

Increasing the Use of Alternative Dispute Resolution Services for Contractual Disputes

Introduction

This action plan outlines the proposed actions to increase the use of the Office of the Procurement Ombudsman’s (OPO) Alternative Dispute Resolution (ADR) services. These services help resolve contractual disputes.

Background

In keeping with the Treasury Board requirement to periodically assess the value for money of federal programs, OPO hired an external firm in 2012 to evaluate the effectiveness of the Office during its first three years of operation. The evaluation report indicated the Office’s mandate has been implemented as intended and that there is an ongoing need for the services being provided. Nonetheless, there were five recommendations made to enhance the effectiveness of the Office.

One of those recommendations was that additional analysis should be undertaken to increase the extent of use of OPO ADR services.

The recommendation is consistent with the commitment made in OPO’s 2012-13 integrated business plan to increase awareness of the OPO ADR program. As part of its communication strategy, OPO will continue to promote its ADR program to departments and suppliers. To that end, ADR is appropriately featured in OPO presentations and communications products.

In addition, OPO identified and implemented a number of action items to increase awareness of, and use of, OPO ADR services. Specific action items are represented on the following table.

#	Action	Status
1.	Promote the use of OPO services, including ADR, by including information in procurement documents: <ul style="list-style-type: none"> a) Letters from the Minister of PWGS to cabinet colleagues to encourage departments to include clauses in their solicitations, contracts and regret letters informing suppliers of OPO services, including ADR b) Letters to Deputy Heads, of federal organizations within the OPO mandate to provide draft clauses for inclusion in documents. 	Done – June 2013 Done – July 2013
2.	Contact the Department of Justice <ul style="list-style-type: none"> a) Ensure Justice Counsels are aware of OPO services, including ADR. 	Done – Jan 2014

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	b) Provide Justice with information and/or training on OPO services.	
3.	Determine whether OPO can publish ads in trade magazines and magazines targeted towards suppliers to raise awareness of OPO's services amongst those who can benefit from them (i.e. suppliers); identify external approval and reporting requirements (if any).	Done – Approvals obtained and publishing initiated.

#	Action	Status
4.	Request that information on OPO (or links to OPO website) be added to the buyandsell.ca web site	Done – Fall 2013

#	Action	Status
5.	In the Resources and Policies and Processes section of GCpedia, post descriptions of OPO's ADR processes (tailored to government readers)	Done – August 2013
6.	Provide Service Canada with information on OPO services, so that if procurement-related issues arise front-line staff will be aware of the option of OPO services	Done; info provided June 2013

#	Action	Status
7.	Contact Industry Canada and provincial counterparts to make information available on OPO services to newly incorporated businesses.	Done - June 2013