

**ACTION PLAN IMPLEMENTATION STATUS UPDATE
REPORT TO THE AUDIT COMMITTEE - AS OF MARCH 31, 2012**

Policy and Strategic Direction, Treaties and Aboriginal Government, Chief Financial Officer			
<i>Audit of Exceptional Contracting Limits Authority</i> APPROVAL DATE: 22/09/2011			
PROJECT RECOMMENDATIONS	ACTION PLAN	EXPECTED COMPLETION DATE	PROGRAM RESPONSE
1. The SADM of Policy and Strategic Direction provides guidance as to what is considered appropriate evidence for monitoring and to demonstrate that there has been consideration as to the availability of funds and that such evidence be retained on file. For example, the deliverable checklist could be used more consistently to provide such monitoring evidence.	<p>The deliverable checklist will be used consistently by all LMRB case managers and will be retained on file.</p> <p>Once an invoice is received, case managers will complete the deliverables checklist attesting to the fact that the service has been received. The checklist indicates the progress and deliverable receipt. This checklist is provided to the RCM as evidence of deliverable receipt prior to section 34 sign off.</p>	September 2011	<p>Status: Implemented/completed September 2011</p> <p>Update/Rationale: As of 31/03/2012:</p> <p>Starting in September 2011, Litigation Management and Resolution Branch (LMRB) ensures that all documentation needing section 34 approval is closely reviewed and approved by filling out a deliverables checklist prior to RCM approval. No new and/or amendment ECLA contracts being reviewed/processed unless the RCM has previously approved via e-mail as to the availability of funds.</p> <p>Responsible Manager: <u>Policy and Strategic Direction Sector (PSD)</u> Director, Eastern Litigation, Litigation Management and Resolution Branch (LMRB); Director, Western Litigation, LMRB; or Director, Litigation Portfolios, Outreach and Negotiations, LMRB.</p> <p>AES: Recommend to close.</p>
2. The SADM of Policy and Strategic Direction ensures that all contracts	LMRB's Business Centre will continue to work closely with Procurement	September 2011	<p>Status: Implemented/completed September 2011</p>

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are created using AANDC standard templates to ensure that all contracting requirements are clearly articulated and defined in accordance with the Contracting Policy.	<p>Services Section officials in the Material and Asset Management Division, CFO Sector. The Procurement Services Section is the ultimate authority responsible for ensuring standard templates are used and contain all necessary information and clauses in accordance with TB Contracting Policy Requirements.</p> <p>LMRB created, in collaboration with the Procurement Services Section, an in-house LMRB Authorization Request template for CDs and EW. This documentation has been made readily available to all LMRB case managers via a dedicated chapter in the LMRB DeskBook. This chapter highlights in-house templates, notes contracting limits, enumerates the requisite steps for securing services, provides a list of documents necessary to commence the contracting process (ie Statement of Work (SOW), security requirement checklist, contractor's proposal, fee</p>		<p>Update/Rationale: As of 31/03/2012:</p> <p>Starting in September 2011, Litigation Management and Resolution Branch (LMRB) ensures that all ECLA authorization templates and DeskBook are circulated to all LMRB Case Managers. LMRB-Business Centre keeps close contact with Procurement Services Section in regard to the use of AANDC ECLA standard templates.</p> <p>Responsible Manager: <u>Policy and Strategic Direction Sector (PSD)</u> Director, Eastern Litigation, Litigation Management and Resolution Branch (LMRB); Director, Western Litigation, LMRB; or Director, Litigation Portfolios, Outreach and Negotiations, LMRB.</p> <p><u>Chief Financial Officer Sector (CFO)</u> Director, Material and Assets Management Directorate, Corporate Accounting and Materiel Management</p> <p><u>CFO Update:</u></p> <p>PROGRAM RESPONSE : Status : Request to close (completed) Update/Rationale:</p>

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	<p>certification, CV, DOJ attestation of contractor choice/SOW/timing, etc). This in-house template is used by all LMRB case managers when seeking SADM and/or MO approval (depending on the amount of contract).</p> <p>Once approval is secured from the SADM and/or MO, LMRB forwards the necessary documentation to the Procurement Services Section via the Departmental IProc OASIS Program.</p>		<p>As of 31/03/2012:</p> <p>Business Centre and Material and Assets Management (MAM) work closely to ensure that the standard templates are used and the necessary information is put on contracting files. MAM reviews all requests for ECLA and ensures that the contracts are in accordance with TB Contracting Policies.</p> <p>AES: Recommend to close.</p>
3. The SADM of Treaties and Aboriginal Government ensures that all Ministerial approval documentation requirements are obtained and retained on file.	In addition to the existing hard copy filing system, an electronic filing mechanism has been put in place in January 2011 for the 2010-2011 annual table review. This now ensures that all Ministerial approval documentation requirements are traced and properly stored electronically and on paper. In addition, a CFN directory spreadsheet has been created in December 2010 including a check list	Implemented/ completed January 2011	<p>Status: Implemented/completed January 2011</p> <p>Update/Rationale: As of 31/03/2012:</p> <p>Since January 2011, TAG has put in place an electronic filing mechanism ensuring that all Ministerial approval documentation requirements are traced and properly stored electronically and on paper. In addition, a CFN directory spreadsheet has been created in December 2010 including a check list for all steps of the nomination process and requirements.</p>

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	<p>for all steps of the nomination process and requirements.</p> <p>Federal negotiators and representatives' nomination signed by the Minister are scanned, archived into an external drive and respect a file naming convention. The hard copy of the approved document is also kept on the federal negotiator/representative's paper file, and the date of ministerial approval is marked in the CFN Directory.</p>		<p>Responsible Manager: Treaties and Aboriginal Government Sector (TAG) Senior Manager, Strategic Initiatives Unit, Financial Management and Strategic Services Branch (FMSS)</p> <p>AES: Recommend to close.</p>
4. The SADM of Treaties and Aboriginal Government ensures that appropriate evidence of security clearance verification is obtained and retained on file prior to the commencement of contracts.	In addition to current practices to indicate in the CFN directory when security clearance requests and confirmations are sent/received from security, all appropriate documentation related to requests and confirmations of security clearance will be saved in CIDM, and a hard copy will be put on the CFN file. This will ensure that appropriate evidence of security clearance verification is obtained and retained on file prior to the commencement	September 2011	<p>Status: Implemented/completed, September 12, 2011</p> <p>Update/Rationale: As of 31/03/2012:</p> <p>Since September 12, 2011 TAG ensures that all appropriate documentation related to requests and confirmations of security clearance are saved in CIDM. Hard copies are properly stored in the CFN file. This now ensures that appropriate evidence of security clearance verification is obtained and retained on file prior to the commencement of the Federal negotiators and representatives' contract.</p>

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	of the Federal negotiators and representatives' contract.		Responsible Manager: Treaties and Aboriginal Government Sector (TAG) Senior Manager, Strategic Initiatives Unit, Financial Management and Strategic Services Branch (FMSS) AES: Recommend to close.
5. The SADM of Treaties and Aboriginal Government and the SADM of Policy and Strategic Direction ensure that appropriate Department of Justice approval documentation is obtained and retained on file.	<p>A new field will be included in the CFN Directory to indicate if Department of Justice approval documentation has been received when required. A copy of the approval will be saved in CIDM and also kept in the CFN paper file.</p> <p>LMRB will ensure that the documentation is both obtained and retained on the file.</p> <p>LMRB's DeskBook includes a chapter dedicated to ECLA contracting. This chapter highlights the requirement to have DOJ attest to the choice of contractor, SOW and the timing.</p>	September 2011	Status: Implemented/completed, September 12, 2011 Update/Rationale: As of 31/03/2012: Since September 12, 2011, TAG ensures that a new field has been included in the CFN Directory to indicate if Department of Justice approval documentation has been received when required. A copy of the approval is saved in CIDM and also kept in the CFN paper file. LMRB ensures as well that the documentation is obtained and retained on the file for Crown deponents and expert witnesses. LMRB's DeskBook includes a chapter dedicated to ECLA contracting. This chapter highlights the requirement to have DOJ attest to the choice of contractor, SOW and the timing. As a complementary piece, LMRB is currently developing a "how to" guide for cases

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	As a complementary piece, LMRB is currently developing a "how to" guide for cases managers which clearly outlines all of the requisite steps for putting an ECLA contract in place. This guide specifically highlights the requirement to obtain a justification memo from the Department of Justice which sets out their rationale for contractor recommendation and attests to the SOW and timing.		<p>managers which clearly outlines all of the requisite steps for putting an ECLA contract in place. This guide specifically highlights the requirement to obtain a justification memo from the Department of Justice which sets out their rationale for contractor recommendations and attests to the SOW and timing.</p> <p>Responsible Manager: <u>Treaties and Aboriginal Government Sector (TAG)</u> Senior Manager, Strategic Initiatives Unit, Financial Management and Strategic Services Branch (FMSS)</p> <p><u>Policy and Strategic Direction Sector (PSD)</u> Director, Eastern Litigation, Litigation Management and Resolution Branch (LMRB); Director, Western Litigation, LMRB; or Director, Litigation Portfolios, Outreach and Negotiations, LMRB.</p> <p>AES: recommend to close.</p>
6. The Chief Financial Officer ensures that Section 41 approvals are appropriately completed for contractual arrangements and amendments and the SADM of Treaties and Aboriginal Government	<u>CFO:</u> Materiel and Asset Management (MAM) has a Service Contract Amendments - Policy and Procedures document, which procurement officers and RCMs are expected to	September 2011	<p>Status: Implemented/completed, September 12, 2011</p> <p>Update/Rationale: As of 31/03/2012:</p> <p>Starting in September 12, 2011, CFO ensures that</p>

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<p>ensures that Section 41 approvals are retained on file as evidence that contractual arrangements and amendments are agreed to by all relevant parties.</p>	<p>follow. MAM will be providing further guidance and information sessions to procurement officers to ensure that complete files are requested and kept for amendments to contractual arrangements.</p> <p><u>SADM:</u> Strategic Initiatives Unit will ensure that the responsible program provides copies of the Federal negotiator/representative contract. A copy of the contract will be kept in the appropriate Federal negotiator/representative's file.</p>		<p>Materiel and Asset Management (MAM) is providing further guidance and information sessions to procurement officers to ensure that complete files are requested and kept for amendments to contractual arrangements. Further a new document management system has been implemented that has already shown to be more robust.</p> <p>Since September 12, 2011, TAG ensures that the responsible program provides copies of the Federal negotiator/representative's contract. A copy of the contract is now kept in the appropriate Federal negotiator/representative's file.</p> <p>Responsible Manager:</p> <p><u>Treaties and Aboriginal Government Sector (TAG)</u> Senior Manager, Strategic Initiatives Unit, Financial Management and Strategic Services Branch (FMSS)</p> <p><u>Chief Financial Officer Sector (CFO)</u> Director, Material and Assets Management Directorate, Corporate Accounting and Materiel Management</p> <p><u>CFO Update:</u> PROGRAM RESPONSE : Status : Request to close (completed) Update/Rationale:</p>

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			<p>As of 31/03/2012:</p> <p>Material and Assets Management (MAM) has been providing guidance and information sessions to RCMs on procedures on Service Contracts Amendments. MAM will also be providing sessions and new tools for the Procurement Officers will follow.</p> <p>AES: Recommend to close.</p>