

OFFICE OF THE PROCUREMENT OMBUD

FOLLOW-UP REPORT TO THE 2020-2021
PROCUREMENT PRACTICE REVIEW OF
NON-COMPETITIVE CONTRACTS
INVOLVING WE CHARITY

JUNE 2025



Government
of Canada

Office of the
Procurement Ombud

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Canada The wordmark for Canada, with a small red maple leaf icon above the letter 'a'.

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Table of contents

Introduction	3
Results from the Initial Procurement Practice Review	3
Methodology and Management Action Plan Assessment Summary	6
Summary	6
Conclusions and Next Steps	8
Conclusion.....	11
Appendix 1: Assessment of Implementation Level.....	13
Appendix 2: Overall Performance Assessment Scale	14
Appendix 3: Assessment of Recommendations	15

Introduction

1. In accordance with paragraph 22.1(3)(a) of the *Department of Public Works and Government Services Act*, the Procurement Ombud has the authority to review the procurement practices of departments to assess their fairness, openness and transparency and to make any appropriate recommendations to the relevant department for the improvement of those practices. Such reviews, which are performed by the Office of the Procurement Ombud (OPO), are referred to as Procurement Practice Reviews (PPRs).
2. In fiscal year 2020 – 2021 OPO conducted an ad-hoc PPR of non-competitive contracts awarded to WE Charity, a Canadian-based charity and education organization. The review included contracts awarded by 4 federal organizations: the Canada School of Public Service (CSPS), Global Affairs Canada (GAC), Privy Council Office (PCO) and the Public Health Agency of Canada (PHAC). The initial PPR report was published on OPO's website in July 2021, and included 3 recommendations to address identified issues.
3. As a standard practice, OPO follows up on recommendations resulting from PPRs. This is done in order to determine whether the federal organizations have implemented their management action plans in response to the Procurement Ombud's recommendations. This follow-up report includes a summary of results from the initial PPR and OPO's assessment regarding progress made by the above noted organizations in implementing the recommendations.

Results from the initial procurement practice review

4. The objective of the initial WE Charity PPR was to determine whether the contracts and associated amendments awarded to WE Charity on a non-competitive basis, had been issued in a manner consistent with relevant laws, regulations and policies and support the principles of fairness, openness and transparency.
5. For the PPR, OPO looked at a total of 6 contracts that had been awarded by 4 federal organizations to WE Charity between 2017 and 2020. These contracts were proactively disclosed on the Open Government Portal, which includes information from all federal organizations subject to the former *Treasury Board Contracting Policy* (TBCP) which was in effect at that time, for contracts valued at \$10,000 and above¹. Each of the 6 contracts awarded to WE Charity were valued at \$40,000 or below and all were awarded without competition.
6. The following two lines of enquiry (LOE) were used to assess the highest-risk procurement elements:

¹ The proactive disclosure requirement of the former TBCP was replaced in 2021 by Appendix C 2.5 of the Directive on the Management of Procurement.

- **LOE 1:** To determine whether non-competitive contracts and amendments were awarded in a manner consistent with applicable legislation, regulations, policies, procedures and guidance.
 - **LOE 2:** To determine whether contract splitting occurred and whether controls were in place to prevent contract splitting and protect the integrity of the contracting process
7. Regarding LOE 1, OPO's initial PPR found that the decision to award the contracts without competition was consistent with the exceptions to the requirement to solicit bids set forth in the *Government Contracts Regulations*. However, certain issues regarding fairness were identified, specifically where none of the 6 contract files reviewed clearly showed that an estimated cost had been established before the department contacted WE Charity about its operational requirement.
 8. OPO's initial review also found that, for all 6 contracts the decision to award the contract without competition was justified and that appropriate documentation of decisions existed in the contract files. However, in 2 of the 6 contracts reviewed, internal departmental control documents were missing or incomplete.
 9. Only 1 of the 6 contracts reviewed was amended. OPO found the amendment for this contract was not fully consistent with policy requirements. The contract was amended after the department (GAC) received an invoice from WE Charity with an amount that did not align with the original contract. Following receipt of the invoice, GAC amended the contract by removing the HST and adding that amount to the fee for service component. However, there was no indication of a change in the scope of work provided to justify the price increase.
 10. For 5 of the 6 contracts reviewed, the service acquired did not require the use of a mandatory standing offer or supply arrangement, and a non-competitive procurement process was appropriate. For the remaining contract, rather than using the required, mandatory Public Services and Procurement Canada (PSPC) supply arrangement (ProServices) to select a pre-qualified supplier to provide facilitation services, PCO awarded the contract to WE Charity through a non-competitive process. This action was inconsistent with the principles of fairness and openness in government contracting as it removed a potential contracting opportunity from pre-qualified suppliers that had been identified through an open, competitive process advertised on the Government Electronic Tendering System. It also potentially resulted in the department paying more for the facilitation services due to the lack of competitive influence on the price charged. It was confirmed that the mandatory ProServices supply arrangement was not used, and PCO did not seek the required exemption from PSPC due to tight time constraints within which the department had to award the contract.
 11. The Procurement Ombud made 2 recommendations to address the issues identified under LOE 1:

Recommendation 1: To ensure the fairness of the procurement process, departments should not contact a prospective supplier, share information about an upcoming requirement, and request proposed pricing through a non-competitive process prior to establishing and documenting an estimate for the acquisition of goods or services. (applicable to PCO, GAC, CSPA and PHAC)

Recommendation 2: Establish a process to ensure mandatory PSPC standing offers and supply arrangements are used when required or alternatively that a timely exemption from their use is sought and received prior to contracting. (applicable to PCO only)

12. Regarding LOE 2, OPO's initial review found that contract splitting was not evident in any of the 6 contracts reviewed.
13. In 4 of the 6 contracts reviewed, OPO found controls to be adequately designed and implemented. With regard to the remaining 2 contracts, while contract splitting did not occur, there were gaps in the implementation of controls which could increase risks to the integrity of the contracting process. For example, in one of the remaining 2 contracts, GAC did not perform an assessment to determine if an original contract amount was reasonable for the requirement, or if the amended amount was reasonable. These assessments would have supported the TBCP requirement stating contracting authorities must ensure that the fees paid do not exceed the appropriate market rate for the service provided. OPO found internal GAC emails exchanged before the contract was issued indicated there was a sense of urgency to put the contract in place before a major departmental event. This urgency is believed to be a contributing factor to the observed control gaps.
14. With regard to the second of the remaining 2 contracts, OPO found that key controls existed and were documented, but PCO did not consistently follow these controls. There were control gaps related to the documentation of the rationale for a non-competitive contracting process, the rationale for selecting WE Charity as the contractor and the use of a mandatory supply arrangement. Additionally, as a standard practice, PCO would normally confirm that the fees proposed were reasonable and in line with fees charged for similar services. In this case there was no evidence that the project authority checked to see whether the fees quoted by WE Charity were reasonable for the service provided. PCO advised that they did not perform their usual validation procedure for this contract. According to PCO, the tight timeline to get this contract in place was the main cause for these control gaps.
15. The Procurement Ombud made 1 recommendation to address the issues identified under LOE 2:

Recommendation 3: Recognizing there will be contract requests that have tight timelines, review existing procurement controls to ensure that processes can be followed with appropriate due diligence and effective stewardship. (applicable to GAC and PCO)

Methodology and management action plan assessment summary

16. In March 2024, OPO asked all 4 organizations to self-assess their progress in implementing their management action plans (MAPs) related to the initial review's 3 recommendations, using an established progress scale ranging from "no progress" (level 1) to "full implementation" (level 5), as outlined in Appendix 1. All four organizations were also asked to provide supplementary information and documentation to support their self-assessment.
17. When reviewing a self-assessment, OPO may conduct additional testing of procurement files, if required, to obtain evidence that demonstrates that structures and processes have been implemented and positive results have been identified. During this review, it was determined that additional testing of procurement files was not necessary because the self-assessment and supporting documentation provided by all 4 organizations were sufficient to assess the degree of implementation of the recommendations noted in the initial review. OPO reviewed and assessed the information provided in the self-assessment forms for overall reasonableness and credibility.
18. This Follow-up Review includes a summary, and an overall conclusion regarding progress made by the organizations in implementing the recommendations made by the Procurement Ombud in the initial PPR report.
19. Using the scale provided by OPO, organizations self-assessed the level of implementation of their actions at various levels. It should be noted that all 3 recommendations were not assigned to all organizations.
20. The following is a breakdown of the self-assessment results by department for each recommendation, with additional details of OPO's overall assessment of each organization's responses included in Appendix 3.

Summary

PCO

21. PCO self-assessed the level of implementation for each of its 3 assigned recommendations at level 5, "Full Implementation." PCO's substantiating documentation indicated that it had implemented new structures and products in response to the Procurement Ombud's recommendations, and mostly demonstrated that these changes led to organizational change, leading OPO to agree with PCO's assessment of its implementation for recommendations 1 and 2 at level 5, "Full implementation." However, OPO also notes that while PCO has put these structures into place, OPO is unable to determine whether these materials have been used, and whether PCO procurement officers are taking offered training courses. Therefore, OPO assessed PCO's level of implementation for recommendation 3 at level 4, "Substantial implementation."
22. The follow-up process demonstrated that PCO had developed and implemented new and enhanced products and initiatives that support

fairness, openness, and transparency in the procurement process, and meet the intent of each recommendation. These initiatives included a mandatory training program with enhanced administrative tools that were shared with procurement officers via professional development activities, including information sessions and focus groups. These initiatives are intended to help provide additional management oversight and independent monitoring. The revised administrative tools and mandatory training program for procurement officers were comprehensive enough to cover the intent of multiple recommendations.

