Minutes – Executive Policy Committee – February 13, 2018

REPORTS

Item No. 10 Single Source Negotiations and Award of Contract for the year 2018 for Indigenous Awareness Cultural Training Consultants, Material Management Reference No. 37-2017

EXECUTIVE POLICY COMMITTEE DECISION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service:

1. That the single source negotiations with Allen Sutherland and Brian McLeod for Indigenous Awareness Cultural Provider Services for the year 2017 be received as information.

2. That single source negotiations for Indigenous Awareness Cultural Training Consultants for the year 2018 be approved with:

    A. Allen Sutherland, not to exceed the amount of $72,500 plus all applicable taxes; and
    B. Brian McLeod, not to exceed the amount of $56,000 plus all applicable taxes.

3. That upon approval of Recommendation #2, the Chief Financial Officer award a contract for Indigenous Awareness Cultural Training for the year 2018:

    A. to Allen Sutherland not to exceed the amount of $72,500 plus all applicable taxes; and
    B. to Brian McLeod not to exceed the amount of $56,000 plus all applicable taxes.

4. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Winnipeg Public Service be concurred in.

Carried

ADMINISTRATIVE REPORT

Title: **Single Source Negotiations and Award of Contract for the year 2018 for Indigenous Awareness Cultural Training Consultants, Material Management Reference No. 37-2017**

Critical Path: Executive Policy Committee

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Forgues	M. Jack	M. Ruta	D. McNeil

EXECUTIVE SUMMARY

In order to meet the goal of training all 10,000 City of Winnipeg employees on Indigenous awareness, an enhanced training schedule was developed to accommodate the large number of staff. Availability of the sessions increased in order to meet the yearly goal and the Indigenous Awareness Cultural Training Consultants (Consultants) were required on a more frequent basis. As of November 30, 2017, a total of 4,040 employees were trained.

Because of the enhanced training schedule for 2017, the Public Service exceeded the delegated authority for the contract which is a maximum of $35,000. This report provides information regarding the single source negotiation for consultant services related to Indigenous Awareness Cultural Training for both service providers in the amounts of $59,000 and $40,000, which has been concluded and paid for out of the Corporate Human Resources Services, adopted operating budget, the CUPE Education Fund and various departmental budgets that requested departmental specific training.

Now that the Public Service has implemented a full year of training in 2017, it is estimated that costs will exceed $35,000.00 per Contract in 2018. Administrative Standard FM-002 states that the procurement of a consultant service on a single source basis that exceeds $35,000.00 requires Executive Policy Committee approval and therefore the Public Service is requesting approval of Single Source Negotiations for two contracts for Indigenous Awareness Training Consultants in 2018.

In January 2019, the City of Winnipeg will be subject to the New West Partnership Trade Agreement (NWPTA). The NWPTA will result in changes to Single Source rules for all goods and services, including Consultant procedures. The Public Service will be reviewing this new agreement and providing recommendations for Council's consideration to ensure that our current procurement policy is consistent with the NWPTA and there is less room for error.

RECOMMENDATIONS

1. That the single source negotiations with Allen Sutherland and Brian McLeod for Indigenous Awareness Cultural Provider Services for the year 2017 be received as information.

2. That single source negotiations for Indigenous Awareness Cultural Training Consultants for the year 2018 be approved with:

    a) Allen Sutherland, not to exceed the amount of $72,500 plus all applicable taxes; and
    b) Brian McLeod, not to exceed the amount of $56,000 plus all applicable taxes.

3. That upon approval of Recommendation #2, the Chief Financial Officer award a contract for Indigenous Awareness Cultural Training for the year 2018:

    a) to Allen Sutherland not to exceed the amount of $72,500 plus all applicable taxes; and
    b) to Brian McLeod not to exceed the amount of $56,000 plus all applicable taxes.

4. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Pursuant to Administrative Standard FM-002, Section B1.1, The Chief Administrative Officer requires that any single source negotiation for consultant services where the estimated value, other than those relating to capital projects, exceeds $35,000.00 in total, including all phases of any given project, be approved by Executive Policy Committee, we are seeking approval for 2018; and

As EPC authorization for the 2017 award of consultant services was not obtained at the time of engagement and all services have been concluded and paid for, the 2017 expenditures are provided for information only.

IMPLICATIONS OF THE RECOMMENDATIONS

By utilizing the same group of Consultants who designed the program and have experience delivering the course, the content and learning objectives remain consistent.

2017 training was paid out of the Corporate Human Resources Services adopted operating budget, the CUPE Education Fund and various departmental budgets that requested departmental specific training.

2018 training will be paid out of the Corporate Human Resources Services adopted operating budget for 2018, the CUPE Education Fund and various departmental budgets that may request departmental specific training.

HISTORY/DISCUSSION

In January 2016, the Mayor declared 2016 as the Year of Reconciliation, which included various announcements to demonstrate the City's commitment to reconciliation with Winnipeg's Indigenous community. In February 2016, the public service was directed to continue with current activities that supported the Truth and Reconciliation Commission (TRC)'s Calls to Action; investigate proposed actions included in the report and investigate additional measures that could be taken by the City to support the TRC Calls to Action.

