

April 3, 2019



Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [File #: EC/11/2019]

On March 6, 2019, Executive Council – Cabinet Secretariat received your request for access to the following records/information:

“Please provide a list of all consultants employed by the government of Newfoundland and Labrador (by department), including their name, company name (if applicable) and the amounts they have been paid for the fiscal years 2016-17, 2017-18, 2018-19 to date. Please include how these contracts were awarded, such as through an RFP/Competitive Process; Standing Offer; or non-Competitive/Sole Source.

Consultants would be:

- individuals and/or companies hired outside of regular government payroll;*
- individuals and/or companies who have been awarded contracts through the RFP process and outside of the RFP process; or*
- individuals and/or companies who would provide a specific service.”*

On March 12, 2019, you were advised Cabinet Secretariat does not maintain a list of all consultants employed by the Government of Newfoundland and Labrador (by department) and you were required to file a separate access to information request to each individual department.

Please be advised that a decision has been made by the Deputy Clerk of Executive Council to provide access to the information requested related to Cabinet Secretariat. Please refer to the attached table, prepared specifically for your request.

You may ask the Information and Privacy Commissioner to review the processing of this request, as set out in section 42 of the *Act* (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the response and why you are submitting the appeal. Contact information for the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive this response, pursuant to section 52 of the *Act* (a copy of this section of the Act has been enclosed for your reference).

This response will be published as outlined on the Completed Access to Information Requests website. (<http://atipp-search.gov.nl.ca/>). If you have any further questions, please feel free to contact me by telephone at (709)729-5691 or by e-mail at rachellecutler@gov.nl.ca.

Sincerely,

A handwritten signature in cursive script that reads "R. Cutler".

Rachelle Cutler
ATIPP Coordinator
Enclosure

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).

Exec Support

GL Date	Supplier Name	Description	Distribution Amount	Tax Amount	Total	Awarded By (RFP/Competitive Process; Standing Offer; or non-Competitive/Sole Source)
7/27/2016	ERNST & YOUNG LLP	Statement of Work - Government Renewal Initiative - Registries, Infrastructure Procurement.	232,771.06	30,260.24	263,031.30	Contract for Services related to the Transformational Change Initiative Master Agreement dated September 28,2015 (competitive process)
12/22/2016		Statement of work- Government Renewal Initiative- Library Systems Review	64,156.00	9,623.40	73,779.40	
12/22/2016		Statement of work- Government Renewal Initiative- Program Management, Air & Marine and Real Estate.	327,171.00	49,075.65	376,246.65	
3/2/2017		Statement of work- Government Renewal Initiative- Program Management, Air & Marine and Real Estate.	166,716.00	25,007.40	191,723.40	
3/2/2017		Statement of work- Government Renewal Initiative- Library Systems Review	78,952.00	11,842.80	90,794.80	
3/31/2017		Statement of work- Government Renewal Initiative- Program Management, Air & Marine and Real Estate.	340,295.00	51,044.25	391,339.25	
3/31/2017		Statement of work- Government Renewal Initiative- Library Systems Review	110,255.00	16,538.25	126,793.25	
3/31/2017		Statement of work- Government Renewal Initiative- Program Management, Air & Marine and Real Estate.	26,693.00	4,003.95	30,696.95	
3/31/2017		Statement of work- Government Renewal Initiative- Program Management, Air & Marine and Real Estate.	68,955.00	10,343.25	79,298.25	
7/27/2016		ERNST & YOUNG LLP	Muskrat Falls Project Review	15,954.00	2,074.02	
8/23/2016	ERNST & YOUNG LLP	Muskrat Falls Project Review	35,748.00	5,362.20	41,110.20	
10/24/2017	ERNST & YOUNG LLP	Statement of Work - Muskrat Falls Oversight Committee - EY Update Report	257,674.00	38,651.10	296,325.10	Contract for Advisory Services for the Muskrat Falls Oversight Committee dated April 1, 2015. (Competitive Process)
8/30/2016	HILL ADVISORY SERVICES INC	Consultant services. Start Date August 15, 2016 Completion Date October 17, 2016	8,640.00	1,296.00	9,936.00	Competitive process
8/30/2016			2,395.41	359.31	2,754.72	
3/30/2017			7,560.00	1,404.00	8,964.00	
3/31/2017			2,278.67	0.00	2,278.67	
3/30/2017			3,456.00	576.00	4,032.00	
3/30/2017			1,728.00	288.00	2,016.00	
3/21/2017	M5 MARKETING COMMUNICATIONS INC	Estimated cost of Audio Visual Assets as per Contract with Communications Department.	13,626.00	2,043.90	15,669.90	Completed under the Agency of Record Agreement dated April 13, 2015. (Competitive Process)
3/31/2017	M5 MARKETING COMMUNICATIONS INC	Estimated cost of Audio Visual Assets as per Contract with Communications Department.	30,589.00	4,588.35	35,177.35	
2/8/2019	STEWART MCKELVEY	Consultant Fees - June 4, 2018 - March 31, 2019	6,682.99	1,002.45	7,685.44	Sole source within the prescribed financial threshold of the consultant guidelines

Planning Coordination

GL Date	Supplier Name	Description	Distribution Amount	Tax Amount	Total	Awarded By (RFP/Competitive Process; Standing Offer; or non-Competitive/Sole Source)
9/18/2017	ERNST & YOUNG LLP	Statement of Work - GRI - Air & Marine Services - Market Sounding	7,317.00	1,097.55	8,414.55	Contract for Services related to the Transformational Change Initiative Master Agreement dated September 28,2015 (competitive process)
3/13/2018	ERNST & YOUNG LLP	Statement of Work - GRI - Wave 2 - Shared Services	102,302.00	15,345.30	117,647.30	Contract for Services related to the Transformational Change Initiative Master Agreement dated September 28,2015 (competitive process)