

Merry, Kathleen MCF:EX

From: Kettle, Andrea MCF:EX
Sent: Tuesday, December 6, 2016 10:35 AM
To: 'Annette Morgan'
Cc: Annette Morgan; s.22 Lloyd, Sarah
MCF:EX; Cumberland, Paul MCF:EX; Framst, Wendy MCF:EX
Subject: RE: 230495 - MCFD Vendor Complaint Response
Attachments: NR059NOI.pdf

Dear Ms. Morgan, Thank you for your response and questions.

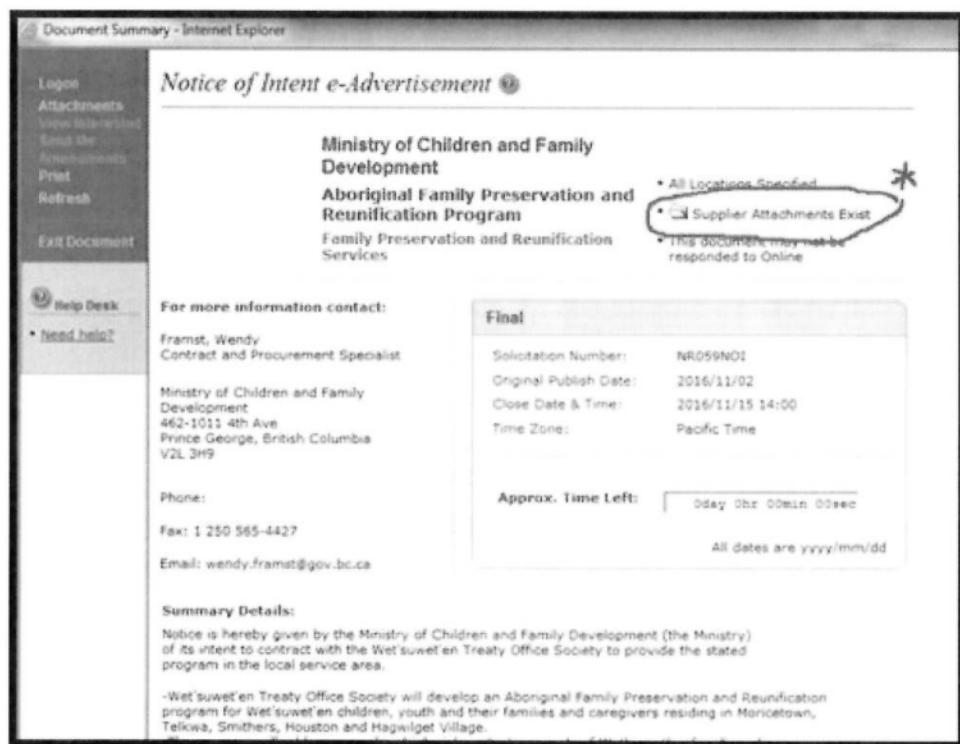
The Vendor Complaint Review Process is limited to issues of procurement policy and processes. More information on the Vendor Complaint Process including a flow chart and the policy can be found on the website here: <http://www.fin.gov.bc.ca/ocg/pgo/VCRP.htm#Policy>

Thank you for bringing it to our attention that the purpose of the direct award and the appeal process was missing from the BC Bid posting. Perhaps you were not aware that this posting had a supplier attachment - see image below that displays where you can find attachments on a BCBid posting. I have attached a copy of the supplier attachment that formed part of this Notice of Intent and the purpose and appeal process are both outlined on pages 2 -3. I had a discussion with the procurement contact, Wendy Framst, and also the Executive Director for Procurement and Contract Management Branch, Paul Cumberland, and have suggested that future NOI postings clearly indicate in the body that a supplier attachment exists for clarity.

You have included valuable feedback on concerns regarding local level information sharing and communications. From the provincial level we feel that direct contact with your Executive Director of Service, Sarah Lloyd, would be most beneficial as this is out of scope for the Vendor Complaint Review Process.

I trust these answers will add clarity for you. Please let me know if you have any further questions.

Thank you,
Andrea Kettle



From: Annette Morgan s.22
Sent: Tuesday, December 6, 2016 9:03 AM
To: Kettle, Andrea MCF:EX
Cc: Annette Morgan; s.22
Subject: Re: 230495 - MCFD Vendor Complaint

Dear Ms. Kettle,

Thank you for the email and information.
 I certainly appreciate the time you have taken.

I remain to have some deep concern regarding how we got to this point.

This includes:

- the false information which was also mis leading by the local MCFD team locally.
- the purpose of the direct award
- and then finally BC Bid positing which did not provide a appeal process

I am very elated of the outcome Ms. Framst and her team have arrived at, and appreciate the valuable time taken to ensure a transparent and accountable outcome.

I am wondering if the concerns that remain can be addressed?

I have not participated in a vendor complaint before, so any information or support to bring closure to the concerns is appreciated.

Thank you again,
Annette Morgan
Executive Director

On Dec 6, 2016, at 8:53 AM, Kettle, Andrea MCF:EX <Andrea.Kettle@gov.bc.ca> wrote:

Dear Ms. Morgan,

I have been notified that Wendy Framst has concluded her review of your challenge and the Ministry will not be proceeding with a direct award to the Office of the Wet'suwet'en for the services as indicated in this Notice of Intent.

I trust this resolution is to your satisfaction and as such I will close this vendor complaint file.

Thank you,
Andrea Kettle

From: Kettle, Andrea MCF:EX
Sent: Tuesday, November 15, 2016 9:47 AM
To: 'Annette Morgan'
Cc: Kettle, Andrea MCF:EX
Subject: RE: 230495 - MCFD Vendor Complaint

Dear Ms. Morgan,

I contacted the ministry contact on the NOI posting, Wendy Framst, to gather information required for the investigation of your complaint. Wendy indicated that she received a challenge to the NOI from your agency and she is currently working with you to collect the required information to review this challenge.

If the outcome of Wendy's review is not to your satisfaction you can notify me, by response to this email, and I will reinstate your vendor complaint based on the information provided to me on November 9, 2016. If you reinstate your vendor complaint the 30 business day response timeframe will restart from the date your email is received.

I will keep complaint file # 230495 open until I complete my investigation or you indicate that the resolution to the review undertaken by Wendy was satisfactory and you wish to withdraw your complaint.

Thank you,
Andrea Kettle

From: Kettle, Andrea MCF:EX
Sent: Thursday, November 10, 2016 8:03 AM
To: 'Annette Morgan'
Cc: Kettle, Andrea MCF:EX
Subject: REF: 230495 - MCFD Vendor Complaint

Annette Morgan
Executive Assistant
Dze L K'ant Friendship Center Society

Dear Ms. Morgan;

I am emailing to confirm that I have received your vendor complaint (received November 9, 2016) pertaining to NOI#NR059NOI. The letter you submitted is sufficient to initiate our review and we will not require you to fill out the MCFD Vendor Complaint Form.

The reference number that has been assigned to this investigation is **230495** and this number will be referenced on all future correspondence with you on this matter. A written response on the status of the investigation will be sent to you within 30 business days.

Thank you,
Andrea Kettle
Procurement Governance Officer
Procurement and Contract Management Branch
Ministry of Children and Family Development
Phone: (250) 953-3831
Andrea.Kettle@gov.bc.ca

This email message, including any attachments, is confidential. It is intended only for the use of the person or persons to whom it is addressed unless I have expressly authorized otherwise. If you have received this communication in error, please delete the message, including any attachments, and notify me immediately by email.

 Please consider the environment before printing this email.

From: Annette Morgan s.22
Sent: Wednesday, November 9, 2016 3:30 PM
To: Kettle, Andrea MCF:EX; Michelle Asato; Kate Langham
Subject: Urgent

Dead Andrea
Thank you for taking time to review our letter and concerns

I look forward to connecting with you



Ministry of Children and Family Development
Notice of Intent to Direct Award a Contract

Solicitation: NR059NOI

Issue Date: November 2, 2016

Closing Date: November 15, 2016

For more information contact: Wendy Framst

Title: Aboriginal Family Preservation and Reunification Program

Summary Details:

Notice is hereby given by the Ministry of Children and Family Development (the Ministry) of its intent to contract with the Wet'suwet'en Treaty Office Society to provide the stated program in the local service area.

- Wet'suwet'en Treaty Office Society will develop an Aboriginal Family Preservation and Reunification program for Wet'suwet'en children, youth and their families and caregivers residing in Moricetown, Telkwa, Smithers, Houston and Hagwilget Village.
- The program will address complex, high-risk protection needs of Wet'suwet'en families where children are at significant risk of harm due to multiple risk factors.
- Service will include the development of comprehensive assessments identifying strengths, risks and needed supports.
- Service will be provided by way of developing mutual (with family) service plans, both individualized and family based within a Wet'suwet'en cultural framework.
- The program will provide brief but intense, home based multiple-component interventions designed to prevent child out-of-home placement and reduce risk for child maltreatment by helping family members alter the communication, behavior or cognitive patterns that have created or sustained risk factors.
- Service will incorporate activities that reacquaint children, youth, and families with their Wet'suwet'en Aboriginal identity.
- Service will provide evidenced based, culturally appropriate, group and/or individualized parent education such that parents and caregivers will increase their use of developmentally appropriate parenting strategies.
- Service will assist children and youth to improve their skill in expressing emotions and managing stress.
- Service will link families to informal supports within their communities.
- Program hours of operation will be flexible including regularly scheduled services including evening and weekend work. Capacity to respond to emergencies will also be provided.

- Service will provide supported, supervised family visitation and related transportation for predominantly Wet'suwet'en families.
- All service will support successful transition/reunification of Wet'suwet'en children-in-care to their family or caregivers.

The term of the contract is expected to be:

- January 1, 2017- March 31, 2018, \$263,700.00 annual funding.
- The contract will contain up to 3 one-year options to renew at the sole discretion of the Ministry.
- Estimated 5460 family preservation hours of service per year.
- Estimated 1820 supported supervised family visitation and related transportation hours of service per year.

The Ministry has chosen not to call for vendor proposals for the following reasons:

- The Contractor has the current capacity, infrastructure, knowledge and experience to develop, deliver and provide an Aboriginal Family Preservation program.
- The Contractor is governed by the Wet'suwet'en Hereditary Chiefs residing throughout the traditional territories.
- The Contractor's mission is dedicated to the preservation and enhancement of Wet'suwet'en culture, traditions and territories.
- The Contractor currently provides family support, parent education and learning through its Human and Social Services Division.
- The Ministry believes the Contractor is uniquely qualified because they are well connected and have evidenced good understanding of the needs of the communities by way of currently providing other services on behalf of the Ministry.
- The Contractor relies heavily on its traditional decision making processes based on Wet'suwet'en governance, customs, values and laws to care for Wet'suwet'en children and families.
- The Contractor is an Aboriginal service provider, is familiar with and has established links with other service providers in the local service area.

Contractors wishing to challenge or object to this decision should contact:

Ministry of Children and Family Development
 Wendy Framst
 Procurement and Contract Specialist
 Email: Wendy.Framst@gov.bc.ca
 Fax: 1 (250) 565-4427

on or before 2:00 PM (Pacific Mountain time) on November 15, 2016 to present specific reasons for their objections. The Contractor must clearly demonstrate their qualification and ability to perform the required service or work within the required timeframe, availability,

organizational viability and resources. These items will be the criteria used to consider or determine the validity of the objections and whether the service or work will be completed.

Merry, Kathleen MCF:EX

From: Kettle, Andrea MCF:EX
Sent: Thursday, November 10, 2016 8:03 AM
To: 'Annette Morgan'
Cc: Kettle, Andrea MCF:EX
Subject: REF: 230495 - MCFD Vendor Complaint
Attachments: MCFD Nov 9 2016 B.doc

Annette Morgan
Executive Assistant
Dze L K'ant Friendship Center Society

Dear Ms. Morgan;

I am emailing to confirm that I have received your vendor complaint (received November 9, 2016) pertaining to NOI#NR059NOI. The letter you submitted is sufficient to initiate our review and we will not require you to fill out the MCFD Vendor Complaint Form.

The reference number that has been assigned to this investigation is **230495** and this number will be referenced on all future correspondence with you on this matter. A written response on the status of the investigation will be sent to you within 30 business days.

Thank you,
Andrea Kettle
Procurement Governance Officer
Procurement and Contract Management Branch
Ministry of Children and Family Development
Phone: (250) 953-3831
Andrea.Kettle@gov.bc.ca

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From: Annette Morgan [<mailto:s.22>]
Sent: Wednesday, November 9, 2016 3:30 PM
To: Kettle, Andrea MCF:EX; Michelle Asato; Kate Langham
Subject: Urgent

Dead Andrea
Thank you for taking time to review our letter and concerns

I look forward to connecting with you



Dze L K'ant Friendship Centre Society

1188 Main Street
PO Box 2920
Smithers BC
V0J 2N0

Phone (250) 847-5211
Facsimile (250) 847-5144

dzekant@gmail.com

November 9, 2016

Andrea Kettle, Procurement Process and Project Analyst
Procurement and Contract Management Branch
PO Box 9760 STN PROV GOVT
Victoria, BC V8W 9S4

Dear Andrea Kettle,

I'm writing to appeal the recent decision of the Ministry of Children and Family Development regarding their decision to Direct Award the Solicitation Number: NR059NOI.

As you are aware, the Dze L K'ant Friendship Centre Society hosted the Circle of Supports-Family Support/FASD Contract # QT10492002. This contract was only renewed til September 30, 2016. Due to Ministry's new contract developments regarding amendments, our contract was terminated with the remainder of the funding to be reallocated to an RFP process.

We supported the Ministry's decision to change direction of the funding to align more closely with MCFD's new priorities.

We have even received emails from Alan Doll, with the most recent dated on November 4, 2016, advising us to continue to check BC Bid as he had no information on the procurement process or funding envelope at the time.

We have many concerns regarding this process and hope that you reconsider the decision. Our hope is that you would be able to offer an open process that allows us to continue partnerships and further support strength based initiatives within our community.

We have attempted to follow your complaint process, however we are unable to open or locate the Vendor Complaint Form.

In Friendship,

Annette Morgan
Executive Director
Dze L K'ant Friendship Centre Society

Merry, Kathleen MCF:EX

From: Kettle, Andrea MCF:EX
Sent: Wednesday, January 27, 2016 10:30 AM
To: 'Annie Weinard'
Cc: Kettle, Andrea MCF:EX
Subject: Ref# 226454: Vendor Complaint Attached
Attachments: Vendor Complaint NR045RFP Jan26 2016.pdf

Importance: High

Annie Weinard
Executive Assistant
Carrier Sekani Family Services

Dear Ms. Weinard;

I am emailing to confirm that I have received your vendor complaint (received January 27, 2016) pertaining to RFP#NR045RFP.

The reference number that has been assigned to this investigation is **226454** and this number will be referenced on all future correspondence with you on this matter. A written response on the status of the investigation will be sent to you within 30 business days.

Thank you,
Andrea Kettle
Procurement Governance Officer
Procurement and Contract Management Branch
Ministry of Children and Family Development
Phone: (250) 953-3831
Andrea.Kettle@gov.bc.ca

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 Please consider the environment before printing this email.

From: Annie Weinard [<mailto:aweinard@csfs.org>]
Sent: Wednesday, January 27, 2016 9:47 AM
To: Kettle, Andrea MCF:EX
Subject: Vendor Complaint Attached
Importance: High

Hello,

On behalf of Mary Teegee, Executive Director of Child and Family Services of Carrier Sekani Family Services, I have attached a formal vendor complaint regarding the award of the NR045RFP Family Preservation to Sources.

