

AGENDA

YCC – Procurement Meeting Minutes

Oct 23rd, 2023; @ 1:00pm (No quorum, only 2 attendees)

Attendance: Eri Boye, Marcos Castillo

Absent: Mike Pemberton, Terry Sherman, Scott Ward, Andrei Samson (WCC), Amos Westropp, Keara Hlewka (interim participant), Denny Koboyashi

Proposed Agenda: Approved. Past minutes approved (seconded)

October notes in fuchsia. (No quorum, only 2 attendees)

September update in gold

**August notes in Dark Green – Discussion, updating on committee, purpose, etc.
Full meeting not held due to insufficient members (only chair and interim participant)**

July notes in darker orange/brown

June notes in Purple

May updates in turquoise

April updates in turquoise

March update in orangish-red

Feb – green text Shayna shared ToR

Jan meeting update in orange

Dec 2023 updates in Black

Nov 2022 meeting in blue

1. Review previous minutes
 - Addressed
 - Next month we may have a new member from WCC – Brandon? (may join next meeting).
 - Keara to see if YCC has a member to attend (Amos is designated).
2. **Committee meet with Auditor General**
 - Update
3. **YG BVR Meeting – Nov 2nd**
 - Need list of people to include.
4. **Doug Gondor – Norcope Complaint**
 - Eri had phone conversation with him.
 - Doug provided email.
5. **YG Procurement Complaints:**
 - Complaint from WCC

- Yukon business reached out to WCC regarding complaint about tender (part of focus is on non-yukon owned business won work over yukon owned business).
 - YC & WCC to look at taking on this type of complaint. Recommend to WCC to get information from complainant in regards to why award did not follow policy or bid document.
 - Denny to follow-up with proposal to YC and WCC boards to advance.
 - Marcos to talk with TEC Yukon
 - Complaint to YC – Doug Gonder.
 - Concerns over payment from YG. Concerns about what the YC and WC are doing to support local businesses, within the YG procurement process.
 - Eri to follow-up with a phone call.
6. YG Proposal - Ed:
 - Vendor performance working group – process – proposal. End of contract evaluation (current approach is 3/5 is a standard rating). This will impact next contract. Higher scores are at PM discretion, as well as lower scores. How do bad score get changed, what is the starting score?
 - **Proposal needed for working group to work with YG. Denny will look into proposal development, will talk to Luke. Denny to get back to Ed (YG), yes want to participate.**
7. TOR (YCC & WCC) – update
 - Need to approval from YC Board (Keara to talk to Luke)
 - To board level for review. Possibly rotate chair between chambers – comment. Also address committee composition (WCC and YCC member, does not need board members) – comment.
8. Vendor Performance Review
 - Proposal, as discussed for Ed (YG)
9. BVR Meeting May 18th – Update
 - YG recommendation completed internally. Recommendation letter to D. Minster. YC and WCC would like to share with business community (YG approval).
10. General Update – Previous Action Items
 - Denny done at YC. Denny to sit on committee as independent.
11. Input from members
 - General business/labour market survey for YC (40 businesses responded)
 - YCC is planning strategic review for Board and for survey with annual process
12. Next steps/goals
 - Outlined above
13. Other
 - No further action

Discussion:

- 1) Introductions:

- 2) Review Previous Minutes: Reviewed, and seconded – June updates in purple.
- 3) Kyle leaving:
- 4) TOR (YCC & WCC):
- 5) Upcoming Vendor Performance:

- 6) General Update – Previous Action Items (complete?)
 - i. **ACTION ITEM – YCC and WCC to codevelop ToR for Procurement**
 - a. Denny is lead...YCC
 - b. Kyle is available to meet VPR consultant.
 - i. Need to get a survey out to membership to understand pain points and concerns – Kyle via Andrei
 - ii. Andrei need to speak more with Denny about survey.
 - c. Shayna to lead – YCC has received the WCC ToR. Procurement has been split out from buy-local from WCC.
 - d. Feb – green text Shayna shared ToR
 - e. March update in orangish-red: Nearing draft completion for sharing with committees. Move to sharing with groups and wrapping up questions.

 - ii. **ACTION ITEM - Next steps: set up meeting with Minsters, assemble team.** YCC to pick a focused list of priorities and provide them to YG/YCC/WCC in advance, and then meet. – Shayna to Coordinate with Denny/Eri/Andrei
 - a. New leader/ministers – Procurement Minister, and DMs the same. Shayna to support setting up meeting.
 - i. Agenda – YFNPP/BVR and Performance review and how it is going to work (industry conference March 8th)
 - ii. Draft document for delivery after March 8th.
 1. What to ask, and who to include?
 2. Kyle/Shayna to have lunch next week to discuss. Amos willing to provide email support. (March 8th draft deadline for meeting in March)

- b. ACTION ITEM: Possibly to send out a YCC members survey (Andrei and Shayne to meet), WCC to follow?

- c. Denny – Shayna just back – few big items for discussion with Minsters included vendor performance review

- d. Need update from Denny – YCC as there has been turnover.

