

**MINISTRY OF EDUCATION AND CHILD CARE
DECISION BRIEFING NOTE**

DATE: January 25, 2023
CLIFF: 287672

PREPARED FOR: Christina Zacharuk, Deputy Minister – **FOR DECISION**

SUBJECT: Amendment of contract extension for Learning Pool

PURPOSE: Approval to extend contract with OSBC's LMS provider to August 31, 2023

BACKGROUND:

Open School BC (OSBC) is currently in a General Service Agreement with Learning Pool Canada. Learning Pool hosts our Learning Management System (LMS). The service operates on a cost-recovery basis and was procured through a Request for Proposals (RFP) process (C16-R0726). The current agreement ends on March 31, 2023.

- The contract was previously extended six months after a decision was made to allow OSBC K-12 clients to remain in the LMS until March 31, 2023 (see Attachment A – DN255106).
- Prior to that, the contract was extended one additional year after a decision was made to postpone the procurement process due to the in-progress procurement of a Provincial LMS for the K-12 sector in British Columbia (see Attachment B – DN241024).
- OSBC was granted approval to conduct an NRFP for a vendor to host OSBC's LMS and extend the current vendor agreement for a short period of time if needed. (See Attachment C – DN252691)
- Approval was given to extend the contract to March 31, 2023 (see Attachment D – DN255106).

DISCUSSION:

On December 21, 2022, OSBC posted the NRFP (NRFP10103 Learning Management System for Open School BC) on BC Bid with an end date of February 8, 2023. OSBC will not have completed the NRFP competition for a vendor to host its LMS prior to the expiry of the current contract on March 31, 2023. OSBC will need time to complete the procurement, and then to transfer all clients and their courses to the successful vendor's platform.

OLERB proposes to extend OSBC's contract with Learning Pool until August 31, 2023, to support the transition of OSBC's public sector clients through the LMS transition.

FINANCIAL IMPLICATIONS:

The estimated cost of the proposed contract extension is ^{s.13; s.17} recovered through OSBC's clients.

The costs will be fully

OPTIONS:

Option 1: Extend the existing contract with Learning Pool until August 31, 2023, to support OSBC's public sector clients through the LMS transition.

Pros:

- Allows sufficient time for completing the NRFP selection process.
- Allow sufficient time for client transition.

Cons:

- Contract extension costs.

Option 2:

s.13

s.13

RECOMMENDATION:

Option: 1



Approved/Not Approved

Christina Zacharuk

Deputy Minister

February 01, 2023

Date Signed

Attachment(s)

1. **Attachment A – DN255106**
2. **Attachment B – DN241024**
3. **Attachment C – DN252691**
4. **Attachment D – DN255106**

Program ADM/Branch: Eleanor Liddy, Services and Technology

Program Contact (for content): Sophia Barton-Bucknor

Drafter: Aaron Henderson

Date: January 25, 2023

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: March 11, 2022
CLIFF: 255106

PREPARED FOR: Eleanor Liddy, ADM Services & Technology – **FOR DECISION**

SUBJECT: Contract extension for Remote Learner

PURPOSE: Approval to extend contract with OSBC's LMS provider to March 31, 2023

BACKGROUND:

Open School BC (OSBC) is currently in a General Service Agreement with Remote Learner Canada. Remote Learner hosts our Learning Management System (LMS). The service operates on a cost-recovery basis and was procured through a Request for Proposals (RFP) process (C16-R0726).

- All built-in options to extend the contract have been used.
- The contract was extended one additional year after a decision was made to postpone the procurement process due to the in-progress procurement of a Provincial LMS for Provincial Online Learning Schools and the K-12 sector in BC (see **Attachment A - DN241024**).
- The current agreement ends on August 31, 2022.

OSBC was granted approval to conduct an RFI, an RFP/NRFP for a vendor to host OSBC's LMS and *extend the current vendor agreement for a short period of time if needed*. (See **Attachment B – DN252691**)

DISCUSSION:

With the recent procurement of D2L Brightspace as the provincial K-12 LMS, OSBC will be shutting down its K-12 hosting service. This was planned for July 2022; however, requests from OSBC's K-12 clients indicate a need for more time to transition between OSBC's LMS and the Provincial LMS or find another solution.

Further, OSBC will not have completed the RFP/NRFP for a vendor to host our LMS prior to the expiry of the current contract with Remote Learner. OSBC will need time to complete the procurement, and then to transfer all clients and their courses to the successful vendor's platform.

The Online Learning and Educational Resources Branch proposes to extend OSBC's contract with Remote Learner until March 31, 2023 to support the transition of OSBC's K-12 and public sector clients through the LMS procurement and transition.

FINANCIAL IMPLICATIONS:

The estimated cost of the proposed contract extension is ^{s.13;}_{s.17} This will be confirmed closer to the contract expiry date when we know more about how many user licenses will be required for the transition. The costs will be partly recovered through OSBC's clients. There may be a portion of non-recoverable costs as OSBC may be running two systems concurrently for Public Sector clients during the transition.

OPTIONS:

Option 1: Extend the existing contract with Remote Learner until March 31, 2023 to support OSBC's K-12 and public sector clients through the LMS procurement and transition.

Pros:

- Allows sufficient time for procurement and transition
- Supports the K-12 sector in successfully transitioning to the new Provincial LMS

Cons:

- Contract extension costs

Option 2: ^{s.13}

^{s.13}

RECOMMENDATION:

Option: 1



March 23, 2022

Approved Option 1

Eleanor Liddy

Assistant Deputy Minister

Date Signed

Attachment(s)

1. **Attachment A – DN241024**
2. **Attachment B – DN252691**

Program ADM/Branch: Eleanor Liddy, Services and Technology

Program Contact (for content): Jennifer Riddel

Drafter: Jennifer Riddel

Date: March 11, 2022

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: November 20, 2020
CLIFF: 241024

PREPARED FOR: Eleanor Liddy, Acting ADM – **FOR DECISION**

SUBJECT: Issue Notice of Intent on BCBid

PURPOSE: To extend Remote Learner Contract 12 months

BACKGROUND:

Open School BC (OSBC) is currently in a General Service Agreement with Remote Learner Canada. Remote Learner hosts our Learning Management System (LMS), Moodle. The service operates on a cost-recovery basis and was procured through an RFP process (C16-R0726). The Agreement ends on August 31st 2021.

OSBC currently offers Moodle LMS hosting for the Ministry of Education, including Library Services Branch, Inclusion Outreach student sites, Early Learning, and Open Course Resources (OCR). Citizens access our Open Course Resources and school districts access Occupational Health & Safety training through Open School's Moodle system. In addition, the LMS supports 46 public sector courses, serving more than 40,000 users in FY2020.

The Ministry of Education tasked the Online Learning Implementation Working Group with determining the best approach to implementing Recommendation 10 of the Funding Model Review Panel's report. They recommended a provincially supported and funded Learning Management System (LMS). A centralized LMS would provide a platform for consistency across the K-12 system, allow for cost efficiencies, provide user equity, and would ensure a secure, FOIPPA compliant environment.

DISCUSSION:

Pending approval, the Online Learning and Education Resources (OLER) Branch will move forward with the procurement of a provincial LMS for the K-12 system. The RFP will be open to submissions from any LMS provider (Moodle or otherwise).

The services provided by Remote Learner are adequately meeting OSBC's current needs. There is an opportunity in the next 9-18 months to align the business needs of OSBC as part of the OLER Branch, and to determine whether OSBC will continue to operate a Moodle LMS and supporting infrastructure separate from the provincial LMS, or integrate with the provincial LMS. In the meantime, in order to ensure continuity of service to OSBC's clients, OSBC needs to continue to operate Moodle.

OSBC was planning to run an RFP process starting in November 2020. However, if OSBC and OLER Branch procure separate learning management systems through BCBid simultaneously, there is a high risk of confusion from vendors and missed opportunities for cost and process efficiencies.

A Notice of Intent posted on BCBid would declare Open School BC's intent to extend Remote Learner's contract one year, allowing time to make informed decisions and enact transition plans as needed. Potential vendors would have four weeks to file any concerns.