Regards,

Annie Weinard
Executive Assistant | Child and Family Services



Creating wellness together.

987 4TH Avenue, Prince George, BC V2L 3H7

Phone: 250.562.3591 | Fax: 250.563.2272

Email: aweinard@csfs.org

Web: www.csfs.org





The personal information collected on this form is collected under the authority of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the Core Policy Manual, Section 6, Part 2 The *Freedom of Information and Protection of Privacy Act* protects the personal information collected from unauthorized use and disclosure. If you have any questions about the collection, use or disclosure of this information, please contact Procurement and Contract Management, PO Box 7960, Stn Prov Govt, Victoria BC V8W 9S4.

Vendor Information

Name

Mary Teegee

Title

Executive Director of Child and Family

Company/Organization Name

Carrier Sekani Family Services (CSFS)

Address (street address or PO Box number)

987 4TH Avenue

City

Prince George

Province

BC

Postal Code

V2L 3H7

Business Phone

(250) 562-3591

Alternate Phone

(250) 612-8710

Fax Number

(250) 562-2272

Email Address

mary@csfs.org

Competition Number or Contract Reference:

RFP# NR045RFP Family Preservation

Please provide the following information:

Description of the complaint

Appeal the decision to award this contract to a non-aboriginal organization which operates primarily out of the lower mainland.

Background leading to the complaint (initial reactions and Ministry/ PSSD response, relevant dates, and the actions of the parties)

The CSFS management team met with the MCFD procurement team to discuss the outcome of the RFP on January 7, 2016. CSFS was informed that our proposal ranked s.21. They also told us that Sources, who was awarded the contract had a more polished presentation which included an power point component. The CSFS management team has identified several issues relating to the procurement process which need to be addressed to ensure there is an effective and collaborative process in place. There was no consultation with service providers who currently deliver these services. The RFP content information requested is not clear in numerous sections. When clarification was requested, little information has been provided by the procurement office. There was also no opportunity given to respond to areas of concerns identified by MCFD prior or during the interview. CSFS is concerned that one of the panelists is s.22. s.22 and s.22 was not acknowledged prior or during the interview

Who you have dealt with to date, regarding the complaint (include their names, titles, phone numbers)

We have dealt with Wendy Framst, MCFD Procurement Specialist, 250-565-6677 who sent CSFS a Consensus Meeting Summary. It was noted that CSFS's s.21 and at no point was any explanation given as to why s.21 for this proposal scored so low.

Describe any other actions you have taken

Mary has spoken to Kim Chartrand, Executive Director of Service, North Region, MCFD, 250-565-4367. She informed Mary that there is a process by which to appeal the decision.

Describe the outcome you seek

- A consultation process needs to occur prior to the release of the RFP and should include service providers who have current experience in the field, as well as the communities who will be receiving the services
- Staffing qualifications required in this proposal do not accurately reflect current practice in the field of family preservation and do not support community capacity building and First Nations self-determination
- All dual roles and potential political conflicts of interest should be considered and mitigated
- This process continues to perpetuate systemic racism by creating differential standards of service for

Aboriginal people within the field of child welfare system

- We should be awarded this contract as we not only meet the RFP requirements, but are also the local First Nations agency who is best able to delivery services to these four First Nations communities

Name (if different than above)

Signature

Date Signed (YYYY-MM-DD)

2016/01-26

Please send your completed form to:

Ministry Vendor Complaints Contact:

Andrea Kettle, Procurement Process and Project Analyst

Procurement and Contract Management Branch

PO Box 9760 Stn Prov Govt

Victoria BC V8W 9S4

Phone (250) 953-3831

Email: Andrea.Kettle@gov.bc.ca

Merry, Kathleen MCF:EX

From: Kettle, Andrea MCF:EX
Sent: Thursday, February 11, 2016 9:04 AM
To: 'mary@csfs.org'; 'aweinard@csfs.org'
Cc: Kettle, Andrea MCF:EX; Chartrand, Kim MCF:EX
Subject: Ref# 226454: Vendor Complaint Response
Attachments: Vendor Complaint NR045RFP Jan26 2016.pdf; 226454 Signed Letter from ADM.pdf

Importance: High

Dear Mrs. Teegee,

Attached please find the ministry response, from Assistant Deputy Minister Reg Bawa, for the vendor complaint received on January 27 pertaining to RFP# NR045RFP.