Action Item – meeting with deputy first – Denny and Shayna to set-up

- i. **ACTION ITEM - Shayna and Denny to look at setting up 1-hr zoom call for member (i.e. lunch and learns/Friday calls)**
 1. Jan. Update – to follow-up with Shayna today (Jan 16th)

2. No update

- 7) Vendor Performance Review (Denny) – Continued from last meeting (items for minister discussion)
- a. Need to set-up a meeting with Ministers (perhaps independent meeting): Agenda items for meeting with Minister should include:
 - i. Status update?
 - ii. How is YG providing staffing support for this?
 - iii. How does a business recover from poor performance? Is there a time limit on this? Where to do new vendors rank?
 - 1. Right now, feeling it seems that it is easier to lose points than gain points (currently completing a process successfully gets a rank of 8/10) – **Perhaps there needs to be a technical working group to oversee.**
 - 2. **Contractors would appreciate technical support (navigator) for the process**
 - iv. Is there an appeal process, who will be on this board?
 - v. Should there be a penalties/reward system?
 - vi. Refer to Nov 8th meeting minutes for additional points.
 - b. Denny – Priority for coming year for YCC – Need to ask YG how this is going to work? Ties into YFNPP, and underperformance of tender promise. → **Needs a technical working group set-up for this, industry needs to be involved.**
 - c. Amos – YFNPP was not catalyst for Vendor Performance Review, but VPR was discussed during development of policy and was seen as a vehicle for supporting contractor compliance with regards to YFNPP. Supports technical working group → to look at details of implementation. YCC needs to prepare for technical working group if that is the ask. Contract management is also a contributing factor.

Minster Agenda Item:

YG project staffing, and additional requirements for YG PMs. Where is the capacity and oversight to ensure that the VPR is done with natural justice and fairness?

- d. Denny – put forward questions from these meetings. A number of key questions that are needed to be discussed
 - i. Item – what is a First Nations Business?
 - ii. Amos – Not related to vendor performance review. There has been only 1 judicial review for application. Wondering about time (date and time) with ministers – what is to be talked about (priorities).
 - iii. Denny – Correct, a number of other items are simmering under the covers. Perhaps the committee should meet with the Deputy (Katherine), prior to requesting this meeting with the ministers.
 - iv. Summary – 2 key points (1- Vendor performance review & 2 – YFNPP).

***ACTION ITEM: Denny, Shayna to set up agenda and meeting with Deputy (Katheine) as prep for ministers meeting. *Try for meeting within a month**

- e. Dilan – To email topic for discussion on next meeting
- 8) Input from members
- a. Andrei to meet with Denny to help develop
 - b. Survey may help
 - c. No update - Shayna
- 9) Next steps/goals – Review and update (Nov meeting) in blue, this Dec meeting in (black), Jan meeting in orange, Feb in green
- a. ToR develop – YCC and WCC collaboration (in development)
 - b. Set-up meeting with Minsters (item 4) and develop list of concerns (follow-up today)
 - i. Terry - Select team to meet with Minsters (3 to 4 people). Develop key concerns.
 - ii. Denny – 3-4 people may work; more may be better. May be some strength in numbers, even if people are only observers.
 - iii. To discuss – Kyle – Do we understand all barriers that members are facing?
 - 1. Next steps: Barriers for all industry areas (not only construction, i.e., IT, environmental, engineering, etc.) (Andrei to talk with Kyle)
 - iv. Denny – Working on a project to help identify these items, probably not there now. Currently don't have. Can do surveys, website.
 - c. Training and mentoring of YFN's (MRC continues to raise awareness of this. Should this be raised at meeting. Not only for FNs but also for YG PMs). May need to connect with Yukon Contractors Association (Cheating and education)
 - i. Next steps are not clear (ACTION ITEM)
 - 1. Flag for discussion with Ministers (at some meeting)
 - 2. Perhaps technical working group to be formed?
 - 3. This is to dovetail with the YFNPP – and how to make things practical.
 - 4. Immediately – support for YFNs going to school/training (on site, virtually, or in person)
 - 5. Long-term – Changing programs and training ways/approach
 - d. Kyle - Amos and Scott should be included in discussions for questions for Minister?
 - e. Amos – Wants to think about question a little longer, during YFNPP workforce development was late to the policy development → Minister of Economic Development, Yukon First Nation's workforce development also plays a role in this.
 - f. Denny – MRC – challenge → workforce development (on all sides).
 - g. Scott – To include training and education as it is part of the YFNPP.
 - h. Amos – Source of funding for workforce development. Next step: tools for implementation.

*Should include as part of meeting with deputy (Katherine). Update on funding and what are next steps (tools, and how thing advance).

- i. Denny – MRC (monitoring review committee) – support joint meetings with technical working group, industry, and FNs, not sure about format but good to see interest.

j. Amos – Andrei – Dilan will review TOR

10) Other

a. Nothing

b. Dilan to send email with item.

i. Dilan to ask a few questions about tenders... YG is not following protocols on identified tenders.

Adjourned: 11:54am

Next meeting – proposed for: Nov 27th, 11:00am (WCC to lead if Eri is away)