



ARCS: 292-30  
File: TRA-2020-03803

August 18, 2020

Sent via email:

**Re: Request for Access to Records**  
***Freedom of Information and Protection of Privacy Act (FOIPPA)***

I am writing further to your request received by the Ministry of Transportation and Infrastructure. Your request is for:

*Copies of all non-conformance reports or non-compliance reports issued by the ministry to Acciona Infrastructure Maintenance Inc. in service area 13 (Okanagan-Shuswap) and service area 8 (South Okanagan). Do not include duplicate copies or press clippings.  
(Date Range for Record Search: From 1/1/2020 To 6/21/2020)*

Some information has been withheld pursuant to section 22 (Disclosure harmful to personal privacy) of FOIPPA. A copy of this section of FOIPPA is provided for your reference. A complete copy of FOIPPA is available online at:

[http://www.bclaws.ca/civix/document/id/complete/statreg/96165\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00)

The Ministry has added the following statement:

Within the Highway Maintenance Agreements, Contractors have the main responsibility for ensuring quality of services. Contractors are required to manage the work in accordance with

.../2

the Contractors Quality Management System and maintain records to demonstrate compliance with the Agreement. This includes performing internal quality control and a quality assurance on their processes to ensure they provide quality services. They must continually review the effectiveness of their program and make adjustments to their Quality Management System as a result of these revisions.

In order to objectively assess the quality of the work delivered by Maintenance Contractors, the Ministry of Transportation and Infrastructure has implemented its own Quality Plan. The main objective of the Highway Maintenance Quality Plan is to confirm, through monitoring and auditing of the contractor's performance in the field and through office documentation that the Contractor is meeting the Contract Requirements of the Highway Maintenance Agreement. Systematic monitoring and auditing activities are conducted by Ministry staff at the local and provincial levels, the results of which are used to support the assessment of the Contractor's performance.

The Ministry of Transportation and Infrastructure's (MoTI) Highway Maintenance Quality Plan and the Contractors' Quality Management System work together to ensure Contractors are meeting or exceeding the requirements of the Highway Maintenance Agreement.

Where areas of non-performance are not addressed through the contractors Quality Management System the Ministry may issue a Non-Compliance Report whereby the contractor is given formal notice to remedy the issue, investigate the root cause and implement a corrective action to prevent reoccurrence.

We have provided you with the best available copy, although you may find that some pages are in poor condition.

Your file is now closed.

The records located in response to your request will be delivered through the BC Secure File Transfer Service. Separate emails will follow from the BC SFT Notification Service directing you how to set up an account and where to obtain your records. A guide for using the SFTS is enclosed for your convenience.

These records will be published on the BC Government's Open Information website a minimum of ten business days after release. To find out more about Open Information, please access the Open Information website at: [www.gov.bc.ca/openinformation](http://www.gov.bc.ca/openinformation)

If you have any questions regarding your request, please contact Dinara Talalaeva, the analyst assigned to your request, at 778 698-2373. This number can be reached toll-free by calling from

Vancouver, 604 660-2421, or from elsewhere in BC, 1 800 663-7867 and asking to be transferred to 778 698-2373.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Talalaeva", followed by a horizontal line.

Dinara Talalaeva, Senior FOI Analyst  
On behalf of Ken Bejcek, Manager  
Business and Infrastructure Team, Information Access Operations

Enclosures

# **BC Government Secure File Transfer Service**

## **Information Access Operations Ad-Hoc User Guide**

### **Introduction**

The purpose of this document is to provide the basics skills required to use the Secure File Transfer Service (SFTS) as a temporary user (also known as ad-hoc). Your account has limited functionality and can only be used to receive files from an authorized BC Government user.

### **How to Log on to the Service**

As a temporary user of the SFTS, you must be invited to use this service by being a recipient of a sent package from an authorized user. The first time a BC Government user has sent a package to you, you will receive a welcome email notification with a temporary password to set up your account and a link to the service.

Note that your temporary account's username is your email address. The password is a temporary one and will need to be changed upon the first login.

### **Home Screen**

Once you are successfully logged in, you will see the Home screen with your records package in your Inbox. To download your records, simply click on the records package and then click on the Download button beside the file(s). You will be able to download the package up to five times and all packages will expire 35 days after being received.

### **Troubleshooting**

Your temporary SFTS account has an expiration timer of 7 days, unless the account is logged into again or receives a new package. After a further 7 days after your account has been marked as expired, it will be deleted. You will need to have a new ad-hoc account created by being re-invited to the service.

Passwords expire after 90 days. If you have forgotten your password, but your account is still active, you can use the "Request a password change" link on the Login page. An email will be sent to you providing you the URL to confirm the password change.

If you encounter technical issues with the service, please call the technical support line at 250-387-7000 and select option 3. You will need to advise the representative that you are requesting assistance as an ad-hoc user of the BC Secure File Transfer Service.

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
--

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

**Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:**

Information and Privacy Commissioner  
PO Box 9038 Stn Prov Govt  
4th Floor, 947 Fort Street  
Victoria BC V8W 9A4  
Telephone 250 387-5629      Fax 250 387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.