



2022

Annual Report

Office of
Inspector General
of Ville de Montréal

JANUARY 1 TO DECEMBER 31, 2022

Trust
Integrity
Transparency



To contact the Office
of Inspector General

Electronic form:

www.bigmtl.ca/denonciation/

Email:

big@bigmtl.ca

Telephone: 514 280-2800

Fax: 514 280-2877

Mailing address:

1550 Metcalfe Street, Suite 1200, 12th floor
Montréal, Québec, H3A 1X6

For more information, please visit our website at
bigmtl.ca



Mot de l'inspectrice générale

Mot de l'inspectrice générale



La lutte pour l'intégrité est un combat de tous les instants et le dévouement qu'il requiert peut occasionner une perte d'appréciation du chemin parcouru. Or, à en juger par les résultats détaillés dans le présent rapport, il est possible de conclure que l'année 2022 s'est déroulée sous le signe d'une confiance renouvelée.

Tout d'abord, il doit être souligné que de se doter d'un bureau comme le nôtre est un geste fort et audacieux pour une municipalité. Cela témoigne d'une adhésion institutionnelle aux valeurs sous-jacentes de notre mandat que sont la libre concurrence et la saine gestion des deniers publics. Cela est d'autant plus vrai qu'au fil des années notre mission nous a amenés la plupart du temps à intervenir auprès de la Ville de Montréal en faveur de soumissionnaires potentiels. Néanmoins, à l'occasion de l'étude d'un projet de loi au printemps dernier, la métropole a tenu à réaffirmer publiquement la pertinence de conserver un chien de garde proprement montréalais, attestant du coup de la force de son engagement envers l'intégrité contractuelle.

Nous abondons dans le même sens alors que notre présence constante sur le terrain nous a permis d'acquérir une fine connaissance du processus contractuel de la Ville de Montréal et de ses sociétés liées ainsi que de leurs enjeux. Cela se traduit en une capacité d'intervention accrue et plus efficace, notamment par le biais des conclusions de nos rapports qui sont modulées sur mesure afin d'atteindre la préservation de l'intégrité contractuelle tout en évitant un bris de service ou de mettre en péril la sécurité publique. Notre programme annuel de surveillance des chantiers, décrit dans les pages ci-contre, en est un bel exemple.

Ensuite, la dernière année a été ponctuée de plusieurs jugements rendus à la suite de contestations de nos rapports publics. Non seulement nos processus d'enquête ont-ils été amenés à se raffiner, corollaires d'une sophistication des stratagèmes détectés, mais nos propres procédures relèvent d'un domaine de droit qui demeure somme toute novateur et où nous sommes appelés à faire figure de pionniers. Vous serez

à même de constater la portée de ces décisions judiciaires dans les pages consacrées aux affaires juridiques.

Loin de se satisfaire de ces réussites, les membres de notre Bureau continuent de faire preuve de dynamisme et d'innovation qui les caractérisent et parviennent à renouveler constamment notre offre de service. Ainsi, nous avons établi cette année un projet-pilote de vigie portant sur les appels d'offres et l'octroi des contrats. Ce nouveau service nous permettra d'intervenir davantage de façon préventive, et ce, toujours dans l'intérêt supérieur de la population montréalaise.

De même, les rapports d'enquête publiés illustrent bien que la délinquance contractuelle ne fait malheureusement pas relâche à Montréal. L'utilisation de prête-noms s'est sophistiquée, des entités sont créées avec l'aide de sous-entreprises déjà existantes et appartenant à des entrepreneurs. Les profits non déclarés sont en outre dissimulés dans d'habiles montages financiers. La détection de tels stratagèmes nous est grandement facilitée par des dénonciations. Je ne remercierai jamais assez les personnes qui ont le courage de nous rapporter des manquements contractuels, de même que pour la confiance dont ils font preuve envers notre organisation pour y mettre fin.

Pour terminer, je souhaite vous rappeler que 2023 marquera la dernière année de mon mandat à titre d'inspectrice générale de la Ville de Montréal. D'ici la fin de mon mandat, je compte travailler avec mes équipes pour que nous soyons encore plus efficaces, dynamiques et innovants. Pour ce faire, je signe le tout premier plan stratégique qui couvre les trois prochaines années. Ce plan s'articule autour de nos forces, soit la proximité, la proactivité et la pérennité. C'est donc dans un but de perpétuer notre excellence que nous continuerons de mettre notre compétence, notre expertise et notre motivation au service de la population.

L'inspectrice générale,

M^e Brigitte Bishop

ORIGINAL SIGNÉ



Message from the inspector general

Message from the Inspector General



The fight for integrity is a never-ending endeavour, and the dedication it calls for means that sometimes we lose sight of all the progress we have made. However, as this report shows, we can say that 2022 was a year of renewed trust.

Creating an office such as ours is quite a bold and powerful move for a city. This reflects an institutional commitment to the underlying values of our mandate, namely free competition and sound stewardship of public resources. This is especially true since, over the years, our mission has often led us to intervene with Ville de Montréal in favour of potential bidders. Nevertheless, when a bill was under consideration last spring, the metropolis made a point of publicly reaffirming the relevance of having a Montreal-based watchdog, thereby reflecting its strong commitment to contractual integrity.

We wholeheartedly agree with this, as our steadfast presence in the field led us to acquire in-depth knowledge of the contracting process of both Ville de Montréal's and its related companies, along with their issues. This means we can intervene quickly and more effectively, particularly through the findings of our reports, which are tailor-made to help preserve contractual integrity while avoiding any breach of service or jeopardizing public safety. Our annual site-monitoring program, detailed in the following pages, is a good example.

Secondly, this past year was marked by a number of judgments rendered after our public reports were challenged in court. Not only have we refined our investigative processes in the wake of the increased sophistication of the schemes uncovered, but also our own procedures fall within a mostly new area of law in which we are seen as trailblazers. These court decisions are further detailed in the section on legal affairs.

Far from resting on their laurels, our Office members remain driven and motivated to consistently improve our services. For example, we launched a pilot project this year to monitor the contract tendering and awarding process. This new service will enable us to intervene more proactively, always in Montrealers' best interest.

Moreover, the investigation reports we have published clearly show that contract delinquency is sadly an ongoing issue in Montreal. The use of dummy corporations has become more sophisticated, with entities created through existing sub-companies owned by contractors. Undeclared profits are also hidden by means of clever financial manipulation. Whistleblowers are of great help in detecting such schemes. These people will forever have my deepest gratitude for their courage to report contractual delinquency, as well as the trust they place in us to put a stop to them.

In closing, I would like to remind you that 2023 marks the last year of my mandate as Inspector General of Ville de Montréal. I look forward to working with my teams to make us even more efficient, proactive and innovative. To that end, I hereby sign off on our very first strategic plan covering the next three years. It revolves around our core values, namely proximity, proactivity and sustainability. In the spirit of continuing our excellent service, we will keep leveraging our skills, expertise and motivation to the benefit of Montrealers.

The Inspector General,

Brigitte Bishop

ORIGINAL SIGNED

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Office of inspector general



- » Mandate
- » Jurisdiction
- » Powers
- » Guarantees of independence
- » Protection of whistleblowers
- » Denunciation Hotline
- » Standing Committee on the Inspector General (SCIG)

Office of inspector general

Mandate

According to the *Charter of Ville de Montréal, metropolis of Québec*, the Inspector General's mandate is to oversee the awarding and performance of contracts by Ville de Montréal or by a legal person covered under the Act.¹

The Inspector General **recommends** to City Council:

- » Any measures aimed at preventing a breach of integrity in the awarding of contracts by Ville de Montréal or their performance
- » Any measures designed to promote compliance with the applicable legal provisions and Ville de Montréal's requirements regarding contract award or performance

In addition, the Inspector General **verifies**, within Ville de Montréal, the implementation of such measures adopted by any council.

The Inspector General is also responsible for **training** Council members, as well as Ville de Montréal employees, to recognize and prevent breaches of integrity or infringement of the applicable rules regarding the awarding of contracts by Ville de Montréal or their performance.

The Inspector General has jurisdiction over all the contracts awarded by City Council, the Agglomeration Council and each borough. Contracts awarded by related cities are not under the Inspector General's jurisdiction.

Jurisdiction

The Inspector General has jurisdiction over:

- » Ville de Montréal
- » Ville de Montréal employees
- » Elected officials and members of their offices
- » Selection committee members
- » Legal persons associated with Ville de Montréal
- » Persons in a contractual relation with Ville de Montréal and subcontractors.