Thank you,

Andrea Kettle
Procurement Governance Officer
Procurement and Contract Management Branch
Ministry of Children and Family Development
Phone: (250) 953-3831
Andrea.Kettle@gov.bc.ca

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Importance: High

Annie Weinard
Executive Assistant
Carrier Sekani Family Services

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Procurement Governance Officer
Procurement and Contract Management Branch
Ministry of Children and Family Development
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Andrea.Kettle@gov.bc.ca

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Sent: Wednesday, January 27, 2016 9:47 AM
To: Kettle, Andrea MCF:EX
Subject: Vendor Complaint Attached
Importance: High

Hello,

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Regards,

Annie Weinard
Executive Assistant | Child and Family Services



CARRIER SEKANI
FAMILY SERVICES

Creating wellness together.

987 4TH Avenue, Prince George, BC V2L 3H7
Phone: 250.562.3591 | Fax: 250.563.2272
Email: aweinard@csfs.org
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Vendor Information

Name

Mary Teegee

Title

Executive Director of Child and Family

Company/Organization Name

Carrier Sekani Family Services (CSFS)

Address (street address or PO Box number)

987 4TH Avenue

City

Prince George

Province

BC

Postal Code

V2L 3H7

Business Phone

(250) 562-3591

Alternate Phone

(250) 612-8710

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(250) 562-2272

Email Address

mary@csfs.org

Competition Number or Contract Reference:

RFP# NR045RFP Family Preservation

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Describe the outcome you seek

- A consultation process needs to occur prior to the release of the RFP and should include service providers who have current experience in the field, as well as the communities who will be receiving the services
- Staffing qualifications required in this proposal do not accurately reflect current practice in the field of family preservation and do not support community capacity building and First Nations self-determination
- All dual roles and potential political conflicts of interest should be considered and mitigated
- This process continues to perpetuate systemic racism by creating differential standards of service for

Aboriginal people within the field of child welfare system

- We should be awarded this contract as we not only meet the RFP requirements, but are also the local First Nations agency who is best able to delivery services to these four First Nations communities

Name (if different than above)

Signature

Date Signed (YYYY-MM-DD)

2016/01-26

Please send your completed form to:

Ministry Vendor Complaints Contact:

Andrea Kettle, Procurement Process and Project Analyst

Procurement and Contract Management Branch

PO Box 9760 Stn Prov Govt

Victoria BC V8W 9S4

Phone (250) 953-3831

Email: Andrea.Kettle@gov.bc.ca

February 9, 2016

Mary Teegee
Executive Director
Carrier Sekani Family Services

Dear Ms. Teegee:

Re: Vendor Complaint Review for Request for Proposals (RFP) #NR045RFP

As the Assistant Deputy Minister responsible for procurement and contract management in the Ministry of Children and Family Development, I am writing this letter in response to the vendor complaint received on January 27, 2016.

The Carrier Sekani Family Services' complaint identified seven points of concern in relation to the procurement process:

- There was no consultation with service providers who currently deliver the services prior to release of the RFP.
- The RFP content information requested was not clear in numerous sections.
- When clarification was requested little information was provided.
- There was no opportunity to respond to concerns during the interview.
- No explanation was provided for the ^{1s.21}
- Staffing qualifications in the RFP did not accurately reflect current practice.
- Potential conflict of interest for one of the panelists.

I have reviewed the details of Carrier Sekani Family Services' complaint and can provide the following in response to the points identified in your complaint.