GAC

23. GAC self-assessed the level of implementation for each of its assigned recommendations, (1 and 3) at level 5, "Full Implementation." GAC's substantiating documentation indicated that it implemented new structures and products in response to the Procurement Ombud's recommendations, and generally demonstrated that these changes led to organizational change, leading OPO to agree with GAC's assessment of its implementation for recommendations 1 and 3 at level 5, "Full implementation."
24. GAC's description of actions taken, along with its supporting documentation, indicate that the organization has developed multiple training and guidance materials relating to the procurement process in order to meet the intent of both of its recommendations. Notable products include monthly bilingual training sessions that provide insight on various parts of the procurement process such as costing, exhaustive walkthroughs of the procurement process on GAC's intranet, and updated checklists and document-based control tools that stress the need to establish dollar estimates early in the solicitation process.
25. With this in mind, the evidence provided by GAC in support of their efforts to address the recommendations demonstrates their efforts to ensuring the award of non-competitive contracts and amendments in a manner consistent with applicable legislation, regulations, policies, procedures and guidance. Their initiatives also help to ensure that controls are in place to lower the risk of contract splitting and maintaining the protection and integrity of the contracting process.

CSPS

26. Regarding recommendation 1, which was CSPS's sole recommendation, the department's self-assessment rated it at a combination of level 4 "substantial implementation" and 5, "Full Implementation." Substantiating documentation demonstrated that CSPS created several training materials relating to procurement generally. However, they were the only organization whose materials did not address the specific requirement to not contact potential suppliers prior to establishing a cost estimate for the good or service in question. Therefore, OPO assessed CSPS's level of implementation of the recommendation at 4 "Substantial implementation."
27. CSPS' descriptions of actions taken, along with its supporting documentation demonstrate that limited action has been taken in response to the

Procurement Ombud's recommendation. While the updated training materials act as the proposed "guidance" regarding its managers' responsibilities related to procurement and contracting, the department has not provided any communications on the subject to its managers with financial authorities, meaning that they will only access the materials if they actively seek them out. Additionally, while CSPA procurement training materials identify the need to establish cost estimates, and provide instructions regarding how to do so, they do not speak to the need to create these estimates *prior to* contacting prospective suppliers.

28. To further support the effectiveness of its initiatives, CSPA should formally communicate comprehensive training resources to all responsible procurement officials that clearly highlight the specific requirement to establish cost estimates early in the procurement process, prior to contacting prospective suppliers.





PHAC

29. Regarding recommendation 1, which was PHAC's sole recommendation, the department's self-assessment rated it at level 5, "Full Implementation". Substantiating documentation demonstrates that PHAC has completed its action plan, which consists of sending a reminder to all managers that they should endeavour to establish a dollar estimate of a procurement prior to contacting prospective suppliers. This initial message was followed up with initiatives to ensure that estimates were established prior to engaging with suppliers. For example, in autumn 2024, PHAC conducted its procurement planning exercise, where it created dollar estimates for procurements for the following fiscal year. In doing so, the department ensured that these preplanned procurements would have cost estimates established well in advance. In March 2025, additional guidance specifically focused on vendor engagement was broadly communicated across the organization. This guidance further emphasizes the need for cost estimates to be completed prior to any communications with vendors.
30. Additionally, PHAC is implementing frameworks that will further address this issue. The organization is developing a framework on internal management, which will include the practice of establishing dollar estimates at the outset of the procurement process. Additionally, this framework will include an annual investment planning process, where business owners explain the total estimated costs of their expenditures of the year thereby helping procurement officers as they create their own estimates. At the time of drafting, the framework has been approved, and is in the process of being implemented. PHAC's initiatives have effectively addressed the Procurement Ombud's recommendation, and OPO agrees with the organization's self-assessment at level 5, "Full Implementation."