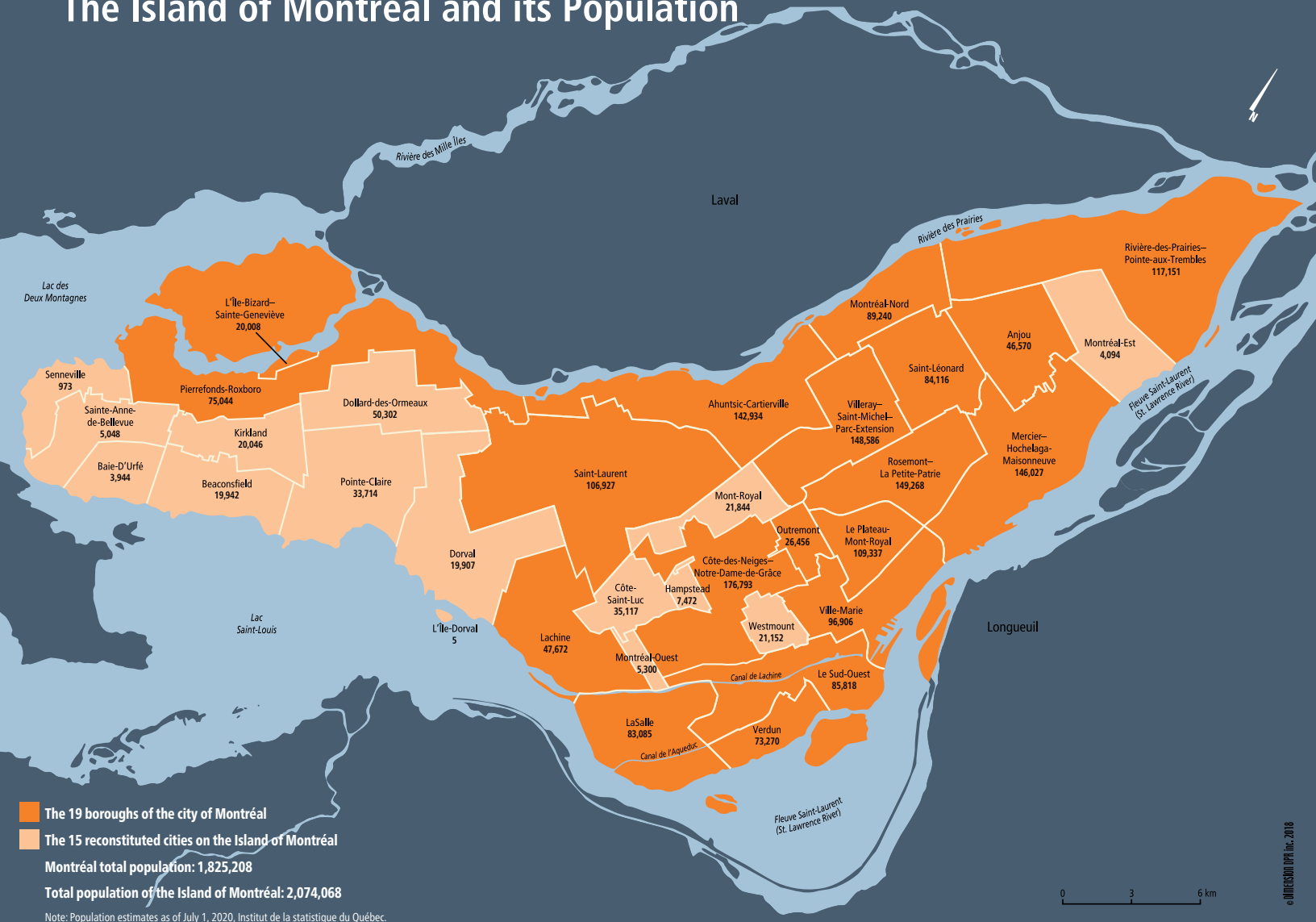
The legal persons related to Ville de Montréal include, but are not limited to:

- » Société de transport de Montréal
- » Société d'habitation et de développement de Montréal
- » Société du parc Jean-Drapeau
- » Agence de mobilité durable
- » Office municipal d'habitation de Montréal

The Inspector General has jurisdiction over all the contracts awarded by these entities, regardless of the amount, procurement method, and nature.

¹ The legal persons involved are indicated in subparagraph 1 of the fifth paragraph of section 57.1.9.

The Island of Montréal and its Population



Three basic values are a core part of its mandate:

TRUST: Preserve the public's trust in municipal public institutions with respect to contracting.

INTEGRITY: Ensure the integrity of the contracting process.

TRANSPARENCY: Improve the transparency of municipal activities and decisions by bringing certain situations to light and formulating various recommendations and courses of action.

Powers

The powers that legislators have conferred on the Inspector General can be found in sections 57.1.9, 57.1.10 and 57.1.23 of the *Charter of Ville de Montréal, metropolis of Québec*.

Power to require information and documents

The Inspector General is entitled to examine any books, registers or records, or to obtain any information relevant to her mandate.

Inspection power

The Inspector General may, at all reasonable times, enter a building to examine any books, registers or records. The Inspector General may require the owner, occupant or any other person on the premises being visited to give her reasonable assistance.

The Inspector General may also use any computers, equipment or any other items found on the premises being visited to access data relevant to her mandate or to inspect, examine, process, copy or print out such data.

Power to cancel, rescind and suspend

The Inspector General may cancel any contracting process involving a contract by Ville de Montréal or any related legal person, or rescind or suspend the performance of such a contract.

To do so, the following conditions must be met:

- » One or more requirements of the tender or contract documents have not been met or incorrect information was provided during the contracting process;
- » The seriousness of the breach observed justifies the cancellation, rescinding or suspension.

Power to make recommendations

The Inspector General may, at any time, send City Council or any city body a report presenting findings or recommendations that, in her opinion, warrant being brought to its attention.

Delegation of powers

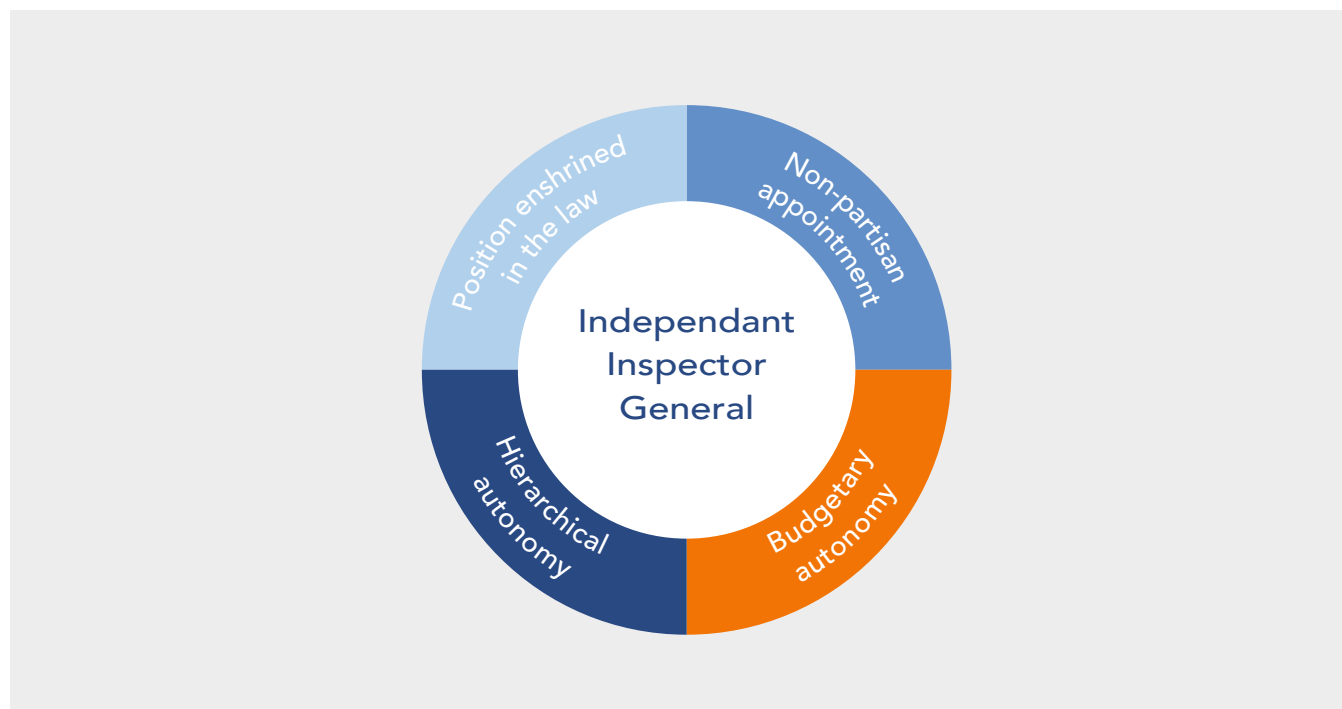
All the Office of Inspector General members involved in the investigations have been delegated powers by the Inspector General under section 57.1.19 of the *Charter of Ville de Montréal, metropolis of Québec*.

