



Private and Confidential

February 21, 2013

Richard Novek
Board Chairperson
Private Career Training Institutes Agency of BC
203 - 1155 West Pender St
Vancouver, BC
Canada V6E 2P4

Dear Mr. Novek:

Our Ministry has completed a review of the Private Career Training Institutes Agency of British Columbia's (PCTIA) procurement practices as they relate to the procurement of independent outside legal advice. In conducting this review ministry staff spoke with PCTIA staff, including Ms. Karin Kirkpatrick, Chief Executive Officer of PCTIA, and Ms. Luce Lafontaine, in-house legal counsel PCTIA.

Our review of procurement practices was for the limited purpose described in the preceding paragraph.

Please find attached the summary of our review and recommendation going forward.

We wish to express our appreciation for the excellent cooperation we received from your staff during the course of our review.

Sincerely,

Joe Thompson
Acting Assistant Deputy Minister

Review of the Private Career Training Institutes Agency of BC (PCTIA)'s Legal Procurement Practices

Background:

The Private Career Training Institutes Agency of BC (PCTIA or the Agency) is a provincial crown corporation whose mandate is to regulate private training institutions doing business in British Columbia. To accomplish this, PCTIA sets basic education standards for registered private career training institutions in British Columbia and establishes standards of quality which must be met by accredited institutions.

The Crown Agency Resource Office (CARO), the organization responsible for providing ongoing expertise, advice, information, and support to ministries and Crown corporations to promote good governance, accountability and continuous improvement, has advised that crown corporations, such as PCTIA, are encouraged but not required to follow government's procurement policies and procedures on Request for Proposals (RFP) or Request for Quotes (RFQ). PCTIA uses RFPs and RFQs to solicit competitive bids on larger projects.

In addition to in-house legal counsel, PCTIA regularly hires outside legal advice to address time sensitive issues. The area of law procured is generally administrative in nature.

- Outside legal services are estimated to be approximately ^{s.14} :his year.
- Average value varies depending on the issue and is considerably higher in the case of a lawsuit.
- ^{s.13}

Issue:

s.13, s.17

s.22

s.13, s.17

- The value of the legal contract in question was ^{s.14}

s.13, s.17

Recommendations:

1. s.13, s.17
2. *The Agency formalize in writing their procurement/purchasing policies that reflect an open, fair and transparent process.*
3. *The Agency ensure clear guidelines are available to the Board and staff.*