

Cornett, Kathy M JAG:EX

From: Hoskins, Jeannie JAG:EX
Sent: Wednesday, November 13, 2013 9:30 AM
To: Hughes, Alan MTIC:EX
Cc: Cornett, Kathy M JAG:EX
Subject: 497404 - FOI Request JAG-2013-01695
Attachments: Document.pdf

Hi Alan

Attached is the signed approval slip for the above noted FOI request.
Thanks.

Jeannie Hoskins
Executive Coordinator
Office of the Deputy Solicitor General
Ministry of Justice

Request Number: 292-30/JAG-2013-01695

1. IAO - Review of Harms/Issues/Recommendations provided by Ministry Program Area

Request Received: September 23, 2013

Due Date: November 5, 2013

Requester type: Media

Wording of the request:

"The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013."

Comments/Background

- The attached records were provided by Manami Calvo (Manager Information Programs @ LDB).
- Although Sedlak Management Consultants Inc. has been named as the successful bidder.
- Information Access Operations (IAO) has been advised that this contract is still in the negotiation stage and has not yet been signed.
- Consequently IAO recommends responding to the applicant by an access denied letter.

Consultations:

N/A

Recommendation:

IAO recommends that the enclosed records be excepted from disclosure, pursuant to sections 13 (policy advice or recommendations) and 17 (disclosure harmful to the financial or economic interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

Publication Recommendations:

As this will be an access denied response this general FOI request will NOT be published on the Open Information website.

FOI Analyst:

Alan Hughes
Senior Analyst, Justice /Social Team
Information Access Operations

Signature:

A. Hughes

Date: October 31, 2013

FOI Director/Manager Approval:

Vicki Hudson
Manager, Justice /Social Team
Information Access Operations

Signature:

Hudson

Date: November 4, 2013

2. FOI and Ministry Executive - Approval to Release Package to applicant

Ministry Executive:

Name: Blain Lawson
General Manager
BC Liquor Distribution Branch

Signature:

Blain Lawson

Date:

Nov 5/13

Ministry Executive:

Name: Lori Wanamaker
Deputy Solicitor General

Signature:

Douglas S. Scott
For DSG

Date:

2013/11/02

Comments:

3. FOI - Release to applicant

Package release prepared by:

FOI Analyst:

Date:

*Note that all General FOI request records that are released to an applicant should be published on the Open Information website unless the exemption criteria apply. The exemption criteria can be found on page 11 of the Open Information and Open Data Policy.

DELETE PAGE 2 IF DISCRETIONARY EXCEPTIONS TO DISCLOSURE WERE NOT APPLIED

Exercise of Discretion:

The *Freedom of Information and Protection of Privacy Act* (the Act) contains both mandatory and discretionary exceptions to disclosure. Sections 13 to 20 are the discretionary exceptions. Where Information Access Operations (IAO) has advised the head that a discretionary exception may apply, it is important that the head consider the possibility of releasing the information despite the fact that an exception may apply.

Factors relevant to the exercise of discretion include:

- the general purposes of the legislation: public bodies should make information available to the public; individuals should have access to personal information about themselves;
- the wording of the discretionary exception and the interests which the section attempts to balance;
- whether the individual's request could be satisfied by severing the record and by providing the applicant with as much information as is reasonably practicable;
- the historical practice of the public body with respect to the release of similar types of documents;
- the nature of the record and the extent to which the document is significant and/or sensitive to the public body;
- whether the disclosure of the information will increase public confidence in the operation of the public body;
- the age of the record;
- whether there is a sympathetic or compelling need to release materials;
- whether previous orders of the Commissioner have ruled that similar types of records or information should or should not be subject to disclosure; and
- when the policy advice exception is claimed, whether the decision to which the advice or recommendations relates has already been made.