Therefore, they can meet with or contact employees, elected officials, members of selection committees or boards of directors, bidders, and anyone who is bound by contract to Ville de Montréal and any legal person related to it.

Only the acting Deputy Inspector General has a delegation of power to cancel a call for tenders, rescind a contract or suspend the carrying out of a contract under section 57.1.19 of the *Charter of Ville de Montréal, metropolis of Québec*.

Guarantees of independence

Several guarantees of independence are provided to the Inspector General under the *Charter of Ville de Montréal, metropolis of Québec*:



This independence is both fundamental and essential to the role of Inspector General. The Inspector General carries out her work independently. Nothing and no one can influence her investigations, decisions, opinions and recommendation reports. They are objective, impartial and free from conflict of interest.

Independence, in appearance and in fact, must be ensured through protection, autonomy and freedom of action. The office of Inspector General cannot be abolished based on the political will of the municipal administration in power. A two-thirds majority vote of City Council is required to appoint, dismiss or suspend the Inspector General.

The Inspector General endeavours to produce timely, objective and accurate reports presented in such a way so that the individuals and organizations over under her jurisdiction can take action based on the information they contain.

The Inspector General sets as burden of proof in her public reports the standard of a preponderance of evidence, namely the civil standard of reasonable degree of probability (article 2804 of the *Civil Code of Québec*).

Neither the Mayor nor the City director general has authority over the Inspector General; she reports directly to City Council. Furthermore, there is no relationship of subordination between City Council and the Inspector General.

The Inspector General's appointment is protected for a non-renewable term of five years. Her budget is set by law at a fixed percentage (0.11%) of the Ville de Montréal operating budget. The Office of Inspector General cannot be subjected to budget cuts that could affect its activities and operations.

Protection of whistleblowers

The Office of Inspector General handles all denunciations it receives in a confidential, objective and impartial manner. Under the *Charter of Ville de Montréal, metropolis of Québec*, the Inspector General has the duty and obligation to take all necessary measures to protect the anonymity of any person who makes a denunciation.

An Act Respecting the Inspector General of Ville de Montréal emphasizes the importance of protecting whistleblowers. Internal written procedures ensure that during meetings with witnesses, discussions with work providers or in the publication of public reports, the Inspector General takes the necessary steps to preserve the anonymity of whistleblowers who disclosed information and helped move the administrative investigation forward.

Section 57.1.15 of the *Charter of Ville de Montréal, metropolis of Québec* prohibits any reprisals and threats against whistleblowers and provides for heavy fines if these rules are violated.

The following actions are deemed to constitute reprisals:

- » Demotion
- » Suspension
- » Termination of employment
- » Transfer
- » Any disciplinary or other measure that adversely affects employment or working conditions.

Fines applicable in the event of reprisals:

- » \$2,000 to \$20,000 for an individual
- » \$10,000 to \$250,000 in other cases

The amounts are doubled for any subsequent offence.

Denunciation Hotline

Whistleblowing: a key factor

The denunciation hotline attests to the importance given to the key role played by whistleblowers. It allows them to report a breach safely and efficiently to preserve the integrity of the contracting process. Furthermore, the denunciation hotline allows Ville de Montréal elected officials, employees, suppliers and the public to maintain a monitoring role to play its monitoring role to preserve contractual integrity, as well as the ethics and applicable rules that fall under the mandate of other Ville de Montréal departments or services such as the Comptroller General, the Commission de la fonction publique de Montréal, and the Ombudsman.

Protecting the identity of whistleblowers

A hotline was set up soon after the Office of Inspector General was created, while its website has an encrypted online form for the secure disclosure of information. The Office of Inspector General also manages the ethics hotline. Any denunciations from that line are transferred to the office of Comptroller General, who investigates them.

Throughout the year, the Office of Inspector General's denunciation hotline receives complaints from the public or people involved in contracting. Upon verification, most of these

complaints prove to be unfounded. Sometimes, however, they involve administrative issues such as errors in tender documents or problems communicating with the project owner, or clarifying certain requirements during posting or to report an overly long period before the contract award.

A number of complaints result from a lack of communication or details provided by the project owner. According to the people who send a complaint to the Office, the response given by the project owner, when one is provided, is in general short or does not provide an explanation of the reported problem.

This lack of communication unfortunately has an impact on the whistleblowers' perception of the transparency of the contracting and tendering process. In many cases, the Office of Inspector General intervenes with the project owners to follow up with those who, whether satisfied with the response or not, end up with a better understanding of the situation that gave them cause for concern.

Standing Committee on the Inspector General (SCIG)

The *By-law on the Standing Committee on the Inspector General* was passed on March 24, 2014 (CM14 0262).

Like all Ville de Montréal standing committees, the SCIG's mission is to inform elected municipal officials in their decision-making.

The SCIG cannot at any time intervene in the investigations of the Office of Inspector General due to its complete independence.

The purpose of the SCIG is to review any issues relating to the Inspector General's mandate and to make such recommendations to City Council as it deems appropriate. It performs this function at the request of City Council or the Executive Committee or on its own initiative (Section 2 of RCG 14-014)

In fact, when a public report from the Office of Inspector General is filed with authorities, City Council forwards it to the SCIG for review and to obtain its opinion on the recommendations made by the Inspector General.

A review of each item on the agenda of an SCIG working session may include a presentation by the Inspector General, Ville de Montréal's authorized representatives, or any other person authorized by the working session chair. For instance, the Chair may, for the purpose of reviewing an item on the agenda, ask experts or people recognized as having relevant experience to make a presentation to the SCIG (Section 18 of RCG 14-014).

The SCIG's recommendations report is submitted to City Council and, as applicable, to the Agglomeration Council. The Executive Committee is responsible for accepting or rejecting the recommendations.



Our organization

- » Office of Inspector
General's Management Team
- » The Team

Our organization

Office of Inspector General's Management Team



INSPECTOR GENERAL

Brigitte Bishop

Member of the Québec Bar since 1989
Crown prosecutor with over 27 years of experience in criminal prosecutions.
Inspector General of Ville de Montréal since December 17, 2018. Formerly Assistant Inspector General.

Elected member of the Board of Directors of the American Association of Inspectors General (AIG) since 2020.



ACTING DEPUTY INSPECTOR GENERAL

Suzanne Corbeil

Member of the Québec Bar since 1983
Lawyer with over 35 years of experience in municipal law

Acting Deputy Inspector General since February 2021.



DEPUTY INSPECTOR GENERAL - INSPECTIONS AND INVESTIGATIONS

Michel Forget

A graduate of Université du Québec à Trois-Rivières and the FBI's National Academy in Quantico.
Sûreté du Québec police officer and manager for 27 years

Deputy Inspector General – Inspections and Investigations since November 2016.
Previously Inspection and Investigation Officer since June 2015



DEPUTY INSPECTOR GENERAL – PREVENTION, TRAINING AND ANALYSIS

Dean Gauthier

Certified supply chain management professional
With 35 years of experience in supply chain and procurement.

Previously Director of Procurement for Ville de Montréal for four years, he holds the position of Deputy Inspector General since fall 2021

The Team

The Office of Inspector General of Ville de Montréal relies on four teams working together to ensure it runs smoothly. They help optimize the process of handling denunciations and complete investigations with a focus on efficiency, integrity and professionalism. The teams also work to publicly communicate the consequences of fraudulent practices by publishing recommendation reports, decisions and information bulletins. An Office of Inspector General team is also responsible for providing training to project owners and municipal officials on proper contracting procedures so that they can prevent irregularities and detect suspicious practices. The training program is also available to related organizations, elected officials and, where possible, any organization that requests it.

Preliminary Investigations, Prevention and Training team

The primary role of this team is to receive denunciations, review them, keep relevant information and set up the files. The team carries out the initial validation steps and takes action, where possible, before contracts are awarded, to avoid problematic situations or correct any deficiencies in the contracting process. Its commitment is an important asset for Ville de Montréal in terms of maintaining contractual integrity. This team is responsible for the training component and conducts preventive interventions in relation to project owners and their employees, as well as partners and other interested organizations.

In 2022, the team consisted of Dean Gauthier, Deputy Inspector General; Alexandre Pelletier-Chevrier, Planning Advisor; Planning Advisors Julie Demers, Antoinette Khabbaz and Marie Vanbremeersch; Research Officers Christine Herbreteau and Julie Lefebvre; Benjamin Charruyer, Procurement Advisor and Training Program Lead; and Administrative Officer Kevin Revel (replacing Ioana Pescarasu, who was on maternity leave).

We wish Freddy Foley, who joined the Office of Inspector General in September 2014 as an inspections and investigations officer, a happy and healthy retirement. He served as Deputy Inspector General from 2016 until June 2022.

