

SC&SD-Colleges&SkillsDev Br

Referral Slip

Wed, Sep 14, 2011 9:24 AM

Action: **INFO/FILE**

Due:

Log ID: **88655**

Stanley Tromp

Type: E-Mail

Written: 2011/07/15

Office: DDMO-Deputy Min

Received: 2011/07/15

Entered By: TBURNETT

Interim:

Sign By:

Signed:

Batch:

Closed: 2011/07/27

File No.: 60210-30/VCC

☐ Confidential☐ Volume Issue☐ Elected Official

Phone:

Fax:

Email: stromp@telus.net

Addressed to: Deputy Minister- Wenezenki-Yolland

Drafter:

Issue: VCC - Vancouver Community College

MLA:

Branch: SC&SD-Colleges&SkillsDev Br

Electoral Dist:

Other Info:

Copied to:

- Subject

Sharing Vancouver Courier article by Michael Szasz "College brass ignored VCC health hazards"

Referrals

From: DDMO-Deputy Min Sent: 2011/07/26 Rcvd: Status: Completed

To: DMCURU-MinCorrespReschUnit Due: 2011/08/04 Active: <1 day State:

Action: REPLY DIRECT-DM's behalf Cmpltd: 2011/07/26

From Notes: 2011/07/26T11:22 TBURNETT (DDMO-Deputy Min)
 - Fwd to MCRU to draft reply for Exec Dir's signature on DM's behalf
 * MCRU received July 20-2011

To Notes: 2011/07/26T16:27 SLAITE (DMCRU-Writer A)
 - Joanne Whittier (GCPE) advises that a response should not be sent. This is strictly a media issue.

- DMO advised and file to Teresa Burnett to close.
 - Fwd to Dawn Minty for Info/File

From: DMCURU-MinCorrespReschUnit Sent: 2011/07/27 Rcvd: Status: Completed

To: SC&SD-Colleges&SkillsDev Br Due: Active: State:

Action: INFO/FILE Cmpltd: 2011/07/27

From Notes: 2011/07/27T12:00 TBURNETT (DMCRU-MinCorrespReschUnit)
 - Fwd to Dawn Minty for Info/File

To Notes: 2011/08/24T10:24 TCOONEY (SC&SD-Colleges&SkillsDev Br)
 - Rcv'd for Dawn Minty's Info/file.

COPY

cliff Note

Burnett, Teresa M AVED:EX

Cliff 88655

COPY

From: Shaw, Judy E AVED:EX
Sent: Wednesday, July 20, 2011 10:13 AM
To: Laite, Sally E AVED:EX; AVED MCRU Working Box AVED:EX; AVED Ministerial
Correspondence and Research Unit AVED:EX
Subject: FW: VCC health problems, FYI

Sally could you please have someone draft a response to this issue below. Thanks.

-----Original Message-----

From: Gillis, Mark H. AVED:EX
Sent: Monday, July 18, 2011 8:19 AM
To: Shaw, Judy E AVED:EX
Subject: FW: VCC health problems, FYI

*No please
this is media
junk!
Joanne Whittier*

Judy:

I discussed with Dawn over the weekend - this is VCC audit issue. As it was sent to AVED DM, is a response wanted?

Thanks

Mark Gillis
Assistant Deputy Minister
Students, Institutions and Programs Division Ministry of Advanced Education
Phone: 250-952-0698
Cell: 250-888-0412

-----Original Message-----

From: stromp@telus.net [mailto:stromp@telus.net]
Sent: Friday, July 15, 2011 9:30 PM
To: AVED Deputy Minister RESD:EX
Cc: Gillis, Mark H. AVED:EX; RESD.Agencies&QualityAssuranceBr@gov.bc.ca; Minty, Dawn M ALMD:EX
Subject: VCC health problems, FYI

College brass ignored VCC health hazards

By Michael Szasz, Vancouver Courier July 8, 2011

To the editor:

Re: "Violations 101," June 24.

I read Stanley Tromp's article with a certain sardonic pleasure. It gave the financial and organizational profile with succinct clarity. But there is also the human perspective.

I'd worked at Vancouver Community Collage's King Edward Campus as an instructor since before we moved to the building on Broadway in 1983. The whole campus--except the fifth floor where the administration offices are--is a sealed building, with no windows that open. Students, instructors and staff continually complained about the air quality on campus. Many claimed to suffer daily from headaches, dizziness and low energy. People had extended colds and other respiratory illnesses. The administration pretty well dismissed our concerns, even suggesting that the problems were psychological. We were also told that only a certain portion of the air was being recycled by the air conditioning system--for economic reasons.

My department, Basic Education, was on the second floor, right above the Diesel department. At times the diesel fumes were so bad, instructors had to let students take a break outside in the quadrangle just to get some fresh air. On rare occasions we let students go home. Because of the sealed building and no classroom door opening to the outdoors, it was difficult to let outside air in to clear the atmosphere inside. At the best of times, the air in our classrooms and offices was stale and low in oxygen. You had to go outside to get your senses back.