Conclusions and next steps

31. PPR Follow-up Reviews include an assessment with a rating that depicts the organization's performance with regard to the LOEs. These assessments also

identify further opportunities for improvement. In determining these assessment ratings, OPO takes into consideration the results from the initial PPR review and the actions taken by the organization to implement the recommendations under each LOE. The assessment ratings are as follows:

	Satisfactory Plus (four star)
	Satisfactory (three star)
	Partially Satisfactory (two star)
	Unsatisfactory (one star)

32. Note that a Satisfactory Plus assessment rating is only possible when the initial review resulted in no recommendations being issued under a particular LOE. Assessment definitions and criteria are outlined in Appendix 2.
33. The following table provides a summary of OPO's assessment score for each organization:

OPO Assessment Summary of Recommendations			
CSPS			
Recommendation	Self-Assessment Level	OPO Assessment Level	Assessment Rating
1	Level 4 Substantial Implementation	Level 4 Substantial Implementation	 Satisfactory
PHAC			
Recommendation	Self-Assessment Level	OPO Assessment Level	Assessment Rating
1	Level 5 Full Implementation	Level 5 Full Implementation	 Satisfactory

GAC			
Recommendation	Self-Assessment Level	OPO Assessment Level	Assessment Rating
1	Level 5 Full Implementation	Level 5 Full Implementation	☆☆☆ Satisfactory
3	Level 5 Full Implementation	Level 5 Full Implementation	☆☆☆ Satisfactory
PCO			
Recommendation	Self-Assessment Level	OPO Assessment Level	Assessment Rating
1	Level 5 Full Implementation	Level 5 Full Implementation	☆☆☆ Satisfactory
2	Level 5 Full Implementation	Level 5 Full Implementation	☆☆☆ Satisfactory
3	Level 5 Full Implementation	Level 4 Substantial Implementation	☆☆☆ Satisfactory

PCO

34. After reviewing PCO's progress and in consideration of the assessment ratings, a rating of "Satisfactory" was given to PCO for LOE 1. The initiatives and products that PCO has developed all encourage engagement between clients and the procurement team at PCO to require the early establishment of cost estimates for needed goods and services. For LOE 2, PCO was also given a rating of "Satisfactory," as its updated training materials reinforce the roles and responsibilities around existing procurement controls, effectively addressing the need for appropriate due diligence and stewardship throughout the procurement process. Additional emphasis on proper file documentation and the use of standardized checklists will also allow for effective oversight.

GAC

35. After reviewing GAC's progress, a rating of "Satisfactory" was given to GAC for LOE 1. In order to ensure that non-competitive contracts and amendments were awarded properly, GAC has developed a series of training tools that include a comprehensive explanation about the need to establish proper cost estimates early in the procurement process. They have also integrated this recognition into their procurement procedures by encouraging clients to

engage with the Procurement and Contracting Team as early as possible to establish cost estimates for needed goods and services. For LOE 2, GAC was also given a rating of “Satisfactory,” as the department has taken various steps to ensure that procurement officials are aware of the need to establish formal and timely justifications for non-competitive processes. For example, administrative control tools have been created and communicated to assist employees to better understand general procurement processes, while others focus on service standards, regular reporting requirements and determining if a contract should be competitive or non-competitive with clear steps to creating a contract through each approach. With this in mind, GAC’s response is fully responsive to OPO’s observations under both LOEs.

CSPS

36. After reviewing CSPS’s progress, a rating of “Satisfactory” was given to CSPS for LOE 1. While the training products that CSPS developed after the initial report are of a high quality and ensure that managers with financial authorities are aware of their general responsibilities throughout the procurement process, including the need to create estimates, it does not state that these estimates need to be established *prior to* contacting prospective suppliers. Given that CSPS was given its recommendation because it specifically failed to establish a cost estimate *prior to* contacting WE Charity, this omission is problematic. To best ensure that fairness issues do not arise when procurement officers improperly contact prospective suppliers in advance of establishing a cost estimate, CSPS should ensure that its training materials emphasize the need to establish this estimate early in the procurement process, prior to contacting prospective suppliers.

PHAC

37. After reviewing PHAC’s progress, a rating of Satisfactory was given to PHAC for LOE 1. While PHAC has fulfilled its promise to communicate with managers about the need to have cost estimates prepared before contacting prospective suppliers. PHAC’s recent initiatives for specific procurements and guidance materials also demonstrate a continued commitment to ensuring that these cost estimates are prepared as early as possible in the procurement process. Finally, PHAC is currently implementing a new comprehensive internal framework on procurement management, which will include procedures to ensure that suppliers are not contacted prior to the establishment and documentation of a cost estimate. If implemented as planned, this framework will likely contribute to lasting organizational change.

38. A detailed assessment summary may be found in Appendix 3.

Conclusion

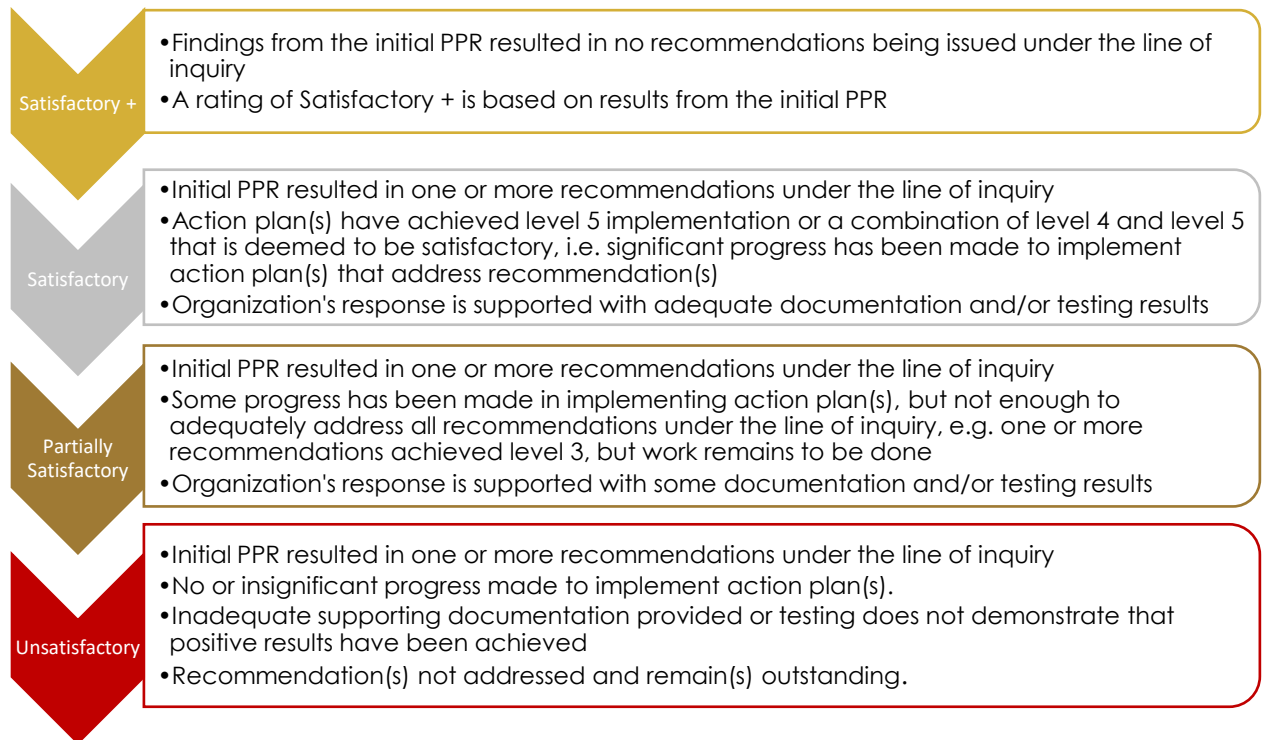
39. In response to their respective recommendations, PCO, GAC, PHAC and CSPS have each created new initiatives and enhanced existing training, policies, and processes that support fairness, openness, and transparency in the procurement process.

40. PCO and GAC both provided supporting documentation demonstrating that they considered the Procurement Ombud's recommendations from the initial PPR, and have taken the necessary action to respond to these recommendations.
41. The Follow-up Review concluded that both PCO's and GAC's self-assessments, mostly supported by substantiating documentation and direct communication with departmental officials, are reasonable and credible. As such, OPO accepts most aspects of their self-assessments and concludes that the progress noted is a combination of level 4 "substantial implementation" and level 5 "full implementation". The Procurement Ombud is encouraged by the progress made to date and takes the opportunity to commend both PCO and GAC for their commitment to supporting fairness, openness, and transparency in the procurement process.
42. CSPA provided supporting documentation that did not demonstrate that the Procurement Ombud's one recommendation to CSPA had been fully implemented. While it has created high-quality training materials since the initial PPR review that can guide procurement officers throughout the procurement process, the documentation provided does not clearly address the core issue that gave rise to its recommendation; the fact that cost estimates must be made prior to organizations contacting prospective suppliers.
43. The Follow-up Review concluded that while CSPA's self-assessment was supported by credible substantiating documentation, its proposed rating of level 5 "full implementation" was not attained, and OPO provides a rating of level 4 "substantial implementation". While the Procurement Ombud is encouraged by the quality of CSPA's new training material and considers it to be a significant step in responding to the Procurement Ombud's recommendations, CSPA should ensure that the need to establish cost estimates early in the procurement process is adequately communicated to staff, and that they must not contact prospective suppliers prior to establishing them.
44. PHAC provided supporting documentation demonstrating that they have considered the Procurement Ombud's recommendation and has taken the necessary action to respond accordingly. PHAC has implemented measures to ensure that estimates are established well before contacting suppliers, both for specific procurements, and more recently, on a systemic level.
45. The Follow-up Review concluded that the agency's self-assessment is reasonable and credible. As such, OPO accepts PHAC's initial self-assessment, which provided it a score of 5 "full implementation". The Procurement Ombud commends PHAC for their commitment to supporting fairness, openness, and transparency in the procurement process.