In December 2016, the Public Service bought forward for information, an update on the activities that occurred over 2016 in support of the Truth and Reconciliation Calls to Action including #57 Professional Development and Training for Public Servants: "We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism."

In order to meet the goal of training all 10,000 City of Winnipeg employees on Indigenous awareness, an enhanced training schedule was developed to accommodate the large number of staff. Availability of the sessions had to increase in order to meet the yearly goal and the Consultants are now required on a more frequent basis.

In the 2016 year-end report, a summary of actions taken regarding the TRC #57 Professional Development and Training for Public Servants included:

- ½ day session on Residential Schools had been developed; as well as a schedule for the ½ day and 2 day session availability, Cultural teachers and Elders had been confirmed, and the training had commenced.

When the training schedule was first developed, 2016 was scheduled to start in May and go until the end of December for an approximate cost of $32,000 for all of the Consultants involved in facilitating the training. Due to the high demand and extra sessions being requested by departments, the Public Service implemented a full year of training in 2017 and the two contracts ultimately ended up exceeding $35,000, one for $59,000 and the other for $40,000.

Due to increasing demand for Indigenous training sessions, the estimated contract value was difficult to determine earlier in the year as the contract value is determined based on training session requests both from departments and those scheduled by Corporate Human Resources as part of the employee course calendar. The report was delayed by the Public Service to ensure appropriate due diligence on the contract value occurred with stakeholder departments. In error, the Public Service did not seek approval, as required by the Chief Administrative Officer through Administrative Standard FM-002, for these two single source contracts from the Executive Policy Committee and accordingly no formal contract will be executed for the work already completed and paid for in 2017.

In January 2019, the City of Winnipeg will be subject to the New West Partnership Trade Agreement (NWPTA). The NWPTA will result in changes to Single Source rules for all goods and services, including Consultant procedures. The Public Service will be reviewing this new

agreement and providing recommendations for Council's consideration to ensure that our current procurement policy is consistent with the NWPTA and there is less room for error.

As of November 30, 2017, a total of 4,040 employees have been trained. The Public Service will continue to facilitate sessions of W'daeb Awaewe (1/2 day) and Chi Ki Ken Da Mun (2 day) until all staff have participated and to investigate additional training modules that address the remaining topics noted in the Truth and Reconciliation's Commission Call to Action.

For 2018, The Public Service is requesting approval to negotiate single source contracts with Allen Sutherland and Brian McLeod, Indigenous Cultural Training Consultants. Administrative Standard FM-002 states that the procurement of a consultant service on a single source basis that exceeds $35,000.00 requires Executive Policy Committee approval.

It is a priority for the Indigenous Relations Division to continue maintaining the relationship with the City's current Consultants. The Indigenous Relations Division feels strongly that this would be the best course of action to take with the rationale that the current Consultants designed the course content, have previous experience delivering these trainings to Civic staff, and have an existing partnership with the City of Winnipeg. This will continue to build relationships with the Consultants who have been delivering the training since its inception in 2013.

The City's current Consultants are comprised of community Elders and Knowledge Keepers who have worked in partnership with the Indigenous Relations Division to develop the outline and content for both Indigenous Awareness courses. It would be most beneficial to have the developers of the content delivering the training as they would have familiarity and experience with the material. The Indigenous Relations Division is confident that the current Consultants possess the skills and resources to satisfactorily carry out the training.

In addition, the Consultants have experience working within the Civic system delivering training to Public Servants. This experience has afforded them familiarity with the organization including but not limited to; Finance, Employee Development and Human Resources.

The funding for this Indigenous Awareness training in 2018 is being provided by the Corporate Human Resources Services adopted operating budget, the CUPE Education Fund and various departmental budgets that have requested departmental specific training.

This procurement is not subject to either the Canadian Free Trade Agreement (2017) ((formerly the Agreement on Internal Trade) or the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, done at Brussels on October 30, 2016 ("CETA") as its value is not above the applicable thresholds.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 24, 2018

Project Name:

First Year of Program **2018**

Single Source Negotiations and Award of Contract for the year 2018 for Indigenous Awareness Cultural Training Consultants, Material Managements Reference No. 37-2017

	2018	2019	2020	2021	2022
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 128,500	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 128,500	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	128,500		-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1.Direct Costs above include estimates related to Indigenous Awareness Cultural Providers in the amount of $128,500 as per Recomendation 2 of this report.

2. Funding is available through the Corporate Human Resources Services' 2018 operating budget, the CUPE Education Fund and various departmental budgets that request departmental specific training.

Original signed by T. Yanchishyn

Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (as to legal issues)
- Employee Development Branch, Corporate Support Services
- Materials Management, Corporate Finance Department

OURWINNIPEG POLICY ALIGNMENT

01-5 Qualities Of Life
Direction 5 – Acknowledge that Aboriginal Winnipeggers bring a diverse richness of cultures, traditions, languages, teachings, values, skills and perspectives to our city.

SUBMITTED BY

Department: Corporate Support Services
Division: Indigenous Relations
Prepared by: R. Forgues
Date: January 25, 2018
File No: