

MEETING MINUTES REPORT – 2014-3

MEETING	TEMPORARY HELP SERVICES ADVISORY COMMITTEE		
PLACE	Place du Portage, Phase III, Tower C, Boardroom 12C1 101A	DATE	September 9, 2014
		TIME	1330 to 1600

MEETING AGENDA

1. Opening Remarks
2. Acceptance of minutes for May 13, 2014 & February 25, 2014 THSAC meetings
3. THSAC Letter of Interest (LOI) E60ZN-14NTHS/A - Update
4. Working Group Updates
5. THS Solicitations Update
6. THS Utilization Reporting Update
7. Other Business
8. Round Table Discussion
9. Next Meeting
10. Meeting Adjournment

MEETING ATTENDEES

NAME	ORGANIZATION / PROJECT AND ROLE	PRESENT
SUPPLIER REPRESENTATION (THS Industry)		
Meredith Egan (The AIM Group Inc.)	Association of Canadian Search, Employment and Staffing Services (ACSESS)	v
Eric Joannis (CLA Personnel, & Ottawa Chapter VP, ACSESS)	ACSESS	v
Jeremy Ingle (Brican Personnel Inc.)	ACSESS	v
Paul Gagnon	Portage Personnel Inc.	
Dan Moorcroft	QMR Consulting & Professional Staffing	v
CLIENT REPRESENTATION (Federal Government Departments)		
Roland Dimitriu	Public Works & Government Services Canada (PWGSC)	v
Ray Paquette (Alternate for R. Dimitriu)	PWGSC	
Caroline Carson	Health Canada	v
Brenda Harlow	Natural Resources Canada (NRCan)	
POLICY & PROCESS REPRESENTATION (PWGSC Acquisitions Branch)		
John Penhale (Director)	Procurement Strategy and Performance Management Directorate (PSPMD), Office of Small and Medium Enterprises and Strategic Engagement (OSME-SE)	
Helen Seto (Supply Team Leader, Procurement Strategy Management Division (PSMD))	PSPMD, OSME-SE	
Adam Albahrani	PSPMD, OSME-SE	

(Alternate for Helen Seto)		
Lynn Ménard (Senior Director)	Acquisitions Account Executive Directorate (AAED), OSME-SE	✓
Janice MacDonald (Chairperson, & Senior Director)	Professional Services Procurement Directorate (PSPD), Services and Technology Acquisition Management Sector (STAMS)	✓
Rose Spirito (Deputy Chairperson, & Manager, Procurement Strategies Division (PSD))	PSPD, STAMS	✓
Mark Newman (Secretary, & Team Lead for THS, PSD)	PSPD, STAMS	✓
Stephanie Riley (Supply Specialist)	PSPD, STAMS	
GUESTS		
Normand Masse (Director General)	STAMS, Acquisitions Branch (AB), PWGSC	✓
Matthew Henry (Supply Team Leader)	Acquisitions Program Transformation, Business Management Sector, AB, PWGSC	✓
Jacynth Morgan (Supply Team Leader)	PSPMD, OSME-SE, AB, PWGSC	✓
Tara Egan (Client Service Officer)	AAED, OSME-SE, AB, PWGSC	✓

Meeting Minutes

1. Opening Remarks

- Normand Masse, Director General, Services and Technology Acquisition Management Sector (STAMS) introduced Janice MacDonald as the new Senior Director, Professional Services Procurement Directorate (PSPD) in STAMS, replacing Vincent Robitaille.
- The new Committee Chair, Janice MacDonald, welcomed those present.
- Round table introductions.

2. Acceptance of minutes for May 13, 2014 & February 25, 2014 THSAC meetings

- All in concurrence. The draft minutes for the THSAC meetings held on May 13, 2014 and February 25, 2014 were accepted.
- Minutes for previous THSAC Meetings are available via the Buy and Sell Tenders website at: https://buyandsell.gc.ca/cds/public/2014/06/27/c220a58a4f64876e4b1d5ca05749962e/minutes_of_meetings_-_english.zip.

3. THSAC Letter of Interest (LOI) E60ZN-14NTHS/A - Update

- An update was provided regarding LOI E60ZN-14NTHS/A published on the Buy and Sell Tenders website on June 27, 2014 (<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-ZN-004-27761>).
- A summary of THSAC membership expressions of interest received from suppliers (14) and clients (14) to be marked Protected and Confidential were presented for discussion purposes, together with various options for configuring the updated membership.
- Options that would require new Supplier Interest members to be prequalified for specified numbers of THS Standing Offer and Supply Arrangement streams triggered comments from current supplier members. It was

remarked that the number of streams for which a supplier is prequalified is not an indication of how good a supplier is. Current supplier members also expressed concern regarding options that would limit Supplier Interest membership to associations because this would be too restrictive and fail to provide proportionate industry representation.