OPTIONS: Option 1: Issue Notice of Intent to BCBid to extend the GSA with Remote Learner for 12 months

Pros

- The NOI would inform vendors of the Ministry's intent to extend with Remote Learner for 12 months.
- The NOI would explain the Ministry's intent to procure a more comprehensive contract for a Learning Management System to meet provincial needs.
- The NOI would allow OSBC to postpone issuing an RFP this year, thus mitigating potential confusion with posting two similar but different procurements for a Learning Management System from the Ministry of Education.

Con

- If a challenge to an NOI is received, the Ministry will review the information provided by the vendor. If the objection is substantiated, the opportunity must be competed. The ministry has sufficient time to conduct a competitive procurement.

Option 2:
- s.13

s.13

FINANCIAL IMPLICATIONS:

The estimated cost to maintain the current LMS for Open School BC is s.13; s.17 in FY2021-22. This is cost recoverable.

LINKS TO OTHER MINISTRIES: (include only if applicable)

The Ministry of Health depends on Open School BC to maintain its LMS to run FOODSAFE training online for the Province.

RECOMMENDATION: Option 1: Issue Notice of Intent on BCBid.



November 20, 2020

Approved/Not Approved
Eleanor Liddy
Acting Assistant Deputy Minister

Date Signed

Program ADM/Branch: Eleanor Liddy, A/ADM
Program Contact (for content): John Anderson
Drafter: John Anderson
Date: October 25th, 2020

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: January 4, 2022
CLIFF: 252691

PREPARED FOR: Christina Zacharuk, DM Ministry of Education – **FOR DECISION**

SUBJECT: Procurement of an LMS for OSBC

PURPOSE: Approval to procure an online learning management service to support OSBC's cost recovery services

BACKGROUND:

Open School BC (OSBC) is currently in a General Service Agreement with Remote Learner Canada. Remote Learner hosts our Learning Management System (LMS). The service operates on a cost-recovery basis and was procured through a Request for Proposals (RFP) process (C16-R0726).

- All built-in options to extend the contract have been used.
- The contract was extended one additional year after a decision was made to postpone the procurement process due to the in-progress procurement of a Provincial LMS for the K-12 sector in BC (see **DN241024**, attached in a separate file).
- The current agreement ends on August 31, 2022.

With the recent procurement of D2L Brightspace as the provincial K-12 LMS, OSBC will be shutting down its K-12 hosting service in July 2022. OSBC will continue to offer hosting to clients in the public service and broader public sector on a cost recovery basis. OSBC's Moodle LMS currently supports 220 Public Sector course instances with more than 45,000 users in Fiscal Year (FY) 2020-21.

DISCUSSION:

OSBC initiated a procurement process in September 2021, notifying Ministry of Education (EDUC) procurement specialists and engaging with Procurement Services Branch (PSB) at Ministry of Citizens' Services (CITZ). OSBC intends to engage in a Request for Information (RFI) process before going to RFP/Negotiated Request for Proposals (NRFP).

An RFI process provides an opportunity for OSBC to gather information directly from the marketplace in order to better understand the current and emerging features and functionality of modern LMS systems, particularly as they relate to adult workplace training. This will be critical as OSBC shifts to a full cost recovery operational model beginning April 1, 2022 and will focus its hosting service on clients delivering corporate training.

Other benefits of the RFI process include:

- Enables informed decisions by gathering information about the specific requirements and desired outcomes prior to RFP/NRFP
- Helps firm up requirements and budget, thus streamlining the RFP/NRFP process

- Minimizes procurement risk by identifying potential issues with current requirements or outcomes
- s.13

See **Appendix 1 - Proposed Timeline and Risks** for additional information.

FINANCIAL IMPLICATIONS:

The total investment for this project includes one-time procurement costs (TBD after the RFI, but estimated at s.13; s.17 based on a recent procurement of similar complexity) and annual operational costs s.13; s.17. The procurement will request a 3-year agreement with an option to renew for multiple terms to get the best value and to provide stability.

IM/IT IMPLICATIONS

We are procuring Software-as-a-Service from a vendor that will comply with BC's privacy and security legislation. The requirements will be clearly outlined in the RFP and vendors must demonstrate compliance in their proposals. The project lead will work closely with the Ministry's Information Privacy and Security team to create a PIA and STRA and address specific IM/IT risks and mitigation strategies.