At the same time, fifth-floor administrators could open their windows if they felt like a blast of fresh air. We'd presented repeated requests, complaints and evidence about "sick building syndrome" to the administration and the college board. It all fell on deaf ears.

All the time we were told that the air had been tested by WCB, and that letting in fresh air was not feasible. I don't remember an administrator ever descending from the fifth floor to sniff the air students, instructors and staff had to breathe.

One has to wonder what the long-term health hazards of low oxygen levels, uncleaned air ducts, diesel fumes and carbon monoxide poisoning might be. We've had decades of it. I wonder especially since after I retired, our pension plan no longer pays for our health benefits. Could--should--there be a class action suit?

Michael Szasz,

Vancouver.

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Read more:

<http://www.vancourier.com/health/College+brass+ignored+health+hazards/5071488/story.html#ixzz1SEXk03hS>

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<http://www.vancourier.com/news/Despite+opposition+demands+province+probe+college/5094597/story.html>

Despite opposition demands, province won't probe college

Courier story detailed VCC audit findings of 'non-compliance with life-safety laws'

By Stanley Tromp, Vancouver Courier July 13, 2011

The NDP is calling for a further probe of the relationship between Vancouver Community College and its former building manager, but the B.C. government says the problems have been resolved and no more action is needed.

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Violations 101

A damning audit conducted by the Ministry of Finance highlights several safety violations - including potential fire hazards, carbon monoxide poisoning and natural gas leaks - at Vancouver Community College

By Stanley Tromp, Vancouver Courier June 24, 2011

Read more: <http://www.vancourier.com/Violations/4999332/story.html#ixzz1SEu0Fb7A>

Gerlach, Randall AVED:EX

From: Aitken, Cathy M AVED:EX
Sent: Wednesday, July 27, 2011 2:28 PM
To: Gerlach, Randall AVED:EX
Subject: RE: VCC health problems, FYI

Well, that's the best news I've heard in a long time. Thanks, Randall.

Cathy Aitken
Manager
Universities, Colleges and Institutes
Capital Unit
Post Secondary Funding and Corporate Finance Branch Ministry of Advanced Education PO Box 9147 Stn Prov Govt.
Victoria BC V8W 9H1
Phone: (250)387-1360
Fax: (250)356-7922
e-mail: cathy.aitken@gov.bc.ca

-----Original Message-----

From: Gerlach, Randall AVED:EX
Sent: Wednesday, July 27, 2011 2:21 PM
To: Aitken, Cathy M AVED:EX
Subject: RE: VCC health problems, FYI

Hi Cathy,

FYI -- I just learned that AVED won't be responding to this letter. Joanne from The-Office-Formerly-Known-As-PAB advised the DMO that it's strictly a media issue, and that no response is warranted.

Randall

-----Original Message-----

From: Gerlach, Randall AVED:EX
Sent: Monday, July 18, 2011 11:54 AM
To: Aitken, Cathy M AVED:EX
Subject: RE: VCC health problems, FYI

Hi Cathy,

Since the DM was the primary recipient, I asked Chris Cliff if MCRU would handle the response, or Communications, or if there would be no response. She's going to check with Joanne in Communications.

The reason I was asking you about it is that although the email went to the DM, it was copied to Mark, Dawn and Susan, but not Brian or Joe. I assume if either MCRU or Communications is going to prepare a response that your branch will have the lead. Does that sound right to you?

Thanks,
Randall

-----Original Message-----

From: Aitken, Cathy M AVED:EX
Sent: Monday, July 18, 2011 10:48 AM
To: Gerlach, Randall AVED:EX
Subject: RE: VCC health problems, FYI

This is the first I've seen. What is the process? Will the Communications Branch forward a request to the Capital Unit for response, or...?

Cathy Aitken
Manager

Capital Unit
Post Secondary Funding and Corporate Finance Branch Ministry of Advanced Education PO Box 9147 Stn Prov Govt
Victoria BC V8W 9H1
Phone: (250)387-1360
Fax: (250)356-7922
e-mail: cathy.aitken@gov.bc.ca

-----Original Message-----

From: Gerlach, Randall AVED:EX
Sent: Monday, July 18, 2011 9:40 AM
To: Aitken, Cathy M AVED:EX
Subject: FW: VCC health problems, FYI

Hi Cathy,

Did you see the letter to the editor (below) that appeared in the Vancouver Courier recently? It was emailed to the DM on Friday by the author who wrote the two recent articles about VCC's facilities.

Is it safe to say that your branch will take the lead on the response, or on consulting with the DMO and Communications as to whether a response is necessary?

Thanks,
Randall

-----Original Message-----

From: Minty, Dawn M ALMD:EX
Sent: Saturday, July 16, 2011 8:25 AM
To: Gerlach, Randall AVED:EX
Subject: Fw: VCC health problems, FYI

Let's discuss monday pls.

----- Original Message -----

From: stromp@telus.net [mailto:stromp@telus.net]
Sent: Friday, July 15, 2011 09:30 PM
To: AVED Deputy Minister RESD:EX
Cc: Gillis, Mark H. AVED:EX; RESD.Agencies&QualityAssuranceBr@gov.bc.ca
<RESD.Agencies&QualityAssuranceBr@gov.bc.ca>; Minty, Dawn M ALMD:EX
Subject: VCC health problems, FYI

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To the editor:

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Michael Szasz,

Vancouver

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Read more:

<http://www.vancourier.com/health/College+brass+ignored+health+hazards/5071488/story.html#ixzz1SEXk03hS>

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<http://www.vancourier.com/news/Despite+opposition+demands+province+probe+college/5094597/story.html>

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By Stanley Tromp, Vancouver Courier June 24, 2011

Read more: <http://www.vancourier.com/Violations/4999332/story.html#ixzz1SEu0Fb7A>

Not Responsive

10:40-10:50	<p>Visit Student Union</p> <ul style="list-style-type: none">• Ms. Kalanji was quoted in a <i>Vancouver Courier</i> article about VCC's facilities and procurement audit (see "Issues" section on following page).	Student Union Office	Tiffany Kalanj, Executive Director, Student Union of VCC
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Not Responsive

Not Responsive

Issues

- **Facilities and Procurement Management** -- In recent years, audits of VCC's facilities and procurement management practices highlighted a number of concerns, including potential safety issues due to poor maintenance. The immediate safety issues have been addressed, and VCC is working cooperatively with the ministry to ensure effective oversight. This issue was the subject of a recent article in the *Vancouver Courier*.

Not Responsive

Gerlach, Randall AVED:EX

From: Gerlach, Randall AVED:EX
Sent: Monday, June 27, 2011 12:36 PM
To: Grewar, Colin GCPE:EX
Cc: Rumpel, Steven AVED:EX
Subject: RE: VCC Audit - Issues Note

Hi Colin

Sorry I didn't get back to you earlier – I'm in the middle of moving desks.

I think "completed July 2009" is the way to go.

Randall

From: Grewar, Colin GCPE:EX
Sent: Monday, June 27, 2011 10:50 AM
To: Gerlach, Randall AVED:EX
Cc: Rumpel, Steven AVED:EX
Subject: VCC Audit - Issues Note

Hi Randall: Further to our conversation on Friday afternoon, how would you suggest we adjust the wording of the following bullet from our issues note on the VCC audit. I know we talked about this, and I think we agreed that the date should be adjusted from "March 15, 2010" to "July, 2009", but I just want to be sure.

- The internal audit report into Vancouver Community College's procurement and facility management was completed March 15th, 2010.

Thank 
Colin

Colin Grewar
Government Communications and Public Engagement
Ministry of Advanced Education
Province of British Columbia
250 356-7876
colin.grewar@gov.bc.ca

Gerlach, Randall AVED:EX

From: Gerlach, Randall AVED:EX
Sent: Friday, June 24, 2011 11:40 AM
To: Whittier, Joanne GCPE:EX
Cc: Rumpel, Steven AVED:EX
Subject: RE: Article (VCC facilities issue)
Attachments: VCC Maintenance - ALMD Action Plan.doc

Hi Joanne,

As we just discussed, the attached doc from September 2009 lists each recommendation in the original audit report and indicates what the ministry and/or VCC have done about them. Page five deals with the life safety recommendations. The middle column at the top of the page contains the following bullet:

- ALMD held several in-person meetings and conference calls with VCC administration to communicate the IAAS findings with regard to life safety and to provide guidance and direction. Face-to-face meetings with College administration concerning life safety practices were held November 4th and 20th, 2007, and January 11, 2008. On May 27, 2008, ALMD staff visited both campuses and received assurances that life and safety concerns had been addressed.

Randall

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 8:05 AM
To: MacKenzie, Lori AVED:EX; House, Dawn M AVED:EX; Gerlach, Randall AVED:EX
Subject: Article (VCC facilities issue)

A VCC article has been published, link below:

<http://www.vancourier.com/Violations/4999332/story.html>

Can I ask for your help to meet early this AM to discuss and whether the IN requires any updates?

I'll see if I can find a time for us.

Many thanks,
-Steven

Steven Rumpel, MBA
Director, Colleges & Essential Skills
Ministry of Advanced Education
Tel: 250-387-3395

Gerlach, Randall AVED:EX

From: Whittier, Joanne GCPE:EX
Sent: Wednesday, July 13, 2011 7:46 AM
To: Minty, Dawn M ALMD:EX; Thompson, Joseph AVED:EX; Rumpel, Steven AVED:EX; Gerlach, Randall AVED:EX
Subject: FYI - VCC - Vancouver Courier Story

On the whole ... no surprises in this article. Jo

Despite opposition demands, province won't probe college

Vancouver Courier

Wednesday, July 13, 2011

Page 1

By Stanley Tromp

The NDP is calling for a further probe of the relationship between Vancouver Community College and its former building manager, but the B.C. government says the problems have been resolved and no more action is needed.