Pong, Barb LDB:EX

From: Calvo, Manami LDB:EX
Sent: Tuesday, October 01, 2013 4:24 PM
To: Smith, Sandra LDB:EX
Cc: Shariff, Al LDB:EX; Negara, Vladislav LDB:EX; Lawson, Blain LDB:EX; Henley, Alexandra JAG:EX; Wilson, Kelly LDB:EX; Bissoondatt, Roger LDB:EX
Subject: Call for Records - JAG 2013-01695 and JAG 2013-01698

Hi Sandra,

As discussed, we have received two new FOI request from the media for the following records:

Request JAG 2013-01695

The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013.

Request JAG 2013-01698

Agendas, minutes and reports of the LDB and/or CTZ groups that received, evaluated and assessed submissions for RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the shortlisted proponents and the report that recommended Sedlak be contracted; The list of dates and times that applications and proposals were submitted by all interested parties regarding RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the interested parties. Date range is May 24, 2013 to September 23, 2013.

Please send me the responsive records to these requests by Monday, October 7 at the latest. As discussed, if the contract has not been signed by this date I will speak to the IAO about moving the deadline for this request.

Do not hesitate to contact me if you have any questions.

Kind regards,

Manami

Manami Calvo
Manager of Information Programs
BC Liquor Distribution Branch
Recorded Information Management Services
Phone: 604.252.3011
Fax: 604.252.3012
E-Mail: Manami.Calvo@bcldb.com

Pong, Barb LDB:EX

From: Calvo, Manami LDB:EX
Sent: Thursday, October 17, 2013 1:34 PM
To: Smith, Sandra LDB:EX
Cc: Lawson, Blain LDB:EX; Henley, Alexandra JAG:EX; Wilson, Kelly LDB:EX; Shrieves, Renee LDB:EX; Cournoyer, Vince LDB:EX
Subject: JAG 2013-01695 - Sedlak Contract

Hi Sandra,

I am writing to give you an update on the following FOI Request:

Request JAG 2013-01695

The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013.

We will be forwarding the current copy of the contract to the IAO but recommending **that it be withheld in its entirety** pursuant to section 17 (disclosure harmful to the financial or economics interests of a public body) as the contract has not been signed as it still under negotiation.

Thank you and do not hesitate to contact me if you have any questions.

Kind regards,

Manami

Manami Calvo
Manager of Information Programs
BC Liquor Distribution Branch
Recorded Information Management Services
Phone: 604.252.3011
Fax: 604.252.3012
E-Mail: Manami.Calvo@bcldb.com

Pong, Barb LDB:EX

From: Shrieves, Renee LDB:EX
Sent: Wednesday, October 09, 2013 9:43 AM
To: Calvo, Manami LDB:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21

Thanks Manami.

From: Calvo, Manami LDB:EX
Sent: Wednesday, October 09, 2013 9:43 AM
To: Shrieves, Renee LDB:EX
Cc: Cournoyer, Vince LDB:EX
Subject: FW: New FOI request - JAG-2013-01695 RFP2013-06-21

Hi Renee,

Just to give you the head's up if these two recent FOI requests, from the media, for information regarding the contract with Sedlak:

Request JAG 2013-01695

The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013.

Request JAG 2013-01698

Agendas, minutes and reports of the LDB and/or CTZ groups that received, evaluated and assessed submissions for RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the shortlisted proponents and the report that recommended Sedlak be contracted; The list of dates and times that applications and proposals were submitted by all interested parties regarding RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the interested parties. Date range is May 24, 2013 to September 23, 2013.

I am waiting for the contract to be signed by Sedlak before sending it to Victoria.

Sandra Smith has provided me with records for the second request.

Thank you and let me know if you have any questions.