Inspections and Investigations team

The more complex cases that require complementarity between research and the investigation process are sent to the Inspections and Investigations team, which monitors, inspects, conducts verifications and interviews and gathers relevant documentation. This field work allows the team to corroborate the gathered information and make observations and conclusions on the contractual breaches that were observed.

The team is made up of Deputy Inspector General Michel Forget and Inspections and Investigations officers Nancy Boulerice, Félix D'Amours, Marianne Dorlot, Michel Hamelin, Glenn Lapointe, Luc Lamy, Robert Lebrun, Éric Parent, Marco Roy, Marie-Claude Touchette and Serge Vandal (who retired in June 2022). Inspections and Investigations Officer Martin Benoit and Officer Jean-Pierre Vigneux joined the team in 2022. In summer 2022, Jean-François Laguë joined the team as a municipal engineering intern.

Legal Affairs team

This team supports the Office of Inspector General's other teams, including preliminary investigations, investigations, monitoring and training. In addition, once an investigation file has been completed, the Legal team reviews the file and, where applicable, participates in the various steps leading up to the tabling of a public report to City Council. In the event that a public report is challenged, our lawyers liaise with the external legal teams that represent the Inspector General before the various courts. The Legal Affairs team is made up of acting Deputy Inspector General Suzanne Corbeil, Guillaume Crête and Simon Laliberté. Colin Braziller joined the team as an intern in 2022.

Management team

In addition to the aforementioned teams, the Inspector General is backed by her management team. The team consists of Linda Boutin, communications officer; Anick Chartrand, administrative support officer; and Chantal Poirier, executive secretary. In 2022, the Office of Inspector General welcomed Wilson Victoria, an office application development technician.



Photo credit: Marie-José Hains, artist photographer



Our operational results

- » 2022 in numbers
- » Whistleblowing statistics
- » Mandate given under the *Act Respecting the Autorité des marchés publics*

2022 in numbers

Authorized
human resources:

31

Budget
resources used:

\$4,5 M

Activities

198

denunciations received

123

files opened

89

files closed

19

denunciations followed by
an intervention during the posting
of a call for tenders

591

witnesses interviewed
or contacted

65

surveillance
operations

193

voluntary remittances

Training program

4,440

participants

120

training sessions

Publications

2

prevention newsletters

5

public reports

1

annual report

1

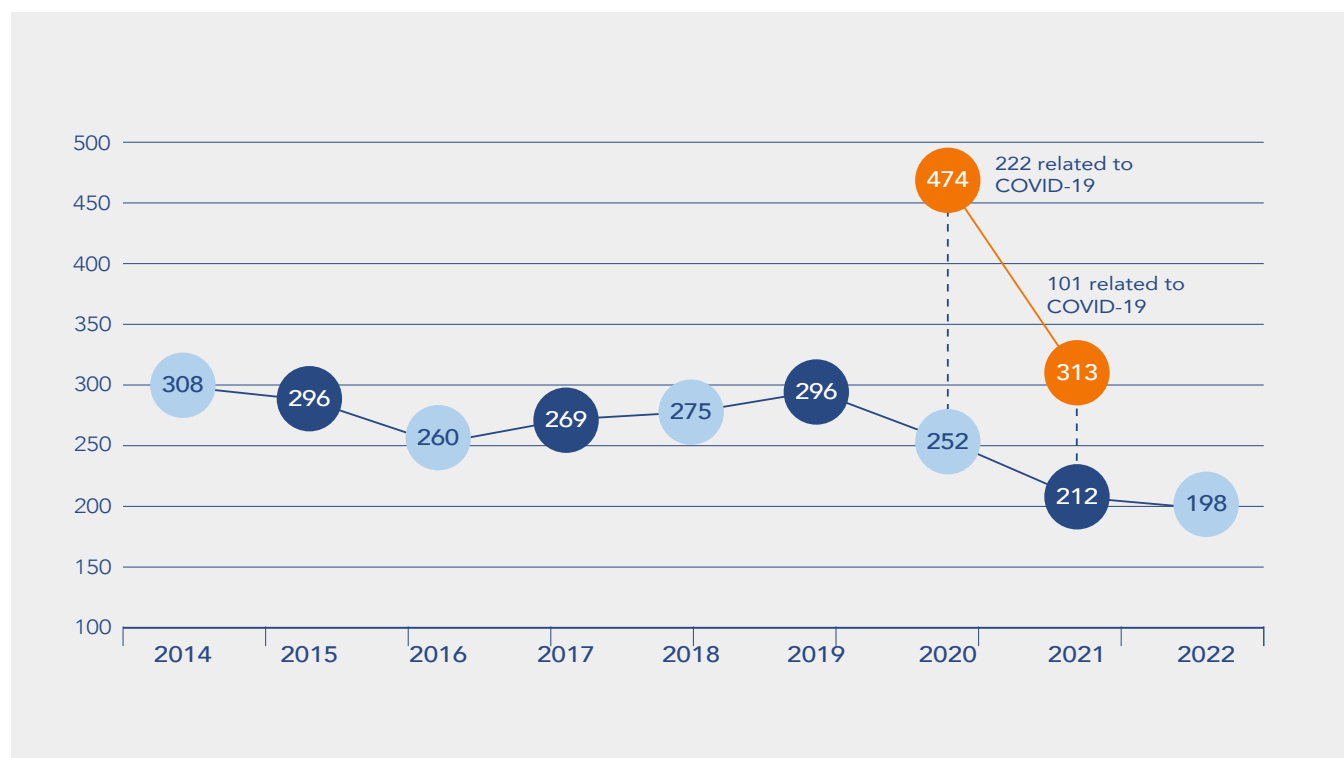
mid-year report

Whistleblowing statistics

From January 1 to December 31, 2022, the Office of Inspector General received 198 denunciations compared to 212 in 2021 and 252 in 2020, excluding complaints received in previous years related to COVID-19 or non-compliance with pandemic prevention measures.

The change in the number of denunciations received annually since the creation of the Office of Inspector General is illustrated in the chart below. The number of denunciations was roughly the same as in 2021.

NUMBER OF DENUNCIATIONS RECEIVED SINCE THE OFFICE OF INSPECTOR GENERAL WAS CREATED ON FEBRUARY 24, 2014



Denunciation sources and reporting methods

The following two graphs present detailed statistics on the sources and reporting methods for the 198 denunciations received in 2022. There is a progression in terms of the source and reporting method:

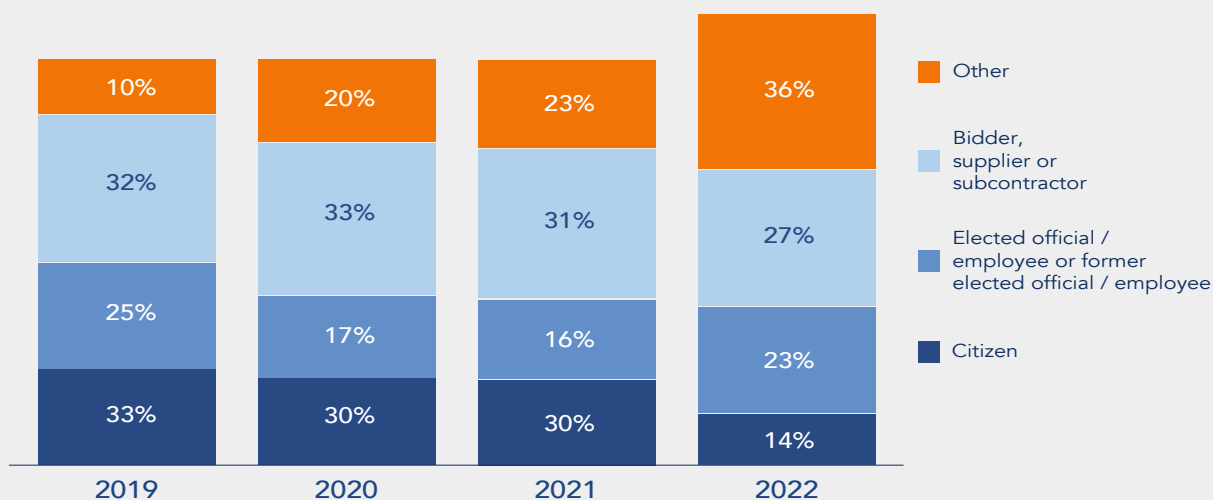
- » The percentage of denunciations received from suppliers, Ville de Montréal employees and related organizations was roughly the same, with a slight increase with respect to elected officials and employees compared to 2021;
- » Denunciations by the public were down in 2022.
- » The “Other” section includes files opened on the Office of Inspector General’s initiative. There is an upward trend, from 10% in 2019 to 36% in 2022.

Denunciations from Ville de Montréal personnel were similar to 2019 figures, an indication that the effects of telework were decreasing.

The significant increase in the number of training sessions and meetings with business units was definitely the main factor favouring the use of the secured denunciation hotline.