The June 24 Courier cover story revealed how VCC hired KD Engineering of Burnaby to manage its buildings for 31 years until 2006 without any bids or a formal agreement, at times paying it more than \$1 million a year. An audit by the B.C. Finance Ministry found "significant non-compliance with lifesafety laws," such as fire hazards and potential carbon monoxide poisoning, plus "general neglect over a long period of time."

"The B.C. government must do a review of this case," said Michelle Mungall, NDP MLA for Nelson-Creston and the party's advanced education critic. "How did this happen, and for so many years? How can we prevent this from happening in the future?"

Vancouver East NDP MLA Jenny Kwan repeated the call. "Student safety is paramount," she said. "As the MLA for the area, I am sending a letter to the Minister of Advanced Education to follow up with the concerns identified by the audit and to seek their response."

Minister of Advanced Education Naomi Yamamoto (who had read the story but not the whole audit, calling it too "technical") told the Courier there is "no need" for more investigation.

"My first reaction was that any time student or faculty safety is at issue, it's a huge concern," she said. "We have to keep in mind that there was a potential for serious risk, certainly, but the good news is that nobody was hurt. This is a good example of government responding well. I think most of the audit's recommendations were done or are in process."

Langara College separated from VCC in 1994 but still employs KD Engineering to manage its buildings. Eli Zbar, spokesman for the Langara Students Union, said, "Pending at least some evidence that Langara is in a similar situation to VCC, I am inclined to think that Langara has the students best interest in mind, therefore, KD does, in some sense, deserve to stay with us." Nonetheless, he added, the LSU is bringing the issue to the attention of the Langara college board.

Mungall said it might be harder for colleges like VCC to perform more safety maintenance because in its last two budgets, the B.C. government cut back its "annual capital allowance" fund. Yamamoto countered that, while the cutbacks had indeed occurred, a few years ago the Liberals invested hundreds of millions of dollars in the ACA fund, and \$10 million was invested in VCC to upgrade two buildings.

not fully performed. Yet when asked if VCC would seek any repayments from KD, VCC vice president of finance Peter Legg replied "the College is of the opinion that payments to KD were valid for the services performed."

VCC president Kathy Kinloch said: "I take very seriously our responsibility to provide VCC's students, staff and faculty with a safe learning and working environment." Longtime KD manager Alex Douglas did not respond to the Courier's emails, faxes and phone messages asking for comment.

Rumpel, Steven AVED:EX

From: Minty, Dawn M ALMD:EX
Sent: Friday, June 24, 2011 5:37 AM
To: Rumpel, Steven AVED:EX
Subject: Re: Courier article on VCC life safety/procurement out -- heads up.

The followup will be to obtain a copy of the article and work with PAB on the IN to set record straight if reporting is inaccurate.

Dawn H or Joe as Lawrence retired can help with background if needed and of course Bill and I are ava too. Thank you

----- Original Message -----

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 12:19 AM
To: Minty, Dawn M ALMD:EX
Subject: RE: Courier article on VCC life safety/procurement out -- heads up.

Thanks for sharing, Dawn. Please let me know if there is any immediate follow-up you need me to do. Yes, GCPE has an updated IN on this.

Not Responsive

From: Minty, Dawn M ALMD:EX
Sent: Thursday, June 23, 2011 10:04 PM
To: Whittier, Joanne GCPE:EX
Cc: Rumpel, Steven AVED:EX; Thompson, Joseph AVED:EX
Subject: Fw: Courier article on VCC life safety/procurement out -- heads up.

Joanne - I got an out of office from Lisa.

Your office has an IN on this issue.

Will keep you posted if I hear more from VCC

From: Kathy Kinloch [<mailto:kkinloch@vcc.ca>]
Sent: Thursday, June 23, 2011 09:10 PM
To: Minty, Dawn M ALMD:EX
Cc: s.22
Subject: Courier article on VCC life safety/procurement out -- heads up.

Dawn,

The Courier story on VCC Life Safety/ Procurement is out in hard copy this evening. We will scan it in the am and send it to you but it certainly doesn't bode well for VCC .

Helen Carkner will be the VCC communications contact - her cell is s.22 She is notifying PAB this evening and will follow tomorrow.

I ~~will be~~ at a speaking engagement in the am until 11 am but am on my cell following s.22

(s.22 VCC

No doubt emails will follow from Helen with the article in the am - when it is posted online apparently it could be a different article than that of the hard copy. VCC audit report etc will be posted on the Courier online site.

Will keep you posted, and assume you will send to those to be notified within AVED.

With thanks,

Kathy

Please consider the environment before printing this email. This e-mail may contain confidential or privileged information. If you are not the intended recipient, please notify the sender immediately. Any review, dissemination, copying, printing or other use of this email by persons or entities other than the addressee is prohibited, unless permission is granted by the sender. If you have received this email in error, please contact the sender immediately and delete the material from any computer.

From: Whittier, Joanne GCPE:EX
Sent: Friday, June 24, 2011 8:18 AM
To: Rumpel, Steven AVED:EX
Subject: VCC issues note as discussed .. thx!
Attachments: IN_VCC Audit_June 7 2011 FINAL.doc

Violations 101

A damning audit conducted by the Ministry of Finance highlights several safety violations - including potential fire hazards, carbon monoxide poisoning and natural gas leaks - at Vancouver Community College

Read more: <http://www.vancourier.com/Violations/4999332/story.html#ixzz1QCtZ5CQST> Tiffany Kalanj sits in the old childcare centre of the East Broadway Street campus of Vancouver Community College, a trades, music and languages school that bills itself as "B.C.'s Number One College." The executive director of the VCC student union is completely engrossed in her reading.

The subject is a 46-page audit by the B.C. Ministry of Finance about VCC's oversight of its building management contractor, whose job it was to operate and maintain the buildings' heating, ventilation, electrical and plumbing systems. The audit was obtained by the Courier using the freedom of information law, and it reveals topics she knew nothing about.

She reads that if a fire had started, VCC students (including the disabled and new immigrants struggling to learn English) might have learned the hard way that "contrary to the law, emergency lighting was not monthly tested and maintained at city centre campus. The batteries for such were frequently defective."

The fire pumps at each campus were not tested monthly to ensure they were working. The emergency generator, which serves as back-up electrical supply for the fire pumps, was not operable.

Regarding the air that students must breathe, a lack of inspections of the King Edward diesel shop exhaust system "contributed to potential carbon monoxide poisoning." Contrary to law, kitchen gas appliances were not tested. Rooftop air handling units were not regularly inspected, "such that natural gas leaks potentially occurred within the campus air circulation system."

Incorrect chemical treatment of water caused corrosion in cooling towers, leading to "potentially dangerous biological growth" that could pass through the vents. A significant refrigerant gas leak from a chiller compressor was not detected by sensors, nor reported to the government. Pressure vessels were not in compliance or inspected.

And on it goes, for many more pages. The college is subject to city fire bylaws, the B.C. Fire Code, Worksafe B.C. regulations, and B.C. and federal environmental regulations. At times, most of these were violated. (The Courier also obtained copies of all Worksafe inspection reports of VCC over the past decade and have posted them at vancourier.com, along with the entire audit.)

"No effective oversight of this contractor's performance, leading to significant non-compliance with life-safety laws," the audit concludes. Moreover, an independent review commissioned by the college in June 2007 noted that "much of the maintenance and upkeep of electrical facilities and mechanical equipment at both campuses reflected general neglect over a long period of time."

In sum, the health and safety of 25,000 students (and children in the KEC daycare) may have been placed at risk for years, with potentially tragic consequences.

And the true scope of the problem is still unknown, the auditors wrote, because they had been partially stonewalled.

VCC did not supply the records requested for their investigation, even though "there were legal requirements for the College to have kept such records... Where we could not reach a conclusion in regard to some of the complainants' concerns regarding life safety, this was because of a lack of adequate documentation being made available to us." As Kalanj reads through these lines, she seems a little dazed. Finally she looks up, and wonders aloud, "This is crazy. How could this happen?"

The Courier tried to find out, and found more new questions than answers.

Beyond the many safety violations, the finance ministry unearthed another serious problem. In several years before VCC ended its relationship with the management company KD Engineering Ltd. in 2006, the college had paid it more than \$1 million a year. Further, after reviewing all the available VCC financial statements, the Courier found that the college had paid KD more than \$22 million from fiscal year 1978/79 to 2005/06. (That number would be higher if several missing VCC annual reports could be located.)

And yet, the auditors wrote, "the College had no competitive procurement process for 31 years of facility services awarded to the contractor. This direct awarding of contracted services was contrary to B.C. public-sector procurement policy."

In fact, VCC had no written agreement with the company on file since 1990, and that one was only a draft. As well, Langara College paid KD more than \$13.5 million from 1994/95 to 2010/11, and the combined total of the two colleges' spending on KD adds up to more than \$35 million over the years.

The auditors noted other management failings, and "partially confirmed" a complaint that "the contractor charged for regular service services PPM [planned preventative maintenance] work not fully performed." Moreover, "An important control instituted by the College in 1995 to help prevent and detect any double-charges of the contractor's staff time between regular and extra services was allowed to lapse."

The news had come to light slowly. In December 2006 (as the audit relates), two former VCC facility managers wrote a complaint to an unidentified MLA, and that letter was forwarded to the Ministry of Advanced Education. A month later, VCC administrators replied to the ministry. It denied the complaints, and offered assurances.

Then more serious complaints were sent to the ministry. In May 2007, the assistant deputy minister met with VCC's then-president Dale Dorn (1999-2010), and also asked the Ministry of Finance's comptroller general branch to perform an audit of VCC, which it did.

In their final report, the auditors made specific recommendations on VCC. For instance, that "the Ministry ensures the College Board fully discharges its duties to ensure the College complies with all applicable life-safety laws and otherwise provides a safe environment for onsite staff and students." A follow-up "detailed action plan" said some corrections have been made at VCC. It is the college's vice-president of finance who hires the facilities manager. After three years as VCC finance director, Peter Legg took over as finance VP in January 2006, and VCC's relationship with KD was terminated in late September of that year. (His predecessors in that role could not be reached for comment.)

In an interview in a boardroom above a coffee shop at the King Edward Campus, I ask Legg: were the audit findings expected, or a surprise? He won't answer, and after a very long uneasy pause replies, "By now, the problems are fully dealt with." Later, when repeatedly asked why VCC separated from KD, Legg will only say "It was a mutual decision," and he won't answer why VCC ever employed KD without a tendering process, a practice that began decades before he began work at the college.

Yet Legg assures us that such problems are all history: "We started working on the problems when we got the draft audit report. The B.C. finance ministry gave us a letter of direction, and we shared that with the VCC board of governors."

As soon as VCC learned of the problems, he says, VCC promptly called in an external expert to review the safety systems and, although the expert found them to be in a "reasonable" state, he advised some improvements, which VCC followed. The college completely replaced the fire alarm systems at both of the older campus buildings with current technology. It also held many fire and earthquake drills, consistent with the B.C.'s government emergency preparedness standards.

Kalanj, of the VCC student union, agrees that matters have improved lately. She sits on VCC's emergency preparedness committee, and says Kathy Kinloch, who took over as president in March 2010, is "a radical change" from her predecessor Dorn, and "I can't believe those problems would happen on her watch. She's far more open and consultative."

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Read more: <http://www.vancourier.com/Violations/4999332/story.html#ixzz1QCtDXYKA>

Rumpel, Steven AVED:EX

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 11:53 AM
To: Minty, Dawn M ALMD:EX
Cc: Parker, Bill G AVED:EX
Subject: FW: Article (VCC facilities issue)
Attachments: VCC Maintenance - ALMD Action Plan.doc

Hi Dawn – to keep you in the loop: we have reviewed the article and IN, and consulted with Lori for her expertise and background on the file. We have provided a slight update to the IN to provide further background specifics (see below). I have forwarded to Joe, but have not received any response as of yet.

GCPE will update the IN and forward a copy to both you and Joe for review.

-Steven

Steven Rumpel, MBA
Director, Colleges & Essential Skills
Ministry of Advanced Education
Tel: 250-387-3395

From: Gerlach, Randall AVED:EX
Sent: Friday, June 24, 2011 11:40 AM
To: Whittier, Joanne GCPE:EX
Cc: Rumpel, Steven AVED:EX
Subject: RE: Article (VCC facilities issue)

Hi Joanne,

As we just discussed, the attached doc from September 2009 lists each recommendation in the original audit report and indicates what the ministry and/or VCC have done about them. Page five deals with the life safety recommendations. The middle column at the top of the page contains the following bullet:

- ALMD held several in-person meetings and conference calls with VCC administration to communicate the IAAS findings with regard to life safety and to provide guidance and direction. Face-to-face meetings with College administration concerning life safety practices were held November 4th and 20th, 2007, and January 11, 2008. On May 27, 2008, ALMD staff visited both campuses and received assurances that life and safety concerns had been addressed.

Randall

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 8:05 AM
To: MacKenzie, Lori AVED:EX; House, Dawn M AVED:EX; Gerlach, Randall AVED:EX
Subject: Article (VCC facilities issue)

A VCC article has been published, link below:

<http://www.vancourier.com/Violations/4999332/story.html>

Can I ask for your help to meet early this AM to discuss and whether the IN requires any updates?

I'll see if I can find a time for us.

Many thanks,
-Steven

Steven Rumpel, MBA
Director, Colleges & Essential Skills
Ministry of Advanced Education
Tel: 250-387-3395

Rumpel, Steven AVED:EX

From: Thompson, Joseph AVED:EX
Sent: Friday, June 24, 2011 5:11 PM
To: Rumpel, Steven AVED:EX
Cc: Comolli, Catherine M AVED:EX
Subject: RE: VCC issues note as discussed .. thx!

Looks fine.

Joe

"Providing Excellence in Service to Help our Clients Succeed"

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 9:16 AM
To: Thompson, Joseph AVED:EX
Cc: Comolli, Catherine M AVED:EX
Subject: FW: VCC issues note as discussed .. thx!
Importance: High

Hi Joe – copied below is the article Dawn referenced in her e-mail last night, and attached is the most recent draft of the IN. Can you have a quick lens through the IN and see if there are any updates required from your perspective based on the article below?

Many thanks,
-Steven

Steven Rumpel, MBA
Director, Colleges & Essential Skills
Ministry of Advanced Education
Tel: 250-387-3395

From: Whittier, Joanne GCPE:EX
Sent: Friday, June 24, 2011 8:18 AM
To: Rumpel, Steven AVED:EX
Subject: VCC issues note as discussed .. thx!

Violations 101

A damning audit conducted by the Ministry of Finance highlights several safety violations - including potential fire hazards, carbon monoxide poisoning and natural gas leaks - at Vancouver Community College

in the old childcare centre of the East Broadway Street campus of Vancouver Community College, a trades, music and languages school that bills itself as "B.C.'s Number One College." The executive director of the VCC student union is completely engrossed in her reading.

The subject is a 46-page audit by the B.C. Ministry of Finance about VCC's oversight of its building management contractor, whose job it was to operate and maintain the buildings' heating, ventilation, electrical and plumbing systems. The audit was obtained by the Courier using the freedom of information law, and it reveals topics she knew nothing about.

She reads that if a fire had started, VCC students (including the disabled and new immigrants struggling to learn English) might have learned the hard way that "contrary to the law, emergency lighting was not monthly tested and maintained at city centre campus. The batteries for such were frequently defective."

The fire pumps at each campus were not tested monthly to ensure they were working. The emergency generator, which serves as back-up electrical supply for the fire pumps, was not operable.

Regarding the air that students must breathe, a lack of inspections of the King Edward diesel shop exhaust system "contributed to potential carbon monoxide poisoning." Contrary to law, kitchen gas appliances were not tested. Rooftop air handling units were not regularly inspected, "such that natural gas leaks potentially occurred within the campus air circulation system."

Incorrect chemical treatment of water caused corrosion in cooling towers, leading to "potentially dangerous biological growth" that could pass through the vents. A significant refrigerant gas leak from a chiller compressor was not detected by sensors, nor reported to the government. Pressure vessels were not in compliance or inspected.

And on it goes, for many more pages. The college is subject to city fire bylaws, the B.C. Fire Code, Worksafe B.C. regulations, and B.C. and federal environmental regulations. At times, most of these were violated. (The Courier also obtained copies of all Worksafe inspection reports of VCC over the past decade and have posted them at vancourier.com, along with the entire audit.)

"No effective oversight of this contractor's performance, leading to significant non-compliance with life-safety laws," the audit concludes. Moreover, an independent review commissioned by the college in June 2007 noted that "much of the maintenance and upkeep of electrical facilities and mechanical equipment at both campuses reflected general neglect over a long period of time."

In sum, the health and safety of 25,000 students (and children in the KEC daycare) may have been placed at risk for years, with potentially tragic consequences.

And the true scope of the problem is still unknown, the auditors wrote, because they had been partially stonewalled.

VCC did not supply the records requested for their investigation, even though "there were legal requirements for the College to have kept such records... Where we could not reach a conclusion in regard to some of the complainants' concerns regarding life safety, this was because of a lack of adequate documentation being made available to us." As Kalanj reads through these lines, she seems a little dazed. Finally she looks up, and wonders aloud, "This is crazy. How could this happen?"

The Courier tried to find out, and found more new questions than answers.

Beyond the many safety violations, the finance ministry unearthed another serious problem. In several years before VCC ended its relationship with the management company KD Engineering Ltd. in 2006, the college had paid it more than \$1 million a year. Further, after reviewing all the available VCC financial statements,

the Courier found that the college had paid KD more than \$22 million from fiscal year 1978/79 to 2005/06. (That number would be higher if several missing VCC annual reports could be located.)

And yet, the auditors wrote, "the College had no competitive procurement process for 31 years of facility services awarded to the contractor. This direct awarding of contracted services was contrary to B.C. public-sector procurement policy."

In fact, VCC had no written agreement with the company on file since 1990, and that one was only a draft. As well, Langara College paid KD more than \$13.5 million from 1994/95 to 2010/11, and the combined total of the two colleges' spending on KD adds up to more than \$35 million over the years.

The auditors noted other management failings, and "partially confirmed" a complaint that "the contractor charged for regular service services PPM [planned preventative maintenance] work not fully performed." Moreover, "An important control instituted by the College in 1995 to help prevent and detect any double-charges of the contractor's staff time between regular and extra services was allowed to lapse."

The news had come to light slowly. In December 2006 (as the audit relates), two former VCC facility managers wrote a complaint to an unidentified MLA, and that letter was forwarded to the Ministry of Advanced Education. A month later, VCC administrators replied to the ministry. It denied the complaints, and offered assurances.

Then more serious complaints were sent to the ministry. In May 2007, the assistant deputy minister met with VCC's then-president Dale Dorn (1999-2010), and also asked the Ministry of Finance's comptroller general branch to perform an audit of VCC, which it did.

