workplace implementation
- Supply a sustainable and scalable digital workplace architecture and processes to ensure effective ongoing operations
- Guarantee all services comply with the Freedom of Information and Protection of Privacy Act (FOIPPA), IT Infrastructure best practices, Commission's cybersecurity, and record management policies

4. Requirements

4.1 Scope of Services

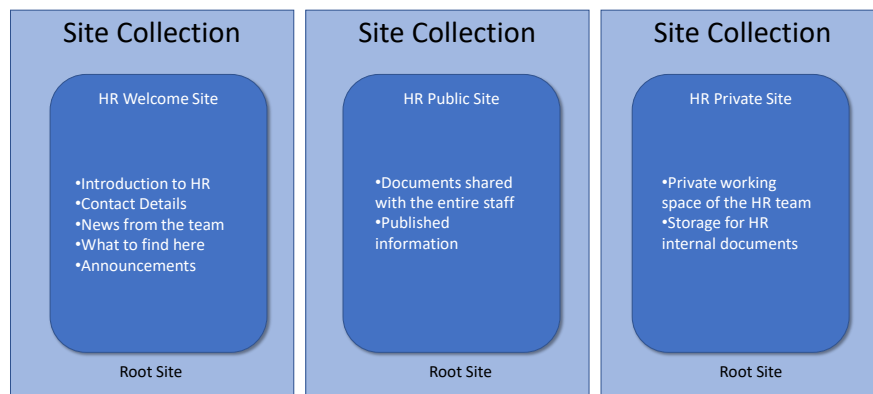
4.1.1 Product Scope

The integration of these M365 services might be envisioned as follows:

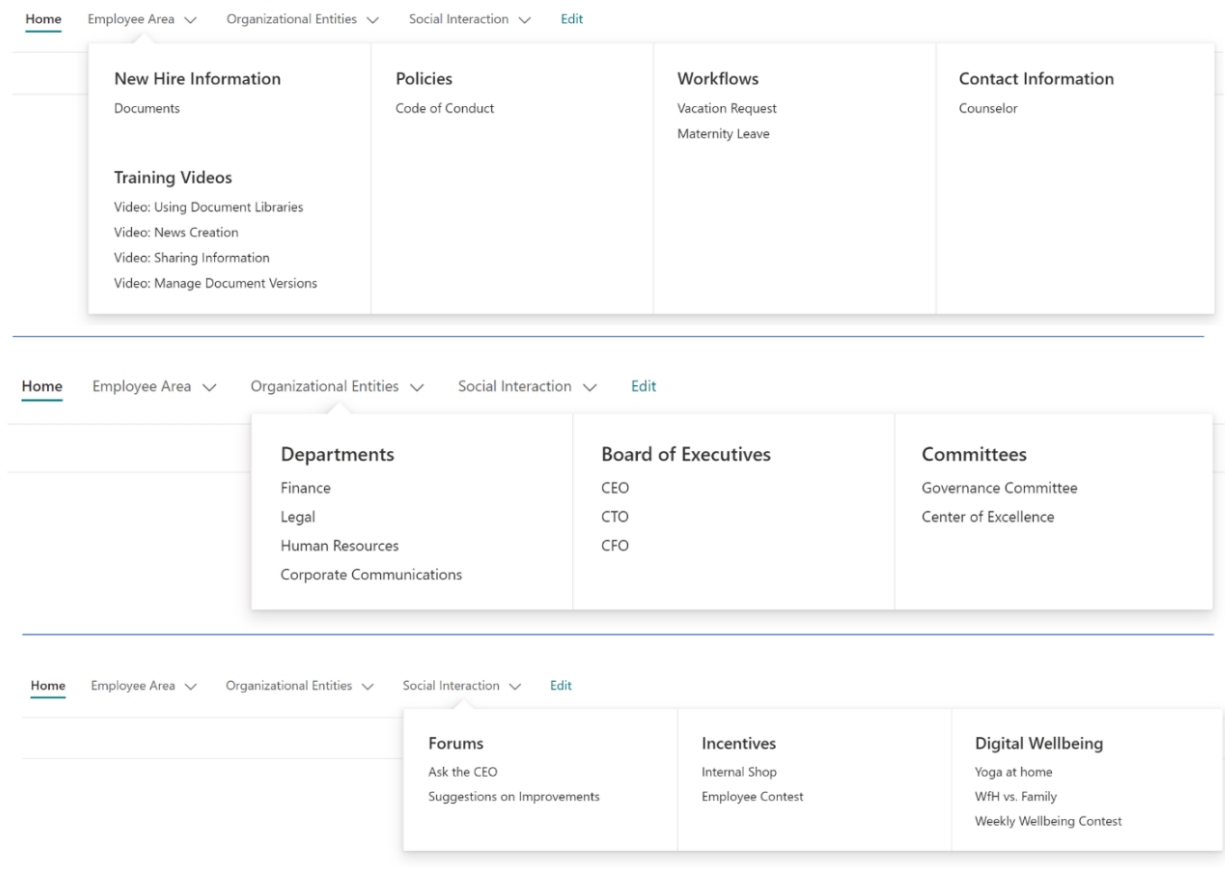


The Commission expects the following to be part of the implementation:

- Technical and Logical SharePoint structure
 - o The Commission is leaning towards a flat technical structure (i.e. not using subsites) to ensure ongoing flexibility
 - o Sites can include employee facing sites (i.e. corporate), department sites (focused on individual departments), and project sites (focused on cross department teams)
 - o An example of a department site using a flat structure might look like the image below:



- o The logical structure (navigation, hierarchy, etc.) will be developed in parallel using the Navigation Mega Menu. An example is shown below:



- Site Templates
 - o Develop corporate branding across all pages
 - Common navigation
 - Common theme / colours
 - Unified search
 - Roll-up of News and Events
 - o Develop standardized templates for (but not limited to)
 - Landing pages (department welcome pages, employee areas, etc.)
 - Logical subsites (e.g., department public and private pages, project pages)
 - Newsletters
 - News articles
- Multimedia management
 - o Implement any multimedia file management tools (such as Streams) to enable easy and secure sharing of multimedia files, such as videos, images
- Document management and migration
 - o Assist in migrating documents from shared drives and web servers to OneDrive or SharePoint
 - o Assist in converting documents to site pages, where appropriate
 - o Ensure records management policies are applied during migration
- Sustainable metadata usage
 - o Work with the governance team to set up content within the term store
 - o Ensure services implemented (e.g., document libraries) utilize meta data from the term store
 - o Help develop policies for meta data usage and incorporate them into the centre of excellence
- Implement search refiners to ensure efficient and relevant content searching
- Collaboration
 - o Review and refine the current Teams implementation to ensure effective use of Teams for collaboration and integration into other M365 services
- Socialization Platform
 - o Implement a social media platform, such as Yammer, to enable non-business-related conversations
 - o Assist in developing governance policies to ensure the platform follows Commission guidelines

- Sharing Corporate Information such as
 - o News and Exec Updates
 - o Internal staff updates (corporate and department level)
 - o Newsletters (corporate and department level)
 - o Appropriate combination of tools to publish and share content
- Adoption
 - o User/Process centric training materials and adoption plan
 - o Identify and develop training materials (including but not limited to recorded training sessions, manuals, short videos, new staff handbook, etc.)
 - o Provide training to staff and other Commission trainers
 - o Create a detailed plan and execute on change management activities
- Governance and Centre of Excellence
 - o Help establish a sustainable centre of excellence and governance structure
 - o Help establish a documentation hub for centre of excellence
 - o Develop guidelines and best practices to sustainably maintain the centre of excellence
- Security
 - o Defined security roles from M365 Global Administrators to End Users
 - o A simple three-group security model for sites
 - Site Owners – Full Control
 - Site Members – Edit
 - Site Visitors – Read
 - o Company-wide security groups
 - o No external sharing of Commission information or data with the possible exception of project sites

The successful proponent is not expected to implement or re-implement:

- Any M365 services the Commission has already implemented, such as Teams
- Any setup of specific records management labels, classification, or policies

4.1.2 Project Scope

The Commission expects this to be a multi-year initiative that is delivered iteratively to realize value early, frequently, and continuously, focusing initially on the implementation of a central corporate portal. In future phases department hub sites and other sites will be introduced. Change management and adoption is expected to be a continuous and ongoing process.

The successful Proponent who enters into a written contract with the Commission is expected to provide the following:

- Project management services using industry best practices for iterative delivery
- Implementation of necessary M365 (and other integrated) services to deliver the scope, including
 - o Technical analysis
 - o UX and Design proposal
 - o Development and implementation of sites and integrations
 - o Testing and training technical staff
 - o Migration to production
 - o Ongoing go-live support
- Expert resources capable of ensuring the project meets objectives through effective and sustainable adoption of new tools
 - o Stakeholder engagement and analysis
 - o User experience considerations when designing services
 - o Provide user training
 - o Change management services to help effective adoption
 - o Collaboration with Commission staff to transition to operations
 - o Set up governance and document best practices
 - o Security and privacy consultation when developing components of the digital workplace

The Commission will provide the following

- Collaboration to ensure the project is aligned with intended objectives
- Business and technical product owners of various components of the digital workplace
- Access to business and technical SMEs, stakeholders, and sponsor
- Licensing and necessary access to Commission's M365 tenant
- Project champions to help mediate issues and resolve blockers

4.1.3 Proponent Considerations

The Commission expects all current public health orders, including those issued by the Public Health Officer surrounding the COVID-19 pandemic, are followed. For further details, please see the Commission's [website](#). The proponent must also be able to show proof of COVID vaccination for any on-site meetings.

The Proponent must be able to comply with the following cybersecurity measures. This list is not exhaustive and other measures may be requested during contract signing.