- The Committee currently consists of 15 members (5 Supplier, 3 Client, 7 Policy & Process). In accordance with a recommendation made by Normand Masse, the members agreed that the committee size should be limited to a maximum of approximately 20 members in order that the Committee remains a manageable size.
- With respect to limiting the number of THSAC members per interest group, Normand Masse suggested the following.

Interest Group	Maximum Number of Members
Supplier	8 to 10
Client	5 or 6*
Policy & Process	5**

* With a focus on THS end users.

** Requires reducing the current number.

- A recommendation was made to include the participation of a representative of a central agency on the Committee. In particular, Normand Masse suggested that the Compensation and Labour Relations Sector of the Treasury Board of Canada Secretariat be represented on THSAC. This organization would be categorized as a Policy and Process interest group. (**Postscript:** To manage the size of the Committee, it was agreed that the participation of the Compensation and Labour Relations Branch would be as a guest on as required basis.)
- A supplier member suggested that new members should be added to the Committee that would be expected to have a constructive impact on improving the THS Methods of Supply.
- PWGSC will take into consideration the expressed opinions, and continue to refine the membership options for the Committee.
- A supplier member suggested that current client THSAC members could assist with qualitatively assessing supplier interest membership candidates.
- The requirement in the THSAC Terms of Reference (ToR) for members to regularly attend committee meetings was clarified. In particular, by using the word “may”, the following statement provides the Committee Chairperson (or alternate) with discretion when determining whether or not a member should be removed from the Committee for failing to attend meetings: “Failure to attend or provide an alternate for three consecutive committee meetings without written justification may be cause for termination of membership.”
- It was noted that if there were an interest in requiring quorum at THSAC meetings, the ToR for the Committee would need to be revised accordingly. Further discussion regarding the topic of quorum at THSAC meetings would need to be deferred until the updated THSAC membership is finalized.
- Some other topics were discussed and have been recorded in the minutes under agenda items 7 and 8.

ACTION ITEM(S):

- PWGSC will invite a representative of Treasury Board’s Compensation and Labour Relations Sector to participate as a guest at THSAC meetings on an as required basis..
- PWGSC will present a finalized updated THSAC membership at the next meeting.

4. Working Group Updates

- The Deputy Chair provided an overview (see below) of the four working groups that were established at the previous THSAC meeting held on May 13, 2014 to tackle assigned topics.

Working Group	Topic(s)	Members
1	Information Package for PWGSC Regarding the THS Industry	Jeremy Ingle (WG Chair)
2	Information Website for Temporary Workers via PWGSC Website	Paul Gagnon (WG Chair) Jeremy Ingle Brenda Harlow

3	THS Supplier Assessment	Dan Moorcroft (WG Chair) Others TBD
4	THS Client Satisfaction and Vendor Performance	Dan Moorcroft (WG Chair) Roland Dimitriu Rose Spirito Helen Seto

- The Working Group (WG) Chairs present at the meeting reported that there had been no working group activity over the summer.
- The Chair of WG 4 encouraged more members to volunteer to participate on the working groups.
- Since the topics for WG 3 and WG 4 are similar, it was agreed that they be merged into one. As a consequence, WG 4 will be dropped, and its topic and members will be incorporated into WG 3 as documented below.

Working Group	Topic(s)	Members	Due Date
3	<ul style="list-style-type: none"> • THS Supplier Assessment • THS Client Satisfaction and Vendor Performance 	Dan Moorcroft (WG Chair) Roland Dimitriu Rose Spirito Helen Seto Others TBD	TBD

- The Deputy Chair reported that the Supplier – Client (SC) and Supplier – Policy & Process (SP) working groups described in the current draft ToR for the THS Advisory Committee have not been established. Note that the draft ToR was prepared by introducing proposed revisions to the THSAC ToR issued in December 2013, including the proposed establishment of the two permanent supplier working groups.

5. THS Solicitations Update

Q1 (FY 14-15) Refresh

- Open to THS industry from April 1, 2014 to June 30, 2014.
- Published and accessible via the Buy and Sell Tenders website.
Request for Standing Offer (RFSO): E60ZN-110002/F:
<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-ZN-002-26793>
Request for Supply Arrangement (RFSAs): EN578-060502/I:
<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-ZN-004-26794>
- Evaluations, awards, debriefs and close out will be conducted from July 1 to September 30, 2014.
- 5 RFSO bids were received (all from new suppliers); 4 were found compliant, bringing the total number of THS SO holders up to 167.
- 7 RFSAs bids were received (6 from new suppliers and 1 from an existing holder); 6 were found compliant, bringing the total number of THS SA holders up to 181.