The decrease in the number of denunciations by the public raised questions about the accessibility and visibility of the denunciation hotline. The Inspector General commends these whistleblowers for their vigilance and encourages them to continue alerting the Office of Inspector General of any problematic situations they may witness. The Inspector General also invites anyone who witnesses a breach in Ville de Montréal’s contractual management to report it using the secure denunciation hotline.

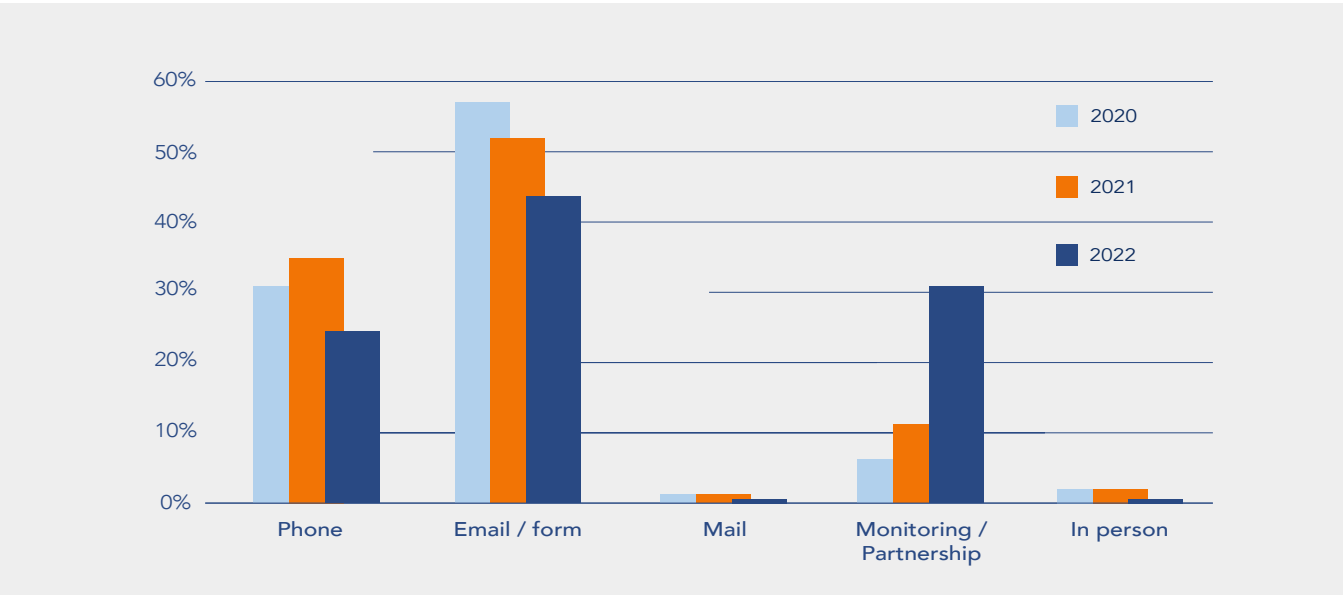
MAIN SOURCES OF DENUNCIATIONS



The preferred method for submitting denunciations continues to be email, the online form and by telephone. These transmission methods were used for almost 68% of the denunciations received in 2022. Note the increase in the

number of denunciations reported through oversight following the partnership with business units: from 5% in 2021 to 30% in 2022. This trend is a perfect example of the Office of Inspector General’s proactive approach.

REPORTING METHODS



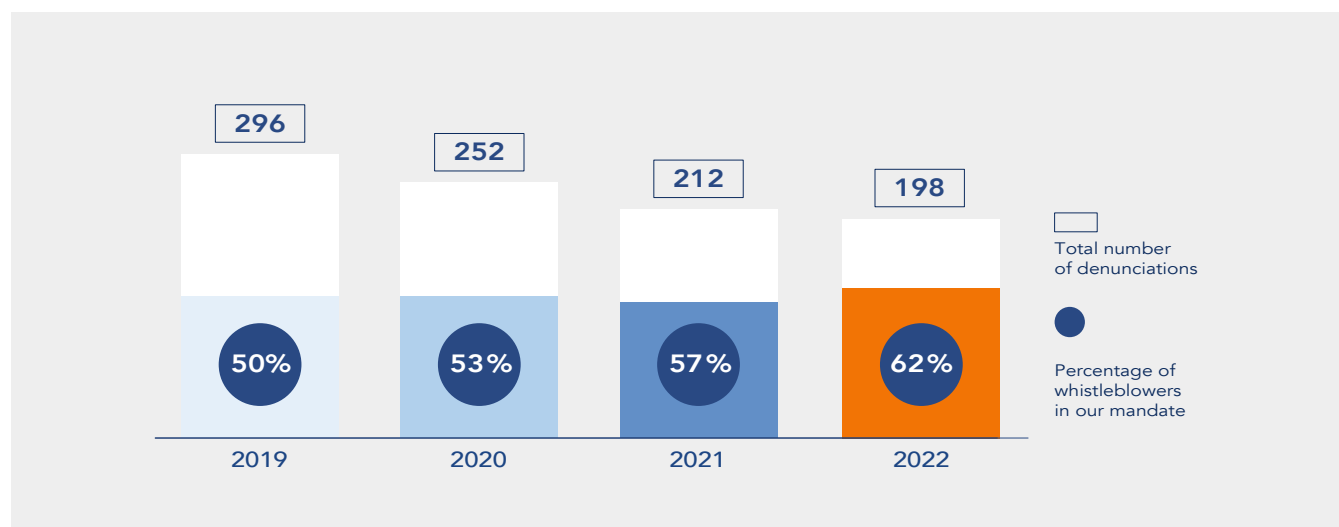
Denunciations within and outside the Inspector General’s mandate

The Office of Inspector General receives a large number of denunciations, some of which are outside its mandate. To make sure, each denunciation is reviewed to determine whether it falls under the Inspector General’s jurisdiction or not. Denunciations related to Ville de Montréal’s ethics hotline are forwarded to the entities concerned, with the whistleblower’s consent. In

cases where investigative or verification bodies require that denunciations be made directly to them by whistleblowers, the Office of Inspector General asks that the latter contact those entities directly, for efficiency and confidentiality purposes.

The following chart shows trends in the proportion of denunciations part of the Office of Inspector General’s mandate and jurisdiction. Since 2019, the percentage of such denunciations has increased slightly, from 50% to 62% in 2022.

NUMBER OF DENUNCIATIONS RELATED TO THE OFFICE OF INSPECTOR GENERAL'S MANDATE VERSUS TOTAL NUMBER RECEIVED



Transferring denunciations remains a priority for the Office of Inspector General. In 2022, 75 of the 198 denunciations received were considered to be outside the Inspector General's mandate. Of these, 40 were referred to another entity. These denunciations, which do not require the Office of Inspector General's intervention, are part of its information database. In 2022, there was a decrease in denunciations outside the Inspector General's mandate – namely 20% compared to 30%

in 2021. As in previous years, more than half of such complaints were forwarded to the Comptroller general and 311 Service Centre, with the complainants' permission.

The following graph and table show the number of referred denunciations out of the total number received, as well as the breakdown of the denunciations referred to other entities. Note that the data include cases where the whistleblower was asked to contact another department or organization directly.

DISTRIBUTION OF DENUNCIATIONS REFERRED TO ANOTHER BODY²

	2019		2020		2021		2022	
CG	38	36%	28	31%	10	16%	12	30%
311	29	28%	26	29%	10	16%	10	25%
SPVM / UPAC	5	5%	8	9%	11	17%	5	13%
OMBUDSMAN	6	6%	4	4%	4	6%	2	5%
CFPM	6	6%	1	1%	0	0%	0	0%
OAG	0	0%	1	1%	3	5%	1	3%
OTHER	20	19%	23	25%	25	40%	10	25%
TOTAL	104	100%	91	100%	63	100%	40	100%

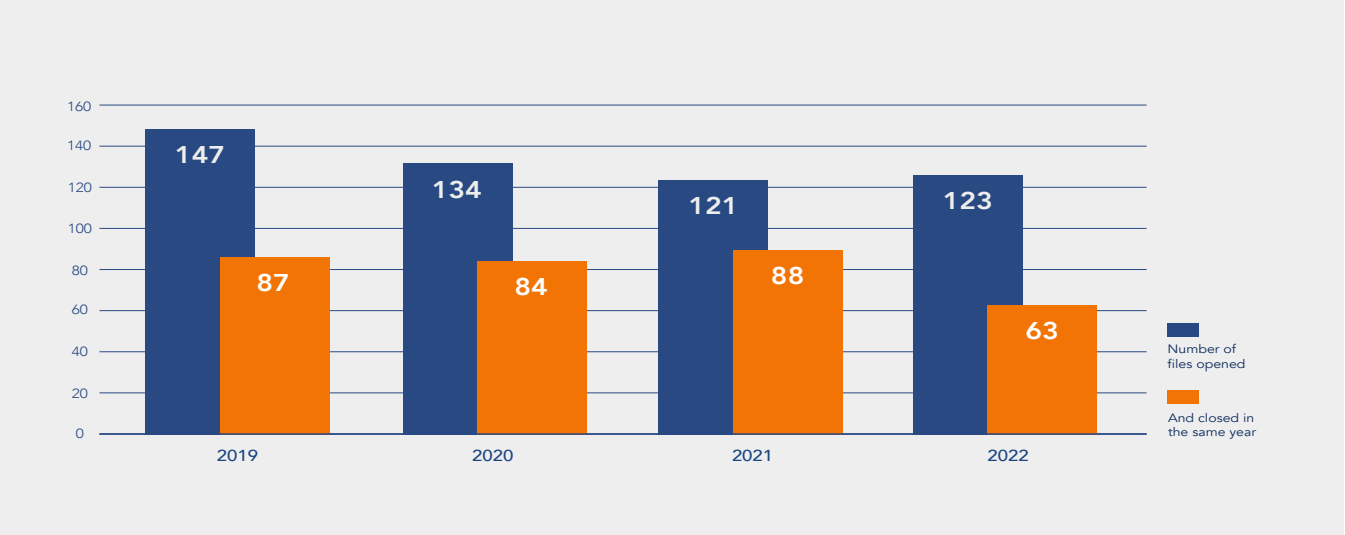
² CG: Comptroller General
 311: Ville de Montréal phone line
 SPVM: Service de police de la Ville de Montréal
 UPAC: Unité permanente anticorruption
 Ombudsman: Montréal ombudsman
 CFPM: Commission de la fonction publique de Montréal
 OAG: Office of Auditor General of Ville de Montréal

Statistics related to Office of Inspector General files

A file is opened as a result of a complaint that is within the Inspector General’s mandate, information collected by our teams, or an investigation started at the Office of Inspector General’s own initiative. Opening a file results in a rigorous analysis and investigative process involving many verifications and corroboration of information.

The Office of Inspector General usually handles over 100 files each year. In 2022, 123 files were opened and processed. Responsiveness and agility are at the forefront of the Office of Inspector General’s mission. All the teams contribute to ensuring that the complaint is promptly handled. In 2022, 63 files were processed and closed during the year.

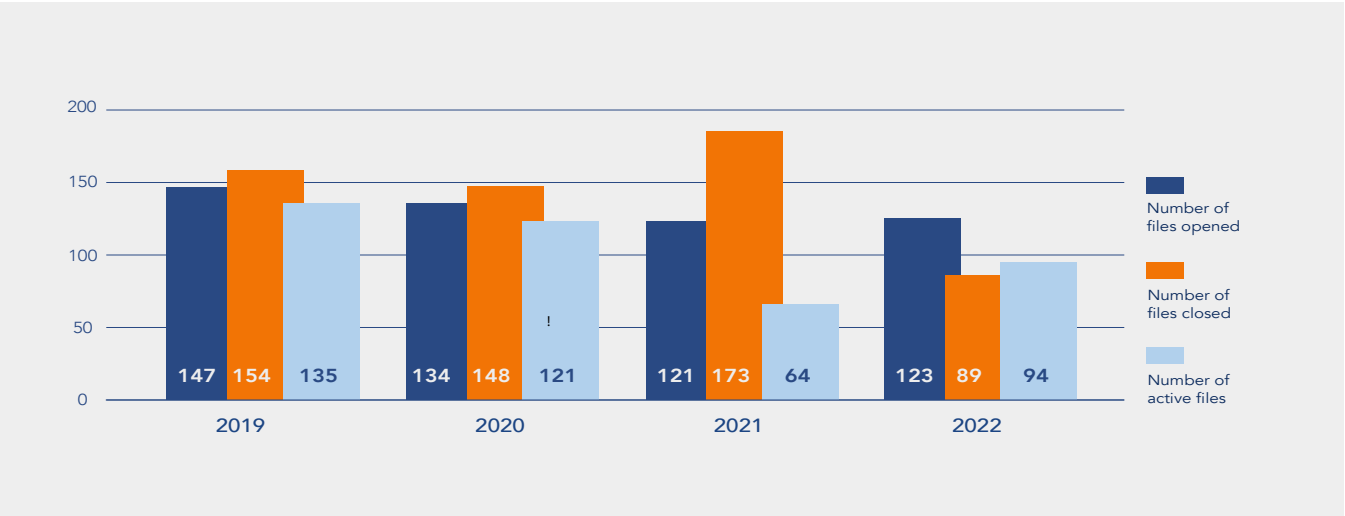
NUMBER OF FILES OPENED AND CLOSED IN THE SAME YEAR



Due to their complex nature or particular follow-ups, several files are still open at the end of each year. These active files are added to files from previous years. There were 94 active files on

December 31, 2022. This number, which is higher than in 2021, is still below the average over the past three years.

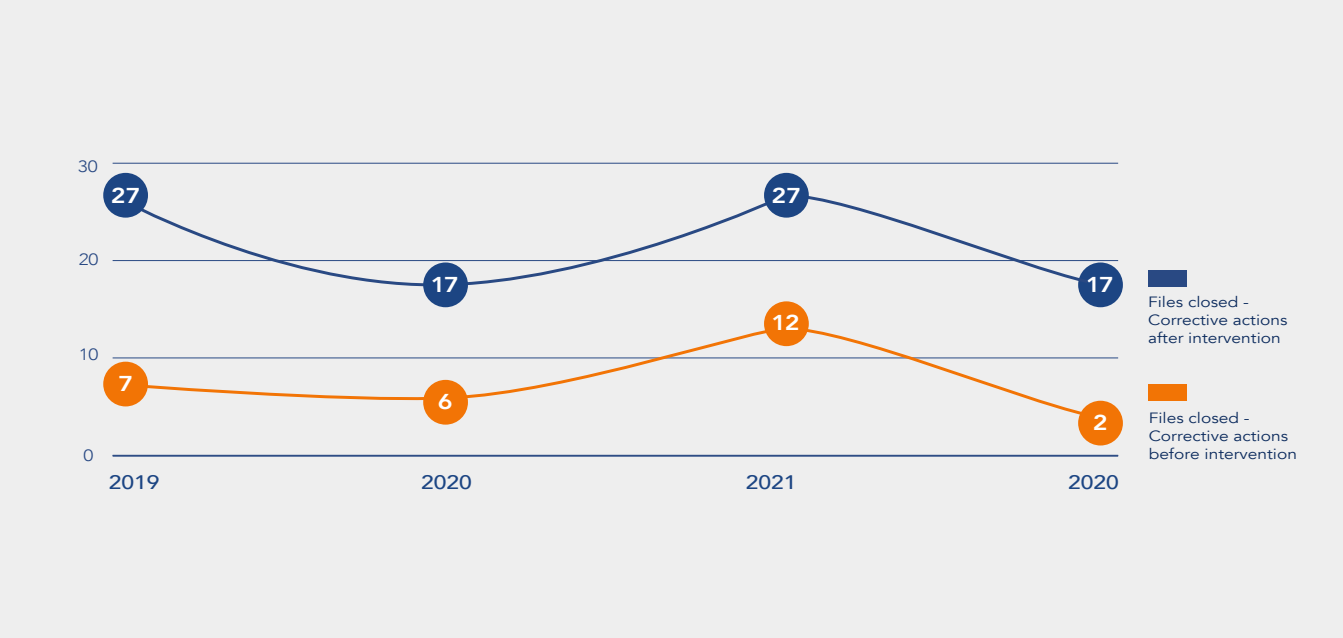
NUMBER OF OPEN, CLOSED AND ACTIVE FILES



For purposes of prevention and efficiency, the Office of Inspector General continues to intervene and work with business units during the posting of a call for tenders or before the contract award. This approach enables a quick response by identifying the corrective actions required for project owners to correct certain irregularities identified in the contracting process or tender documents.

Cooperation on the part of the business units is key, as it helps avoid the need for a thorough investigation or delay or cancel the contracting process if the anomaly could not be corrected.

NUMBER OF CLOSED FILES FOR WHICH CORRECTIVE ACTIONS WERE TAKEN



Mandate given under the *Act Respecting the Autorité des marchés publics*

Since May 25, 2019, the Office of Inspector General has also been responsible for duties and powers granted under the *Act Respecting the Autorité des marchés publics* (ARAMP).

The ARAMP created the Autorité des marchés publics (AMP), which is charged with overseeing all public and municipal contracts in Québec, except for Ville de Montréal contracts. For Ville de Montréal, the Office of Inspector General replaces the AMP and is bound by the same obligations in its duties and powers. However, the reconstituted cities of the Montréal agglomeration fall under the AMP's jurisdiction.

Under the ARAMP, in certain conditions a complaint may be filed with a municipal body regarding an open call for tenders. For Ville de Montréal (boroughs and central services), the Comptroller General is the first to receive and review complaints.

1. An interested party, usually a potential bidder, must submit their complaint to the project owner, which notifies the complainant of its decision.
2. If in disagreement with the project owner's decision, the complainant can contact the Office of Inspector General.
3. In some cases described in the ARAMP, a complaint can be filed directly with the Office of Inspector General.
4. An individual or corporation can disclose information to the Office of Inspector General at any time.

The latter examines the complaints and, if applicable, recommends appropriate measures to ensure healthy competition and the fair treatment of all bidders. It can also review the award and performance of a public contract after receiving information or in accordance with an intervention provided under the ARAMP.

On the Office of Inspector General's website, interested parties can access all the documentation needed to file a complaint intended for the project owner or the Office of Inspector General.

In 2022, the Inspector General received three complaints following a decision by Ville de Montréal and two complaints sent directly to the Office of Inspector General. In two cases, the complaint was inadmissible because the complainant did not contact the project owner within the prescribed time period. Another complaint was withdrawn. Finally, one complaint was determined to be unfounded as a result of the public body's changes to the specifications after the complaint was filed, and the last complaint consisted of an unsubstantiated disclosure upon being examined.



Analysis and preliminary investigations

- » Tendering process:
efficient action early on
- » Oversight:
starting up a pilot project

Analysis and preliminary investigations

Tendering process: efficient action early on

Each year, the Office of Inspector General notes problems in the awarding and performance of contracts of the business units of Ville de Montréal and its related legal entities. Since a preventive approach is the best way to prevent divergences from the regulatory framework, the Office of Inspector General invests in prevention to ensure compliance with the applicable standards throughout the performance of Ville de Montréal contracts. For instance, the Office of Inspector General monitors the tendering process, and when there are irregularities, discussions are held with the project owners to try to regularize the process.

In 2022, the results of the Office of Inspector General's preventive actions during the publication of calls for tenders were once again particularly effective. The examples below are opportunities to ensure compliance with the applicable standards from the publication of the call for tenders to the performance of a contract. This oversight is now part of the Office of Inspector General's contractual integrity toolbox.

Regulations in force

During its oversight, the Office of Inspector General identified an error in a call for tenders issued in summer 2022 for technical services. The error concerned a clause dealing with the traceability of excavated contaminated soils. Enforcement of the *Regulation Respecting the Traceability of Excavated Contaminated Soils* adopted on November 1, 2021 was to be done gradually until January 1, 2023³. However, the clause on compliance with the regulation was unclear as to the provisions that apply when contracts are carried out.

A review of the tender documents revealed that several framework agreements would come into force in 2023 for

four years following the tendering process. However, the specifications that were reviewed still referred to the draft regulation and not the *Regulation Respecting the Traceability of Excavated Contaminated Soils*, which was in effect at the time the call for tenders was published and would be applied during the performance of the contract. The wording of this clause was unclear as to what obligations the successful bidder would have to meet during the validity period of the framework agreements.

Although the Office of Inspector General's review of the specifications did not reveal any technical irregularities, the tender documents must include the standards that will be in effect and applicable throughout the term of the contract. The identification of this error during the oversight led to discussions with the project owner, which had the clause concerning the traceability of excavated contaminated soils amended. By doing so, this business unit reduced the risk of litigation over the interpretation of the specifications during contract performance and dumping.

Restrictive requirements

As part of another oversight, the Office of Inspector General found that the drafting of experience clauses in a call for tenders for professional services for building renovations could be confusing for potential bidders. The experience clauses related to bidder compliance requirements and the selection criteria used to determine the lowest compliant bidder.

A compliance criterion required bidders to have completed a project with a minimum value of \$20M. The Office of Inspector General wanted to know why this criterion was chosen when the contract was estimated at only \$3M. In its response, the

³ MELCC, *Regulation Respecting the Traceability of Excavated Contaminated Soils*, <https://www.environnement.gouv.qc.ca/sol/terrains/tracabilite/reglement-tracabilite-sols-mise-vigueur-progressive.pdf>

organism stated that the contract was part of a project valued at over \$50M and that a bidder that had been involved in a project of that scale would qualify for this requirement. Following discussions with the Office of Inspector General, the organism chose to issue an addendum specifying the experience required for this compliance criterion.

Note the importance of drafting tender documents that reflect the public body's objective without unnecessarily restricting the pool of potential bidders. In the above-mentioned example, a simple amendment through an addendum on the experience criterion clarified the actual minimum required for the municipal contract and thus opened up the market to a larger pool of potential competitors.

Non-compliance with performance specifications

The Office of Inspector General intervened in various calls for tenders for the acquisition of goods where the specifications were not drafted in terms of performance or functional requirements. Instead, a detailed description was provided of certain components of the requested goods, which made it difficult to propose an equivalent product.

These calls for tenders did not describe the organization's need, but rather the technical characteristics of a product without specifying that requests for equivalencies would be allowed. This type of specification is contrary to the regulatory framework that has required, since 2018, that Quebec cities use performance specifications for the products sought in their calls for tenders. If they are unable to draw up performance specifications, they must allow requests for equivalencies for each product in the specifications. These requirements are intended to stimulate competition by inviting bidders to propose different products that could meet the project owner's needs.

In each of its interventions, the Office of Inspector General ensured that the technical specifications were corrected to comply with the regulatory framework by allowing, for instance, equivalencies to be accepted for each product. This practice promotes competition among potential bidders, who can contact more than one supplier to respond to the calls for tenders, thus reducing the dependence on a single supplier.

Importance of validity of documents submitted to the SÉAO electronic tendering system

A bidder for a call for tenders involving the acquisition of a cloud solution reported to the Office of Inspector General that it had not received all the documents needed to submit its bid.

For this call for tenders, bidders receiving the specifications were sent USB keys containing samples to be processed with their proposed systems in order to demonstrate the proper functioning of their product. The company that reported the issue had received two USB keys with no description of their contents. It was during the preparation of the bid that the professionals realized that some samples were missing from the USB keys that had been sent. The company contacted the project owner to have the situation corrected and requested additional time to process the samples. The samples were forwarded, but no extension period was granted for bid submission. It was only after a complaint was sent by email to report the irregularity, with a copy to the Office of Inspector General, that the project owner agreed to the extension requested by the whistleblower.

The Office of Inspector General reiterated the importance of making the same information available to all bidders in the preparation of their bids. This rule is intended to ensure the integrity of the tendering process and fairness for all bidders. Also, wherever possible, requests for time extensions should be accepted, which would enable more bidders to submit a bid.

Process of awarding competing contracts for the same product

The Office of Inspector General received a denunciation from a supplier who was contacted by a business unit to provide prices for personal protective equipment under a contract by mutual agreement.

The whistleblower had been waiting two months for the results of a call for tenders issued by the same project owner for the same product. The complainant claimed that he was the lowest compliant bidder for the public call for tenders.

The Office of Inspector General contacted the business unit to clarify the situation. Verifications showed that there were no problems or irregularities. The tendering process for the public call for tenders was still ongoing, and the business unit needed the products while waiting for the contract to be awarded. That was why it opted for a short-term contract by mutual agreement at the same time.

The Office of Inspector General's verifications enabled to clarify a situation that concerned a bidder and to preserve its confidence in the integrity of Ville de Montréal's contract management process.

Oversight: starting up a pilot project

With the goal of proactive intervention, the Office of Inspector General launched a pilot project in 2022 aimed at monitoring calls for tenders and contract awards and proposing corrections or improvements when deficiencies were noted. This early action helped avoid postponing or cancelling a call for tenders, for instance.

Call for tenders monitoring

In June 2022, the Office of Inspector General began a comprehensive oversight of the Government of Quebec’s electronic tendering system (SÉAO). The Office of Inspector General looked over the calls for tenders published by Ville de Montréal and paramunicipal services were reviewed to verify certain clauses that are regularly challenged, such as experience clauses, licences, accreditations, trademark or model registrations, specific technical requirements, and lack of equivalencies.

The list of calls for tenders is then ranked by business unit and by topic. Based on the type of information that is obtained, some files will be processed immediately, while others will be used to establish detailed profiles of markets or will be monitored throughout the contract award process by analysts and investigating officers.

Specific and urgent calls for tenders will be submitted to the preliminary investigation team for in-depth analysis. The analyst responsible for the file will contact the business units concerned to make changes to both the technical documents and the price schedule, which can be published in an addendum.