- Contracted project resources must be able to complete work remotely and securely.
- Proponents must be able to supply their team with the tools necessary to access Commission resources, complete project work and interact with Commission staff.
- Proponents may be required to use multi-factor authentication (Microsoft Authenticator or similar) to access Commission resources.

4.2 Content Requirements

To respond to this Request for Proposals, Proponents are required to submit the following information:

- **Qualifications, relevant experience, and proposed team:** Brief relevant experience in delivering M365 services that meets organizational objectives and delivers expected benefits.
- **Proposed Implementation Approach:** Please describe the methodology to be used to deliver scope of services and manage issues. Preference will be given to phased approaches, with timelines and pricing set at a phase level. Include project management approach proposed to manage the implementation approach
- **Adoption Approach:** Describe what methods would be used to ensure the desired project objectives are realized
- **Timelines:** An overall engagement timeline and schedule, including a kick-off date suitable to the Proponent, which is within six weeks after the Closing Date for this RFP allowing time for proposal evaluation.
- **Hourly Rates:** Provide an overall budget for this proposal and clearly state if this is a fixed price or estimated budget. This includes professional fees for each member of the team based on estimated number of hours, including hourly rate. Indicate if there are any travel expenses included in the estimate.

4.3 Format Requirements

The following format, sequence, and instructions should be followed in order to provide consistency in Proponent response and ensure each proposal receives full consideration. With all pages consecutively numbered, the proposals should contain the following parts:

- a) Table of contents with page numbers.
- b) One-page executive summary.
- c) The body of the proposal in accordance with the above content requirements. This part is not to exceed 15 pages of combined text, tables, graphics and other written presentation in support of the content requirements.

5. Evaluation

The evaluation of responses will be conducted by a team consisting of employees and/or contractors of the Commission. All members of the team will be bound by the same standards of confidentiality.

This section details all the mandatory and desirable criteria against which proposals will be evaluated. Proponents should ensure they fully respond to all criteria in order to receive full consideration during the evaluation.

The lowest price or any Proposal will not necessarily be accepted. The Commission reserves the right to refuse any proposal based on quality, service, price, reputation, experience and other criteria.

The Preferred Proponent will be the Proponent scoring the most points after evaluation. The evaluation process will consist of the following stages:

- Stage One – Mandatory Criteria
- Stage Two – Desirable Criteria
- Stage Three – Interviews (optional)
- Stage Four – Reference Checks

5.1 Mandatory Criteria

Proposals not clearly demonstrating they meet the following mandatory criteria will be excluded from further consideration during the evaluation process:

- **The Proposal must be sent and received before the designated closing date and time.**
- **The Proponent must confirm any personal information received, collected or held over the course of the review will be stored and used only in Canada.**
- **The Proposal must contain an independence and objectivity statement by the Proponent.**
- **The Proposal provides a high-level budget and approximate schedule.**
- **The Proposal must include acknowledgement of the following:**
 - Proponents must be able to complete all work remotely and must be able to supply their team with the tools necessary to access Commission resources, complete project work and interact with Commission staff
 - Proponents may be required to use multi-factor authentication (Microsoft Authenticator or similar) to access Commission resources
 - Proponents must be able to show proof of COVID vaccination for any on-site meetings

Failure to meet all mandatory criteria above will disqualify the Proponent's Proposal from further review.

5.2 Desirable Criteria

The Commission seeks to enter into an agreement with the Proponent who, in the opinion of the Commission, has the resources, knowledge and competence to provide the greatest value. Proposals meeting all of the mandatory criteria will be further assessed against desirable criteria.

Desirable Criteria	Weight
Qualifications, relevant experience, and proposed team	20 %
Proposed Implementation Approach	20 %
Proposed Adoption Approach	30 %
Implementation Timeline	10 %
Pricing (Hourly, blended rate – and estimated cost for each implementation phase) e.g. foundations phase, central corporate phase, each department hub/subject area	20 %

5.3 Interviews

The top ranking (to a maximum of three) Proponents may be asked to attend an interview with the evaluation team at a Commission location nearest to the Proponent. The Proponent's team leader is to attend in person. During the interview, the evaluation committee may clarify and/or verify statements made in the written Response.

Interview Criteria	Weight
Understanding of the requirements and implementation plan	30 %
Suitability of resources, their experience, and ability to deliver on the proposed plan to meet project outcomes	30 %
Suitability of change management and adoption approach	40 %

The highest scoring Proponent (Preferred Proponent) will be selected by adding the scores from the desirable criteria and the interview.

The requirement for interviews is optional. The Commission reserves the right to complete the evaluation process without Proponent interviews.

5.4 Reference Checks

The references of the Preferred Proponent may be contacted to validate any part of their responses. The Commission reserves the right to conduct such independent reference checks or verifications as it deems necessary to clarify, test, or verify the information contained in the responses and confirm the suitability of the Proponent. The Commission will not enter into a contract with any Proponent whose references are found to be unsatisfactory.