Appendix 1: Assessment of implementation level

Assessment of Implementation Level	
Level 1	No progress or insignificant progress. Actions such as establishing a new committee, conducting meetings, and generating informal plans have not advanced, or insignificant progress has been made.
Level 2	Planning stage. Formal plans for organizational changes have been created and approved.
Level 3	Preparations for implementation. Preparations for implementing a recommendation are in progress – e.g., hiring or training staff, developing necessary resources, etc.
Level 4	Substantial implementation. Structures and processes are in place and integrated within at least some parts of the organization, and some achieved results have been identified.
Level 5	Full implementation. Structures and processes are fully implemented and operating as intended and results have been identified.
Obsolete	Recommendation is no longer applicable due to new policies, procedures, etc.

Appendix 2: Overall performance assessment scale



Appendix 3: Assessment of recommendations

OPO Detailed Assessment Summary of Recommendations		
Recommendation 1 - Recommendation to CSPS, PHAC, GAC and PCO		
To ensure the fairness of the procurement process, departments should not contact a prospective supplier, share information about an upcoming requirement, and request proposed pricing through a non-competitive process prior to establishing and documenting an estimate for the acquisition of goods or services.		
Original Management Action Plan (MAP) Response	OPO Assessment	Level
<p>PHAC</p> <p>A reminder will be sent to all managers highlighting that they should endeavour to establish a dollar estimate of a procurement requirement prior to contacting prospective suppliers to ensure the fairness of the procurement process and value for money.</p>	<p>A review of the information provided by PHAC has determined that the agency has completed its action plan, which consists of sending a reminder to all managers that they should endeavour to establish a dollar estimate of a procurement prior to contacting prospective suppliers. This initial message was followed up with additional initiatives to ensure that estimates were established prior to engaging with suppliers.</p> <p>These additional initiatives include a procurement planning exercise, where dollar estimates for procurements were created for the following fiscal year. This ensures that these preplanned procurements will have cost estimates established well in advance.</p> <p>In March 2025, additional guidance specifically focused on vendor engagement was broadly communicated across the organization that further emphasized the need for cost estimates to be completed prior to any communications with vendors.</p> <p>Lastly, PHAC is developing a framework on internal management, which will include the practice of establishing dollar estimates at the outset of the procurement process. This framework will include an annual investment planning process, where business owners will explain the total estimated costs of their expenditures of the year- thereby helping procurement officers as they create their own estimates. At the time of drafting, the framework has been approved, and is in the process of being implemented.</p>	<p>Level 5 Full Implementation</p>

<p>CSPS</p> <p>In the reviewed case, CSPS was fully confident that the services, including cost for services, would meet criteria for non-competitive tendering. This was based on previous comparable contracts, as well as knowledge of market conditions.</p> <p>To promote fairness and transparency, consistent with the <i>Government Contracting Regulations</i> and Treasury Board Secretariat (TBS) Contracting Policy and leveraging government-wide best practices, CSPS will prepare guidance for, and disseminate communications to, its managers reminding them of their responsibilities related to procurement and contracting.</p>	<p>CSPS has taken some initial steps toward ensuring the fairness of the procurement process through development of a series of training materials regarding the procurement process generally.</p> <p>While the training products appear to be comprehensive in meeting meet CPSP's commitment to reminding managers with financial authorities their individual responsibilities in the procurement process, there is no apparent content within them that addresses the issues raised in OPO's initial report concerning contact with suppliers prior to establishing pricing for the acquisition of goods or services.</p> <p>Additionally, CSPS's approach was entirely training-based. While the organization's action plan included direct communication with all managers with financial authorities to remind them of their responsibilities relating to procurement and contracting, there is no evidence that CSPS actually engaged in these direct communications.</p>	<p>Level 4 Substantial Implementation</p>
<p>GAC</p> <p>In advance of contacting a prospective supplier, GAC will endeavour a market research for the desired commodity in order to estimate the approximate costing. GAC will make use of the open data information available on Buy and Sell as well as a web scan for commodity pricing when/where available.</p>	<p>GAC has taken action toward ensuring the fairness of the procurement process. They have developed and communicated a series of administrative control tools as well as provided training and information forums. These initiatives were designed with the goal of emphasizing the process of conducting procurements in general, with notable focus on non-competitive engagements that highlight avoidance of contact between departments and prospective suppliers.</p> <p>The responsibility of meeting this goal primarily rests with the Purchasing and Supply officer (PG) who serves to not only review and update procurement documentation as required but also to leverage opportunities for sharing market information via training and information forums, as well as trend analysis through regular reviews of historical procurement documentation.</p> <p>One administrative control tool is the <i>Contract Award Job Aid (Non-Competitive)</i> form which is used in the planning stages of a procurement to</p>	<p>Level 5 Full Implementation</p>