Q2 (FY 14-15) Refresh

- Open to THS industry from July 1, 2014 to September 30, 2014.

6. THS Utilization Reporting Update

- An updated summary of THS quarterly utilization report data including Q4 for fiscal year 2013 - 2014 (FY 13/14) and Q1 for FY 14/15 was presented.
- Members were reminded that for all quarters after Q2 of FY 13/14, the data was based upon actual award amounts; whereas for Q2 of FY 13/14 and for all prior quarters, the data was based upon invoicing amounts.
- The figures presented demonstrate that the split between SO and SA usage has not changed much since fiscal year 2010 - 2011; typically 70% SO usage and 30% SA usage, ± 5%. The only observed anomalies during this period occurred in Q3 and Q4 of FY 12/13, when SA usage was reported to have been approximately 44% based upon

reported values.

- Based upon THS Quarterly Usage Report (QUR) data at August 26, 2014, the following was presented for Q1 of FY 14/15 for the THS SO & SA:
 - Business Volume by Supplier (Top 15)
 - Business Volume by Client Department & Agencies (Top 15)
 - Number of SO Call-ups and Average Award Values for the Top 15 SO Suppliers with respect to Business Volume
 - Number of SA Contracts and Average Award Values for the top 15 SA Suppliers with respect to Business Volume
 - Number of THS Call-ups, Contracts, and Amendments
 - Business Volume by “Activity Type” (i.e. Call-up, Contract, and Amendment)
 - Number of Client Departments & Agencies that used or did not use each THS Method of Supply
 - Number of SO Call-ups by THS Classification (10 Most Used Classifications)
 - Number of SA Contracts by THS Classification (10 Most Used Classifications)
 - Business Volume by THS Classification
- Discussions took place regarding the QUR data reported.
- In particular, concern was expressed regarding THS business volume reported by suppliers without identifying the THS classification of the resource(s).
- The THS Authority will work to establish and implement quality assurance processes for QUR data, some of which will address shortfalls associated with the current THS QUR template.

ACTION ITEM(S):

- PWGSC will perform quality assurance on the THS QUR data for Q1 of FY 14/15, and when necessary go back to suppliers regarding missing or inconsistent quarterly reporting.

7. Other Business

Security Clearance Concern

- A supplier member explained that when security is required for a professional services contract, current federal government policy requires individuals that are incorporated consultants to hold a Facility Security Clearance (FSC), even when they are subcontracted by a firm that already has an FSC. The member questioned why this is being done, and commented that requiring FSCs for incorporated consultants is causing delays (up to a year) and creating a barrier to winning contracts. The member reported that the Canadian Industrial Security Directorate (CISD) of PWGSC is currently overwhelmed with security clearance requests, and suggested that the current policy needs to be changed.
- It was noted that many of the consultants already have a personal security clearance, but very few have an FSC. To avoid the FSC requirement for incorporated consultants, a supplier member indicated that in some cases a THS firm could enter into an employer-employee relationship with the individual; that is, hire the person rather than subcontracting.
- Lynn Ménard identified that she participates on PWGSC’s Supplier Advisory Committee (SAC, <http://www.tpsgc-pwgsc.gc.ca/app-acq/ccf-sac-eng.html>), and will raise the concerns outlined above at next week’s SAC meeting.

ACTION ITEM(S):

- PWGSC will report back to the Committee as it receives updates regarding CISD’s action plan to address security clearance delays including FSC as reported above. Note this is not unique to THS, but affects all contracting activities.
- Lynn Ménard will raise security clearance concerns at the SAC meeting scheduled for the week of September 15, 2014, including the following: 1) The requirement for individuals to hold an FSC when subcontracted; and 2) Security clearance delays. She will provide an update at the next THSAC meeting.

Supplier Proposal Information Confidentiality

- A concern was expressed by a supplier member regarding the confidentiality of a work plan that his firm provided to a federal government client in response to a bid. According to the member, his firm’s work plan was provided by the client to another firm that was awarded the contract.
- The affected supplier member indicated that he did not want to identify the client involved in the intellectual

property (IP) infringement incident, but would prefer that the matter be addressed in a more global manner (e.g. communiqué to remind federal government clients).

- PWGSC commented that this instance of IP infringement could not have pertained to a THS contract because the THS Methods of Supply do not require suppliers to provide work plans. Consequently, it was agreed that no action would be required by the THS Authority.

THS Training

- It was reported that the online training module for THS for the NCR is now available on Skillport, PWGSC's interim Learning Management System.

ACTION ITEM(S):

- Once the list of registered identified users of THS for the NCR has been updated, PWGSC will issue a communiqué to all users announcing the availability of the training module, and encouraging them to complete the training as a refresher. (**Postscript:** A communiqué was issued on October 8, 2014 to all registered identified users of THS for the NCR regarding the training module available on Skillport.)

Quick Fixes for THS

- The development of a National Goods & Services Procurement Strategy (NGSPS) for THS will bring about change and improvements in the long term. PWGSC commented that in the interim, consideration could be given to introducing immediate measures to impact and improve the current THS Methods of Supply.

For Consideration During the Development of a NGSPS for THS

- A supplier member claimed that there is nothing in the THS Methods of Supply to evaluate the quality of THS resources. Clients are forced to accept a resource if the resource appears to be good on paper. The Deputy Chair responded by stating that this should be addressed through training. That is, clients must be reminded that it is possible to require references for resources, but this must be identified in Requests for Availability and Requests for Services.
- A client member suggested that the THS tool could be driving the unethical behavior of some THS suppliers, and that clients need to report incidents to PWGSC more often. PWGSC needs to be made more aware of unscrupulous supplier practices to support efforts to improve the THS Methods of Supply in ways that would help prevent such practices. The client member added that the use of THS needs to be restricted. For example, it should not be used by clients as a hiring vehicle (e.g. acquiring a Special Advisor through THS for a period of time with the intent of subsequently hiring the individual as a permanent federal government senior executive).
- A supplier member commented that some clients are specifying a senior level resource in a Request for Availability, even though the work to be done should only require a junior level resource. The member suggested that this is being done because resources are not available at the low paying, lower levels for some classifications. The use of this tactic suggests that the THS Standing Offer is not working as it was intended.

8. Round Table Discussion

- A supplier member questioned what the raison d'être is for THSAC. The Deputy Chair identified that this is explained in the THSAC Terms of Reference (ToR). A relevant excerpt is quoted below.
 - 1.0 Purpose of Committee
 - 1.1 To assist Public Works and Government Services Canada (PWGSC) Acquisitions Branch (AB) in the management, enhancement and further development of its pre-competed procurement instruments (hereafter referred to as methods of supply) for the provision of clerical, administrative, operational, technical and professional temporary help services (par. 5.0) to federal government departments in the National Capital Region (NCR) by providing advice and/or recommendations concerning the methods of supply.
 - 1.2 To provide a forum for frank and open communication between all interest groups as identified herein, regarding the provision of temporary help services (THS) to federal government departments in the NCR.
 - 1.3 To monitor the implementation and to report on the effectiveness and efficiency of improved methods of supply for the provision of THS to federal government departments in the NCR.
- If a member would like to suggest changes to the THSAC ToR, they should send their recommendations to the THS Authority.

- THS Extensions: A client member commented that when a THS extension request has been denied because of the terminology used (e.g. references to words such as expertise, project, deliverable), he has never had a problem rectifying and clarifying the matter afterwards. He added that the THS call-ups and contracts with which his group has been involved have been legitimate with respect to the value and duration of the original call-up or contract. That is, he has not observed clients intentionally under scoping original THS call-ups or contracts, and then increasing their value and duration later via amendment(s).
- According to a Policy & Process member, the development of National Goods & Services Procurement Strategy (NGSPS) for THS will be effective with respect to soliciting broad stakeholder engagement and addressing misuse of the THS Methods of Supply.
- It was suggested that the NGSPS for THS should not just tweak the current Methods of Supply, but also consider leveraging new technology expected to arise from the federal government's e-procurement initiative.
- It was clarified that work on a draft NGSPS for THS has not yet begun. There are various engagement steps that need to be completed first (e.g. issuing questionnaires, holding face-to-face meetings and webinars with stakeholders, gathering and analyzing stakeholder feedback).
- In light of the QUR data presented at the meeting, a supplier member recognized that a lot of work needs to be done in terms of quality assurance and ensuring that QUR reports are filled out completely and accurately by suppliers.
- The Chair commented that she is looking forward to participating on THSAC, and interested in seeing concrete outcomes.

9. Next Meeting

- The date for the next committee meeting is to be determined.
- Tuesday November 25, 2014 would likely be the soonest date for the next meeting.

10. Meeting Adjournment

- The meeting adjourned at approximately 16:00.

Attachments:

- Deck presented at September 9, 2014 meeting.