OPTIONS:

Option 1: Conduct RFI, RFP/NRFP for vendor to host OSBC's LMS and extend the current vendor agreement for a short period of time if needed.

Pros:

- Procurement process is compliant with government procurement policy and procedures and reflects best practices
- RFI process is an upfront time commitment that enables informed procurement decisions, reduces procurement risk, streamlines the RFP process and may result in cost savings
- RFP process allows vendors fair access to this contracting opportunity and ensures the ministry gets good value for money
- Results in an LMS that meets OSBC's business needs now and in the future.
- Results in efficiencies for OSBC's clients (shared service), and meets gov't privacy requirements

Cons:

- Cost of procurement is not yet accounted for in OSBC's recoveries
- Time commitment for OSBC staff is significant and may impact business planning and operations
- RFI and RFP/NRFP processes will likely take more than 7 months which will result in the need to extend the contract with the current vendor for a short period of time during the transition period (at additional cost to OSBC and possibly to the Ministry).

Option 2: s.13

s.13

Option 3: s.13

s.13

RECOMMENDATION:

Option: 1



☒ Approved/☐ Not Approved
Christina Zacharuk
Deputy Minister

January 17, 2022

Date Signed

Attachment(s)

1. **Attachment A – DN241024**

2. Appendix 1 – Proposed Timeline and Risks

Program ADM/Branch: Eleanor Liddy, Services and Technology

Program Contact (for content): Jennifer Riddel

Drafter: Jennifer Riddel

Date: January 4, 2022

Appendix 1 – Proposed Timeline and Risks

Proposed Timeline:

Task	Timeline	Status
Engage with EDUC Procurement Team	Oct 2021	Complete
Engage with PSB	Oct 2021	Complete
Intake with Procurement Concierge Team	Nov-Dec 2021	Complete
RFI process including Discovery Day	Jan-March 2022	Not yet started
Decision about procurement method/process	March 2022	Not yet started
RFP/NRFP Process*	April 2022-TBD	Not yet started
Contract with successful proponent	TBD (Aug 2022 at earliest)	Not yet started
Implementation of LMS	TBD (Oct 2022 at earliest)	Not yet started

*The RFI process will help us determine which procurement method to use. An NRFP process typically takes longer than an RFP process, so if that method is chosen, the timelines may need to be extended.

Risks:

s.13

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: March 11, 2022
CLIFF: 255106

PREPARED FOR: Eleanor Liddy, ADM Services & Technology – **FOR DECISION**

SUBJECT: Contract extension for Remote Learner

PURPOSE: Approval to extend contract with OSBC's LMS provider to March 31, 2023

BACKGROUND:

Open School BC (OSBC) is currently in a General Service Agreement with Remote Learner Canada. Remote Learner hosts our Learning Management System (LMS). The service operates on a cost-recovery basis and was procured through a Request for Proposals (RFP) process (C16-R0726).

- All built-in options to extend the contract have been used.
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- The current agreement ends on August 31, 2022.

OSBC was granted approval to conduct an RFI, an RFP/NRFP for a vendor to host OSBC's LMS and *extend the current vendor agreement for a short period of time if needed*. (See **Attachment B – DN252691**)

DISCUSSION:

With the recent procurement of D2L Brightspace as the provincial K-12 LMS, OSBC will be shutting down its K-12 hosting service. This was planned for July 2022; however, requests from OSBC's K-12 clients indicate a need for more time to transition between OSBC's LMS and the Provincial LMS or find another solution.

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OPTIONS:

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Pros:

- Allows sufficient time for procurement and transition
- Supports the K-12 sector in successfully transitioning to the new Provincial LMS

Cons:

- Contract extension costs

Option 2: ^{s.13}

^{s.13}

RECOMMENDATION:

Option: 1



March 23, 2022

Approved Option 1

Eleanor Liddy

Assistant Deputy Minister

Date Signed

Attachment(s)

1. **Attachment A – DN241024**
2. **Attachment B – DN252691**

Program ADM/Branch: Eleanor Liddy, Services and Technology

Program Contact (for content): Jennifer Riddel

Drafter: Jennifer Riddel

Date: March 11, 2022