	<p>help determine if a contract should be competitive or non-competitive and offers clear steps to creating a contract through each approach.</p> <p>The <i>Checklist for a Non-Competitive Contract</i> is another administrative control tool with specific links to the Government of Canada Supply Manual and its section on requirements around the non-competitive contracting process.</p> <p>The <i>Client Mission Procurement Roadmap Requirement Definition Checklist</i> not only outlines the steps to the procurement process in general, it also references a WIKI portal and a form stored there called the Non-Competitive Contract Certification form. This document demonstrates that financial limits are in place and that requirements are required to be verified before the contract is prepared, particularly since information requiring this is communicated via the portal per government policy, (i.e.: adherence to the <i>Values and Ethics Code of for the Public Sector</i> and the <i>Directive on Conflict of Interest</i>).</p> <p>The <i>Procurement Blueprint</i> Excel document is an internal tool that is regularly updated by PGs and serves as a repository of documentation for each step of the procurement process that allows officials to go back and look at previous contracts put in place for the same work and even the same supplier to determine if costs are reasonable.</p> <p>GAC has also communicated to employees the Government of Canada's <i>Managers Guide: Key Considerations when Procuring Professional Services</i> document. This guide provides information pertaining to roles and responsibilities, professional services, procurement structuring, contract management and oversight/review requirements, serving as a suitable resource for procurement officials to consider, particularly emphasizing best practices around planning.</p>	
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<p>PCO</p> <p>PCO will remind clients of the importance of establishing budgets for requirements prior to engaging with industry when there is a good understanding of the marketplace for the goods and/or services. The need to engage vendors for information to establish a budget is done when market conditions are unknown, are fluctuating, or delivery timelines are exceptionally short.</p> <p>It is important to note that PCO also provides procurement support via memorandum of understanding (MOU) arrangements to arms-length organizations, such as the Leaders Debates Commission. PCO advises these organizations regarding appropriate procurement practices but does not control their procurement decisions or measures taken in advance of receiving direction on procurement actions.</p>	<p>A review of the information provided by PCO has determined that sufficient action has been taken toward ensuring the fairness of the procurement process through development of a series of training materials prepared for both senior management and the administrative community. They have also prepared documents to serve as tools to enable mandatory cost estimation to be conducted early in the planning process.</p> <p>Several of the training materials demonstrate a significant effort on the part of PCO to ensure employees are made aware of their roles and responsibilities around procurement. The range of topics covered by their training program is comprehensive with coverage of fairness in procurement included, with specific mention of establishing price estimates in courses.</p> <p>PCO has also created a series of new documents to serve as tools that enable managers and employees to ensure fairness in the procurement process with documents such as the <i>Goods and/or non-professional Services</i> form, the <i>Request for Service Contract</i> form, and the <i>Procurement Process at The Privy Council Office</i> process map. Completion of the forms is mandatory and must be conducted early in the planning stage of a proposed procurement engagement. Users must complete a mandatory rationale for any purchase request, a proposed methodology (such as non-competitive), as well as a supplier and selection rationale. There is also a requirement for provision of an estimated cost. These documents are created in conjunction with other established policy instruments such as the <i>PCO Policy on Procurement</i>.</p> <p>These educational initiatives and administrative products demonstrate a reasonable effort in helping PCO to determine whether non-competitive contracts and amendments were awarded in a manner consistent with applicable legislation, regulations, policies, procedures and guidance. They do so by ensuring employees, including management, have sufficient training and awareness of their roles and responsibilities as well as the means to conduct their work in a manner that demonstrates due diligence toward meeting the intent of the recommendation.</p>	<p>Level 5 Full Implementation</p>
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Recommendation 2 - Recommendation to PCO		
Establish a process to ensure mandatory PSPC standing offers and supply arrangements are used when required or alternatively that a timely exemption from their use is sought and received prior to contracting.		
Original MAP Response	OPO Assessment	Level
<p>PCO</p> <p>PCO will continue to work with clients and remind them to engage the Procurement and Contracting team as soon as possible when there is a need to procure goods or services. PCO consistently uses PSPC standing offers and supply arrangements for the majority of the goods and services needs of the Department and will continue to do so wherever possible.</p> <p>In certain situations when it is not possible to use existing vehicles for a requirement, the procurement file will be clearly documented with a rationale.</p>	<p>A review of the information provided by PCO has determined that sufficient action has been taken toward ensuring that mandatory PSPC standing offers and supply arrangements are used when required or alternatively that a timely exemption from their use is sought and received prior to contracting. PCO committed to continuing their practice of encouraging clients to engage the Procurement and Contracting team as early as possible where there is a need for goods and services, as well as to communicate the importance of documenting any instance with a clear rationale whenever it is not possible to use an existing vehicle. This approach is actioned under several new and updated training initiatives.</p> <p>Outside of relying on training created in line with existing government policies and directives, the formal PCO procurement process map also highlights requirements around submitting mandatory documentation during the pre-contract phase, including maintaining detailed rationales for procurement files. These initiatives serve to inform staff of their roles and responsibilities around ensuring mandatory PSPC standing offers and supply arrangements are used when required or documenting when they are not.</p> <p>Ultimately, it will remain the responsibility of individual contracting officials to ensure that required tasks are completed and documented, even if under pressures such as time constraints.</p>	<p>Level 5 Full Implementation</p>
Recommendation 3 - Recommendation to GAC and PCO		
Recognizing there will be contract requests that have tight timelines, review existing procurement controls to ensure that processes can be followed with appropriate due diligence and effective stewardship.		
Original MAP Response	OPO Assessment	Level
GAC	GAC has taken action by reviewing existing procurement controls to ensure processes may be properly accessed and followed in a diligent and	Level 5

<p>GAC is committed to working closely with our clients to ensure that the most robust procurement planning processes are in place during the financial planning cycles. Procurement planning activities help to identify upcoming requirements earlier, while taking into account timelines and procurement schedules. Currently, major departmental events are usually planned in advance. With prior knowledge of the related contract requirements ahead of the event, procurement professionals are able to work proactively with the client towards an appropriate procurement strategy.</p> <p>GAC is also committed to ensuring that the proper forms are included and on record within the contract file to attest to the due diligence and effective stewardship taken for each procurement.</p>	<p>effective manner, even under difficult timeframes. They have demonstrated this through a variety of means such as preparing and communicating current procurement service standards and year-end deadline requirements. These are found via the Shop@DFATD site and include documents such as the "How to Procure" resource and the "Procurement Services Standard" document.</p> <p>The importance of timely contract action requests is also highlighted via the "How to Procure/Year End Deadlines" and the "Year End Deadlines for the Submission of Procurement Requirements" resources that are available to employees.</p> <p>The Ministerial Calendar – Executive Briefing Dashboard is a tool that demonstrates how the latest contracting protocol requirements are communicated among stakeholders on a weekly basis. Evidence was also provided demonstrating that annual procurement planning exercises were carried out for both major and Indigenous procurements. These products include the SRD Callout Departmental Investment Plan, the Procurement Data spreadsheet, and the Checklist for a Non-Competitive Contract document.</p> <p>Additional examples of planning and control/process review resources includes documentation that is shared with employees such as the Summary of the 6 Phases of Procurement, the Client Mission Procurement Roadmap Requirement Definition Checklist and the Procurement Blueprint Excel document. An example of the department's commitment toward effective Indigenous procurement was shared via an email concerning the <i>Northern Tour Contracting Planned Procurement</i>. It highlighted risks during the planning stage of the engagement and enabled discussion for mitigation strategies.</p> <p>These planning activities have demonstrated that the department is capable of flexibility and adaptation when time-based pressures require quick action to address requirements.</p>	<p>Full Implementation</p>
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<p>PCO</p> <p>In the rare situations where contract requests are received with tight timelines, the procurement officer will work with the client following contract award to ensure the procurement file has all supporting documents to clearly explain the circumstances of the situation. To better support procurement officers in their role within the Department, PCO has initiated a review of its current practices. Internal training will take place to ensure consistent and common understanding of processes by all team members. Team members will also be encouraged to complete additional procurement training courses to improve individual knowledge. These actions will strengthen awareness of any recent changes to procurement practices and establish a more consistent approach to ensuring due diligence and effective stewardship is undertaken at all times, even when client timelines are very short.</p>	<p>PCO moved to address this recommendation through training that reinforces roles and responsibilities around existing procurement controls. While the training materials provided are of a high quality and address the need for proper stewardship and documentation practices throughout the procurement process, PCO did not provide evidence that clearly demonstrated that all PCO procurement team members had taken the training. There was also a lack of evidence that showed how these best practices form part of their current onboarding and development process. Considering how PCO has focused heavily on educational activities to meet the intent of the recommendation, they should ensure tracking of successful completion of their many courses is effectively recorded and that the content is included in their onboarding and internal development process.</p>	<p>Level 4 Substantial Implementation</p>
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