In their final report, the auditors made specific recommendations on VCC. For instance, that "the Ministry ensures the College Board fully discharges its duties to ensure the College complies with all applicable life-safety laws and otherwise provides a safe environment for onsite staff and students." A follow-up "detailed action plan" said some corrections have been made at VCC. It is the college's vice-president of finance who hires the facilities manager. After three years as VCC finance director, Peter Legg took over as finance VP in January 2006, and VCC's relationship with KD was terminated in late September of that year. (His predecessors in that role could not be reached for comment.)

In an interview in a boardroom above a coffee shop at the King Edward Campus, I ask Legg: were the audit findings expected, or a surprise? He won't answer, and after a very long uneasy pause replies, "By now, the problems are fully dealt with." Later, when repeatedly asked why VCC separated from KD, Legg will only say "It was a mutual decision," and he won't answer why VCC ever employed KD without a tendering process, a practice that began decades before he began work at the college.

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Rumpel, Steven AVED:EX

From: Whittier, Joanne GCPE:EX
Sent: Monday, July 11, 2011 4:24 PM
To: Laite, Sally E AVED:EX
Cc: Rumpel, Steven AVED:EX
Subject: bullets ... Vancouver Community College

As discussed ...

Key response points:

- The Ministry of Advanced Education has taken concerns regarding building maintenance standards and contracting practices at Vancouver Community College very seriously.
- I've been assured that any safety issues identified at the college were addressed immediately after being raised.
- The college has also implemented a procurement policy that will ensure that important work such as maintenance has appropriate oversight and that safety issues such as those identified will not happen again.
- The college is working cooperatively with the ministry to provide regular information on their procurement practices and facility management. The ministry is satisfied with the improvements.
- Further, the Ministry has implemented a system-wide audit of procurement practices at public post-secondary institutions to ensure that similar issues do not occur at other institutions. Internal audit is an important management tool used by government to improve the delivery of programs and services to British Columbians.

Secondary response points:

- The Ministry of Advanced Education provides an Annual Capital Allowance grant to public post-secondary institutions. The Annual Capital Allowance is targeted for the capital maintenance of their physical infrastructure required to ensure the facility completes its useful life. It is also used for projects that increase campus life safety and security, disabled access, minor renovations and/or energy consumption reduction projects. Since 2001, the Ministry has provided over \$636 million in ACA.
- The Ministry works also closely with post-secondary institutions to ensure that any areas of concerns respecting maintenance and safety are addressed appropriately.
- In addition, since 2001, a \$2 billion investment in over 1000 capital and infrastructure projects on campuses throughout B.C. has made our post-secondary system more accessible, more flexible, more affordable and more competitive to other jurisdictions than ever before.

Article: from Friday June 24

Violations 101

A damning audit conducted by the Ministry of Finance highlights several safety violations - including potential fire hazards, carbon

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Rumpel, Steven AVED:EX

From: MacKenzie, Lori AVED:EX
Sent: Friday, June 24, 2011 10:08 AM
To: Rumpel, Steven AVED:EX
Subject: RE: IN

I agree with you – it is covered in that bullet. Could also add to the recommended response – entirely up to you and PAB.

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 9:47 AM
To: MacKenzie, Lori AVED:EX
Subject: RE: IN

Apologies, I didn't realize I didn't attach the article and current IN (attached now).

<< Message: VCC issues note as discussed .. thx! >>

I had the same questions. However, thought this might be covered off in the IN's current bullets around funding provided to address immediate issues and the development and implementation of a system-wide risk assessment process.

Let me know if you think we may need to add anything else.

Thanks,
-Steven

Steven Rumpel, MBA
Director, Colleges & Essential Skills
Ministry of Advanced Education
Tel: 250-387-3395

From: MacKenzie, Lori AVED:EX
Sent: Friday, June 24, 2011 9:28 AM
To: Rumpel, Steven AVED:EX
Subject: RE: IN

Read the article – not as damning as it could have been. The one question raised that may need to be added to the IN (I don't have the approved version to review) is whether this could happen again (for example at another public institution). Are there any general statements about governance and/or oversight and accountability in public post-secondary institutions?

Not responsive

From: Rumpel, Steven AVED:EX
Sent: Friday, June 24, 2011 9:19 AM
To: MacKenzie, Lori AVED:EX
Subject: RE: IN

No problem. Would you have a couple of mins to look quickly at the article and the IN? I'm looking to see if there might be any updates required to the IN based on the article. I don't believe there is, but would really appreciate your lens on this if you have a couple of moments.

Steven Rumpel, MBA

Director, Colleges & Essential Skills

Ministry of Advanced Education

Tel: 250-387-3395

-----Original Appointment-----

From: MacKenzie, Lori AVED:EX

Sent: Friday, June 24, 2011 9:13 AM

To: Rumpel, Steven AVED:EX

Subject: Declined: IN

When: Friday, June 24, 2011 8:30 AM-9:30 AM (GMT-08:00) Pacific Time (US & Canada).

Where: AVED R R210 ST ANNS AVED:EX

Hi Steven – sorry I couldn't make this – my day to take the kids to school!