

Action Plan and Progress Assessment (APPA) for the implementation of audit recommendations from the OAG- Prepared for the Select Standing Committee of Public Accounts
Attention: Mike Bernier, Chair and Rick Glumac, Deputy Chair of the Select Standing Committee on Public Accounts

An Audit of the Contract for the Family Maintenance Enforcement Program Released August 2017

<http://www.bcauditor.com/pubs>

PAC Meeting Plan ¹	01/17/18	Prepared by: Chris Beresford, Ministry of Attorney General	Reviewed by: Richard J.M. Fyfe, Q.C.
1 st APPA Update	24/02/19	Prepared by: Chris Beresford, Ministry of Attorney General	Reviewed by: Richard J.M. Fyfe, Q.C.
2 nd APPA Update	10/02/21	Prepared by: Carmen Zabarauckas, Ministry of Attorney General	Reviewed by: Richard J.M. Fyfe, Q.C.

Rec. # Accepted? Yes / No ²	OAG Recommendations	Actions Planned & Target Date(s) ³	Assessment of Progress to date ⁴ and Actions Taken ⁵ (APPA update)
1 Yes	Use a procurement specialist, who is independent of the Justice Services Branch, to lead, plan and carry out the upcoming procurement for the contract for the FMEP	Use an independent procurement specialist to lead, plan and carry out the upcoming procurement for the contract for FMEP. Target Date: August 2017	Progress Assessment: Fully implemented Actions Taken & Discussion: Independent advice and services has been obtained by the Ministry. This service is no longer delivered under contract.
2. Yes	Direct the procurement specialist to address previous audit recommendations when they assess service delivery options and potential contract terms.	The independent procurement specialist has been provided with previous audit recommendations and will address these recommendations in the assessment of service delivery options and potential contract terms. Target Date: August 2017	Progress Assessment: Fully implemented Actions Taken & Discussion: Independent advice was obtained by the Ministry. This service is no longer delivered under contract.

¹ The audited organization will be required to present their initial action plan at this meeting (i.e. First three columns completed for each OAG recommendation included in the audit report)

² For each recommendation, the audited organization should state whether or not they have accepted the recommendation and plan to implement it fully by typing either “Yes” or “No” under the number of the recommendation.

³ Target date is the date that audited organization expects to have “fully or substantially implemented” the recommendation. If several actions are planned to implement one recommendation, indicate target dates for each if they are different.

⁴The Select Standing Committee on Public Accounts (PAC) will request that the audited organization provide a yearly update (i.e completed “Assessment of Progress and Actions Taken” column) until all recommendations are fully implemented or otherwise addressed to the satisfaction of the PAC. This is for the APPA update.

⁵ This action plan and the subsequent updates have not been audited by the OAG. However, at a future date that Office may undertake work to determine whether the entity has implemented the recommendations. The results of that work will be reported in a separate report prepared by the OAG.

Please provide your email response to:

Email: Comptroller General’s Office of the Government of British Columbia Comptroller.General@gov.bc.ca

Cc email to: the Office of the Auditor General of British Columbia actionplans@bcauditor.com

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3. Yes	Establish procedures to ensure the Ministry's Chief Financial Officer and legal counsel review and confirm that non-standard forms of contract for significant programs have met the requirements of policy and are consistent with the objectives of policy.	The review of ministry significant contracts has been completed. For all contracts reviewed, the standard form of contract was used. Target Date: March 2018	Progress Assessment: Fully implemented Actions Taken & Discussion: Review completed.

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4. Yes	Develop guidance for program managers regarding when to evaluate contractor performance, as required by policy, in situations where a new procurement is initiated before the existing contract has come to an end.	The Ministry has provided policy guidance in this area. Target Date: March 2018	<p>In addition to the requirements of Core Policy, the Sector now has a dedicated procurement support team through CMSB which is responsible for providing advice and support to clients for all parts of the procurement lifecycle, including but not limited to Contract Management and Evaluations. CMSB has also developed Sector accessible guidance about ongoing management of contractor performance during the term of the contract as well as guidance about evaluation requirements at the end of the contract term. This information is available to all programs on our Sector’s internal procurement intranet site found at the following link (https://intranet.qa.gov.bc.ca/justice/tools-resources/financial-services/procurement-support).</p> <p>CMSB is in the process of currently expanding the procurement intranet site and is in the content development phase. It is expected that the new intranet site will be published by the end of FY21. The future state intranet site will have quite a bit more information to guide program staff surrounding the management and evaluation of contracts.</p> <p>The ongoing management guidelines, as well as the ability to perform internal reference checks on any solicitation, allow the Sector to evaluate current contractor performance before a new contract would be issued to the same supplier through a procurement process, before the existing contract has come to an end. CMSB has also created Ministry Directive #3 – Contract Policy available at the following link (https://intranet.gov.bc.ca/assets/intranet/justice/tools-resources/policies-guidelines-directives/financial-directives/directive_3_-_contracting_policy_-_jan2020.pdf) which details the evaluation requirements for contracts as well as defining that contracts valued at over \$1M must have an evaluation conducted and rated at least satisfactory before any services are extended.</p>

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5. Yes	Ensure that executive oversight of significant contracts includes monitoring program management's response to identified risks (e.g. risks identified by ministry legal counsel, ministry or external procurement experts, and senior ministry financial staff).	The Ministry has finalized policy to require that contract risks be identified, and then mitigated and/or monitored. Target Date: March 2018	<p>In addition to the requirements of Core Policy, the Sector now has a dedicated procurement support team through CMSB which is responsible for providing advice and support which includes risk, privacy and security issues.</p> <p>Ministry Directive #3- Contract Policy, requires all contracts to be approved by Executive under the Contract Approval Process and part of that process is to identify risks/implications if not approved. The new procurement intranet site that is being developed, and will be available by end of FY21, has a robust risk section included in it and details the procedures/guidance for risk identification and management.</p> <p>When a contract has been determined to need a Security, Threat Risk Assessment or Privacy Impact Assessment, expert resources are engaged, including but not limited to: Ministry Privacy Officer (MPO), OCG, Ministry Security Officer (MSO), Risk Management Branch, Legal Services Branch. The MPO and MSO are responsible for ongoing management of identified security or privacy risks.</p>

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