Consultation with services providers is an option available to the ministry and is not a requirement. With respect to this specific procurement, the Ministry used the requirements identified by the staff serving the client group.

Section 4 - Requirements and Response of RFP #NR045RFP, identifies the information to be included in a proposal and as per **Section 5 – Evaluation** respondents should fully respond to all criteria in order to receive full consideration. If additional information or clarification is required to respond to the RFP, **Page 1** outlines the process for submitting enquiries. The ministry received seven questions or requests for clarification related to this RFP and all answers or clarifications were shared, as per policy, to all prospective proponents through BCBid. If

proponents were unclear or required further clarification in relation to this RFP, a request should have been submitted following the process outlined on Page 1 of the RFP.

Section 6 – Interviews outlines the interview as an opportunity for the proponent to present their proposal to the evaluation panel and to answer questions asked by the panel to validate content in the written proposal. On December 3, 2015 the ministry provided you with a copy of the three questions, the interview instructions, as well as the criteria and weighting for scoring the interview. The same questions, instructions and weighting criteria were provided to all three proponents eligible for the interview. As the interview was scripted there was not an opportunity to clarify points of your proposal outside of the questions provided and asked.

Debrief meetings are offered to explain to a proponent / respondent how their submission was evaluated, including its strengths and weaknesses, so that a proponent can improve future chances of success. Debriefs are also an opportunity for the ministry to demonstrate the transparency of the process, including how the process described in the solicitation was followed. On January 7, 2016 a debrief session was provided to Carrier Sekani Family Services as well as a copy of the high-level scoring breakdown of the proposal. During the feedback session detailed feedback was available and Carrier Sekani Family Services indicated a preference to focus on only specific topics.

Carrier Sekani Family Services received a score of s.21 component. The ministry is looking for maximizing direct service and expects wages and benefits to represent approximately 75% of the total budget. The Carrier Sekani Family Services' proposal budgeted s.21 It was noted that s.21 were higher than the allowable maximum s.21 and that s.21 but were not s.21. Finally it was noted that Carrier Sekani Family Services' proposal s.21 s.21

Section 4.1 (b) – Supervision, Staffing Model and Qualifications required that, at a minimum, the proponent include the two specified positions and a description of the required qualifications for these positions. The qualifications for the positions listed in the RFP are in alignment with those required by the Community Social Services Employers' Association of BC and as outlined in the Community Social Services Joint Job Evaluation Plan.

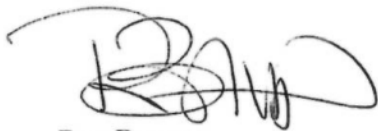
The ministry has considered your assertion of a conflict of interest with respect to one of the evaluation panel members and has determined a conflict does not exist. There was no financial benefit or other interest in the outcome of the RFP to that panel member. The assignment of scores by evaluators has been reviewed and I can confirm that proposals were all assessed equally. It is important to note that the assessment is not limited to a single evaluator's opinion and is determined after a consensus discussion amongst all evaluators.

Included in Carrier Sekani Family Services' complaint was the statement that this process continues to perpetuate systemic racism by creating differential standards of service for Aboriginal people within the field of child welfare. The process is applied in the same manner to

all proponents, adhering to the principles of being fair, open and transparent. All of the proposals were scored consistently and were evaluated based on the same criteria and weighting.

The Vendor Complaint Review Process is limited to issues of procurement policy and procedures and I have concluded that government policy and procedures were followed. Should you not be satisfied with this response, you may apply to the Procurement Governance Office (PGO) within the Ministry of Finance for a second review. For more information on the PGO review process, please see: www.fin.gov.bc.ca/ocg/pgo/VCRP.htm.

Sincerely,

A handwritten signature in black ink, appearing to read 'Reg Bawa', with a large, stylized flourish at the end.

Reg Bawa
Assistant Deputy Minister
Finance & Corporate Services

cc: Kim Chartrand, Executive Director of Service
Andrea Kettle, Ministry Vendor Complaint Review Process Contact