



## **Policy on the proactive disclosure of contracts over \$10,000**

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In July, 2013 the B.C. Information and Privacy Commissioner released *Investigation Report F13-03: Evaluating the Government of British Columbia's Open Government Initiative*. The report made 18 recommendations to enhance transparency and accountability through the routine release of information to the public.

One of the most important areas of transparency for citizens is the spending of public funds. The investigation report recommended the proactive disclosure of contracts over \$10,000:

*The minister responsible for FIPPA should direct ministries to proactively disclose information relating to its contracts that are worth more than \$10,000 on (at minimum) a quarterly basis. Contract information should include with whom the government is contracting, the purpose, value and duration of that contract, and information about the procurement process for the award of the contract.*

This document sets out the OIPC's policies relating to the disclosure of contracts over \$10,000 and also includes important information about the categories included in our public reporting. The rules and principles governing OIPC contracting and procurement are set out in the [BC Government Core Policy and Procedures Manual](#).

### **Policies**

1. Within 45 days of the end of each quarter of a calendar year, the OIPC will proactively disclose information about a contract undertaken in the previous quarter, where:
  - The contract value is \$10,000 or more;
  - Amendments result in a contract being valued at \$10,000 or more; or
  - Amendments have been made to a contract valued at \$10,000 or more.
2. When a contract has been awarded in a prior reporting period but terminated in a subsequent reporting period, the original contract information publicly reported should not be modified. The *comments* field may be updated to reflect this change.
3. Where a contract has been reported in a previous quarter and the contract value increases, the existing entry for that contract will be updated to reflect the new value. The fact of the amendment and its effective date will be included in the *comments* field.

4. Where the length of a contract has been extended, the existing entry for that contract will be updated to reflect the new delivery date. The fact of the amendment and its effective date will be included in the *comments* field.
5. In limited cases, the OIPC may withhold information regarding certain types of contracts, for example, information about contracts where proactive disclosure could compromise an ongoing investigation. In such cases, the OIPC will publish as much information as the circumstances permit.
6. This policy and other information about the OIPC's proactive disclosure practices will be posted to the OIPC website.

## **Data elements**

The following data elements are included in OIPC proactive disclosure of contracts over \$10,000:

### *Reporting Period*

The reporting period is the year and quarter in which the contract was started or amended. The quarters are divided as follows:

- Q1 = Contracts started or amended Jan 1 to Mar 31
- Q2 = Contracts started or amended Apr 1 to Jun 30
- Q3 = Contracts started or amended Jul 1 to Sep 30
- Q4 = Contracts started or amended Oct 1 to Dec 31

### *Contract date*

*The contract date* is the date the contracted services are set to begin (not the contract signing date).

### *Reference number*

The reference number is the OIPC's contract number.

### *Vendor name*

The vendor name is the legal name of the company, as stated in the contract.

### *Description of work*

The description of work is a description of the service provided by the vendor. This information corresponds to Standard Object of Expenditure (STOB) codes, which are used to categorize OIPC expenses in budgeting. See Appendix A. Due to the number of

contracts classified under STOB 60: Professional Services, additional text may be provided in the *comments* field about these contracts. See Appendix B.

#### *Contract value*

The contract value is the maximum value of the contract in the relevant reporting period. In the case of a contract amendment, the contract value will be restated to reflect the new maximum value of the contract. See *original contract value*. The *comments* field will include information about the fact and date of a contract amendment.

#### *Original contract value*

The original contract value is the maximum value when the contract was first signed.

#### *Delivery date*

The delivery date is the end date of the contract.

#### *Method of Award*

Method of award means the method by which the contract was awarded. In most cases, the field entries correspond to the categories for procurement established by the BC Government's purchasing policies. See Appendix C.

Where the OIPC has competitively sourced a contract using means other than a Request for Qualifications, Request for Proposals, or Invitation to Quote, the category "Other Competitive Process" will be used. Government policy specifies that for service contracts valued under \$25,000, public agencies should follow a reasonable and cost-effective process that supports the principles of fair and open procurement but does not create excessive effort and process for either party to an agreement. The [BC Government Purchasing Handbook](#) states:

*The approach to competing small dollar contracts will be influenced by the nature of the service required, the availability of potential contractors, and timing. The process could range from obtaining phone quotes from three potential contractors, to issuing a formal Request for Proposals. (p. 12)*

#### *Comments*

Comments provide additional information about the contract, including:

- Additional information about goods or services provided, if required;
- If the contract was amended, the date it was amended and amendment type;
- If contract information was restated or corrected due to a factual error.

## Appendix A: Applicable STOB codes

| <b>STOB</b> | <b>Objects of Expenditure</b>            |
|-------------|--|
| 60          | Professional Services                    |
| 63          | Information Systems                      |
| 65          | Office and Business Expenses             |
| 67          | Informational Advertising & Publications |
| 68          | Statutory Advertising & Publications     |
| 69          | Utilities, Materials and Supplies        |
| 70          | Operating Equipment & Vehicles           |

## Appendix B: Examples of services provided under STOB 60 (Professional Services)

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| Professional services – Mediation, Investigation or Adjudication |
| Professional services – Audit, Information & Privacy             |
| Professional services – Lobbyists Registry                       |
| Professional services – General Legal Advice                     |
| Professional services – General Advice                           |
| Professional services – Judicial Review                          |
| Professional services – Other Services                           |

## Appendix C: Examples of method of contract award

|                                  |
|----------------------------------|
| Request for Qualifications (RFQ) |
| Invitation to Quote (ITQ)        |
| Request for Proposals (RFP)      |
| Other Competitive Process        |
| Direct Award                     |