Manami (3011)

From: Smith, Sandra LDB:EX
Sent: Friday, October 04, 2013 4:03 PM
To: Bulmer, Colin JAG:EX; Andrade, Ana JAG:EX; Daynard, Dana JAG:EX
Cc: Fisher, Sandra L CITZ:EX; Hughes, Alan CITZ:EX; Calvo, Manami LDB:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21

Hi y'all, I am working with Manami Calvo. She the BC Liquor Distribution's Manager of Information Programs and on behalf of the BCLDB is working with the IAO. Currently she has received the two FOI request from the media for the following records:

Request JAG 2013-01695

The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013.

Request JAG 2013-01698

Agendas, minutes and reports of the LDB and/or CTZ groups that received, evaluated and assessed submissions for RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the shortlisted proponents and the report that recommended Sedlak be contracted; The list of dates and times that applications and proposals were submitted by all interested parties regarding RFP2013-06-21, SME in Supply Chain & Logistics Management including the names of the interested parties. Date range is May 24, 2013 to September 23, 2013.

I have cc:ed her on this email should you need to contact her directly.

Cheers & have a good weekend!!

Sandra Smith
BC Liquor Distribution Branch
Phone: 604-252-3195
Sandra.Smith@BCLDB.com
www.bcldb.com

From: Bulmer, Colin JAG:EX
Sent: Friday, October 04, 2013 3:15 PM
To: Andrade, Ana JAG:EX; Daynard, Dana JAG:EX; Smith, Sandra LDB:EX
Cc: Fisher, Sandra L CITZ:EX; Hughes, Alan CITZ:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21
Importance: High

Fyi Alan, we should have responsive records for this. LDB will provide them.

Colin Bulmer, BA, CGA
Manager, Procurement
Finance and Administration Division
Corporate Management Services Branch
Ministry of Justice
5th Floor, 910 Government St, Victoria BC, V8W 9J4
250-356-9330 (w)

From: Andrade, Ana JAG:EX
Sent: Friday, October 4, 2013 3:11 PM
To: Bulmer, Colin JAG:EX; Daynard, Dana JAG:EX; Smith, Sandra LDB:EX
Cc: Fisher, Sandra L CITZ:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21

Yes, please let IAO know that LDB has records. Sandra, fyi.

From: Bulmer, Colin JAG:EX
Sent: Friday, October 4, 2013 3:10 PM
To: Andrade, Ana JAG:EX; Daynard, Dana JAG:EX; Smith, Sandra LDB:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21

Hi Ana, I sent an email to Sandra Smith at LDB. LDB will have the responsive records.

Sandra do you by chance have an update ? Ana will you require Sandra's group to send all the documentation here first, or could they send direct to IAO ?

Colin Bulmer, BA, CGA
Manager, Procurement
Finance and Administration Division
Corporate Management Services Branch
Ministry of Justice
5th Floor, 910 Government St, Victoria BC, V8W 9J4
250-356-9330 (w)

From: Andrade, Ana JAG:EX
Sent: Friday, October 4, 2013 1:30 PM
To: Andrade, Ana JAG:EX; Bulmer, Colin JAG:EX; Daynard, Dana JAG:EX
Cc: Niessen, Elizabeth JAG:EX; Chen-Mack, Betty JAG:EX; Faganello, Tara JAG:EX; Hoadley, David JAG:EX; Prophet, Carl JAG:EX; Sadler, Bobbi JAG:EX; Spiteri, Julie R JAG:EX
Subject: RE: New FOI request - JAG-2013-01695 RFP2013-06-21

Please let me know if you have any records for the above request.

Thank you.

From: Andrade, Ana JAG:EX
Sent: Thursday, September 26, 2013 9:10 PM
To: Bulmer, Colin JAG:EX; Daynard, Dana JAG:EX
Cc: Niessen, Elizabeth JAG:EX; Chen-Mack, Betty JAG:EX; Faganello, Tara JAG:EX; Hoadley, David JAG:EX; Prophet, Carl JAG:EX; Sadler, Bobbi JAG:EX; Spiteri, Julie R JAG:EX
Subject: FW: New FOI request - JAG-2013-01695 RFP2013-06-21

Colin and Dana over to you. This let me know if you have any records for this request.

Thank you.

From: Justice Social FOI CITZ:EX
Sent: Thursday, September 26, 2013 3:48 PM
To: Andrade, Ana JAG:EX
Cc: Justice Social FOI CITZ:EX; Niessen, Elizabeth JAG:EX; King, Kim J M JAG:EX; Labh, Janet JAG:EX; Richter, Connie JAG:EX
Subject: New FOI request - JAG-2013-01695 RFP2013-06-21

Hello Ana,

Please find attached a Call for Records form that is electronic, fillable and saveable. The form has active links and pull-down menus. Please send your responses **in one PDF document**, to the Justice/Social mailbox at justice.social.foi@gov.bc.ca. Thank-you.

Your Ministry has received a formal request made under the *Freedom of Information and Protection of Privacy Act* (FOIPPA). The request is for:

The full contract including financial terms with Sedlak regarding RFP2013-06-21 (SME in Supply Chain & Logistics Management). Date range is July 15, 2013 to September 23, 2013.

Please contact the analyst assigned to this request if you have any questions – **Alan Hughes at (250) 387-7673.**

What Do You Need to Do?

Please complete the attached Call for Records form.

- ❖ If search and retrieval time is anticipated to exceed 3 hours and/or the total volume of records exceeds 200 pages, complete **only** Sections 1 & 2 of the Call for Records Form as we may be in a position to issue a fee estimate. Then, return the form to the Justice/Social FOI Mailbox at justice.social.foi@gov.bc.ca by **October 2/13**. Please await further instruction from IAO as the records will not be required until the fee estimate process has been completed. Once fees have been paid or waived, you will be contacted to continue the call for records process. You will also be advised you if the request is abandoned and/or closed.
- ❖ If no fees apply then proceed with the call for records process. Please complete the attached Call for Records Form and return it to the Justice/Social FOI Mailbox at justice.social.foi@gov.bc.ca by **October 8/13**. Send records via email in PDF format. One PDF document is preferable. If email is not possible, please send the records in electronic format (CD, memory stick) via house mail with a copy of this note.

Reminder

You should be aware that FOIPPA obligates us to assist the applicant and to respond without delay, openly, accurately, and completely. In the event that the ministry must defend the adequacy of its search to the Information and Privacy Commissioner at Inquiry, those involved in searching for records may be required to sign affidavits confirming they have conducted an adequate search for relevant records.

Questions and Concerns

Please do not hesitate to contact your analyst noted on the attached Call for Records form to discuss:

- whether the records may be routinely releasable;
- whether the information is being prepared for public release or is already publicly available;
- ways in which an applicant may want to narrow/focus their request to reduce potential fees; and/or
- any other questions or concerns relating to this request.

Thank you for your assistance.

Sandra L. Fisher | Junior Analyst | Justice/Social FOI Team | Shared Services BC
Ph: 250 953-3877 | **e:** sandra.fisher@gov.bc.ca | **m:** PO Box 9569, Stn Prov Gov, Victoria BC V8W 9K7



Pong, Barb LDB:EX

From: Smith, Sandra LDB:EX
Sent: Thursday, October 17, 2013 1:17 PM
To: Calvo, Manami LDB:EX
Subject: RE: RFP2013-06-21 for a SME in Supply Chain & Logistics Mgmt

Manami, please find attached the copy of the Ministry Contract to Sedlak Management Consultants, Inc. for the provision of SME in Supply Chain & Logistics Mgmt awarded under RFP2013-06-21.

The contract has been sent and is currently being reviewed by Sedlak. As of today, October 17th 2013, the contract has not been executed, nor has any work been initiated.

Cheers,

Sandra Smith
BC Liquor Distribution Branch
Phone: 604-252-3195 Fax: 604-252-3381
Sandra.Smith@BCLDB.com
www.bcldb.com