	Analyzed calls for tenders	Specific calls for tenders that have been transmitted	Files opened
2022	642	97	24

This new process for monitoring tenders on the SÉAO site allows the Office of Inspector General to respond earlier and with more flexibility before a contract is awarded. Given the regulatory requirements and tight timelines for the publication processes on the SÉAO site, the Office of Inspector General and the business units must put in a joint effort to correct the situation quickly and avoid cancelling the call for tenders. This approach enables relationships to be formed and the acquisition of better intervention practices.

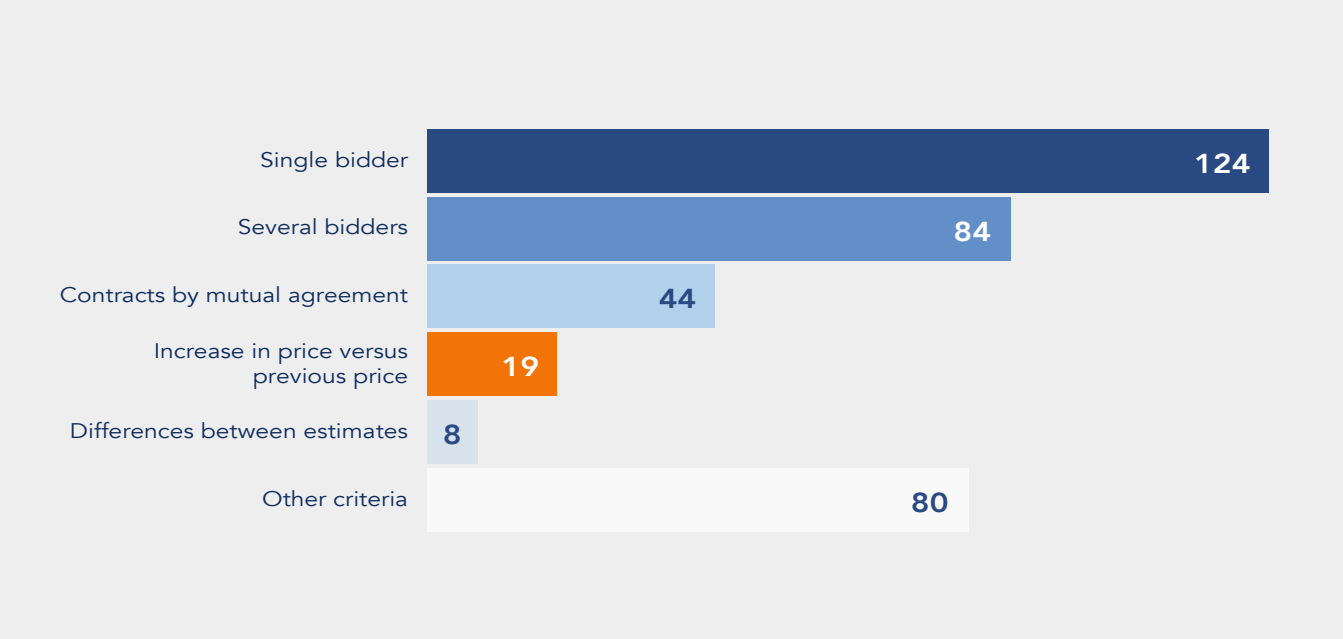
Contract award monitoring

The Office of Inspector General also monitors contract awards by Ville de Montréal and the Société de transport de Montréal (STM). This oversight consists in reviewing contracts awarded under certain conditions by a body (Borough Council, Executive Committee, City Council, Agglomeration Council) as well as

by STM. If a major irregularity is found, the Office of Inspector General proceeds to review or even cancel the contract. Even though the process is more complex and requires careful investigation, and even if the action occurs after the contract award, it reduces the risks associated with the performance of non-compliant contracts.

Contract award monitoring is based on a review of the bodies’ decision files and agendas. Contracts are reviewed according to predetermined criteria based on experiences of collusion or the Office of Inspector General’s prior investigations or reports. Some elements are thus taken into account, such as the number of bidders, major mutual agreement contracts, significant differences between the cost of the contract and that of the estimate, as well as major increases for the renewal of a contract.

ANALYSIS CRITERIA



The targeted files will then be analyzed to determine the reasons given by the business units in their decision summaries. Profiles are then created to identify recurring contracts awarded to the same bidders or identify a limited market (bidders who are often awarded contracts, are not retained, or submit very high prices). The information that is gathered will also help better describe the Montreal supplier ecosystem and the distribution of contracts across Ville de Montréal. Monitoring also enables the names of firms that are awarded contracts

in several business units to be determined and identified. It can also be used, in the medium term, to feed the Office of Inspector General's training program for the benefit of civil servants attending the training.

Since April 2022, the Office of Inspector General has reviewed 359 contracts awarded under its monitoring.



Inspections and Investigations

- » Investigations completed in 2022
- » Public reports released in 2022
- » Work site monitoring
- » Towing in Montreal: 5 years later

Inspections and Investigations

Investigations completed in 2022

A bidder who was inquiring about the budget range

The Office of Inspector General investigated the actions of a bidder who had contacted the professional services firm in charge of developing plans and specifications for the renovation of a cultural and community centre. The firm had also contributed to the cost estimate for this construction call for tenders.

The verifications showed that a bidder had attempted to contact a professional assigned to the project, who was not the person in charge of the call for tenders, in order to obtain the project budget range prior to submitting its bid. This information had not been disclosed to potential bidders on the SÉAO site. The firm did not respond to the bidder's request because it felt that it may be a breach of the tender rules. The bidder's request therefore did not affect the integrity of the tendering process, but still consisted of a breach of Ville de Montréal's by-law on contract management. The firm's bid proved to be the lowest compliant bid at bid opening. However, its price was well above the estimate and the call for tenders was subsequently cancelled for that reason.

The investigation also revealed that the bidder in question had also contacted an employee from the professional services firm to find out whether the call for tenders would be cancelled because of the significant difference with the estimate.

The Inspector General acknowledge the vigilance of the professional services for recommending that the bidder contact the project owner, which had provided an email address in its call for tenders for any inquiries. Since the call for tenders was cancelled, the Office of Inspector General was unable to continue its investigation, but proceeded to monitor the new call for tenders, which did not reveal any regulatory framework breaches.

Can a subcontractor's product be refused?



Photo credit: iStock

As a result of a complaint received from a horticultural subcontractor, the Office of Inspector General investigated a project owner who had refused or requested corrective action for soil from a subcontractor that had been supplied or proposed as part of the development of community gardens and dog parks. The complainant claimed to be a victim of favouritism or collusion.

This company has been a Ville de Montréal accredited supplier for 28 years, with several business units among its clients. The business unit's refusal to use the supplier's product for quality reasons resulted in a significant drop in its sales. The Office of Inspector General proceeded to conduct an investigation to verify the facts relating to the product in question and determine whether any collusion or favouritism was involved.

The team reviewed three calls for tenders and met with business unit officials and companies that had included the subcontractor's product in their bids. The business unit reported that it had contracted an analytical firm to study the composition of the soil as part of a community garden development contract.

The analysis confirmed that the product was non-compliant. The project owner then asked the contractor to take corrective action to make the soil complaint, which it proceeded to do.

For a new call for tenders relating to the development of dog parks, the project owner refused to use the subcontractor's soil because of its recent experience with the supplier's product. Even though it met Ville de Montréal's requirements, the soil that was delivered would not be of adequate quality. So the project owner wanted another product. The bidder stated that it was surprised by the request given that the subcontractor was an accredited Ville de Montréal supplier. According to the Inspector General, the fact of being on a list of authorized suppliers does not certify the quality of the product being supplied, especially where soil is concerned, which is living organic matter that is constantly changing. This is more of an

administrative process to facilitate procurement, monitoring and payment procedures with suppliers.

Regarding the first contract, it should be noted that the successful bidder is responsible for the quality of the products used in the performance of its contract. The non-compliance of a product, in this case soil, may have resulted in its inclusion on the list of unsatisfactory suppliers at the end of the evaluation process, which was not followed by the project owner, however. The project owner could not refuse a product based on who the supplier was; however, it could require a product with specific characteristics, as well as compliance tests or analyses. These requirements should have been specified in the tender documents and could not constitute a requirement after the contract award. The investigation revealed that there was no collusion or favouritism benefiting other suppliers.

Public reports released in 2022

In 2022, the Office of Inspector General released five public reports resulting from complex investigations spanning more than one year.

Cloud solution

The first [public report](#) published in January concerned Ville de Montréal's acquisition of a cloud-based solution consisting of email, collaborative tools and an office suite for 2018–2022. The contract that was awarded included an option of three licence renewals, for a period of four years each.

The whistleblower that initiated the investigation was alleging that the municipal department responsible for the contract award was favouring Onix Networking Canada Inc. for the installation of a cloud solution with Google. The Office of Inspector General's investigation did not find any evidence of favouritism. However, it did uncover major irregularities in the tendering process that should have resulted in Onix's bid being rejected. The breaches identified during the investigation were such that they could have resulted in the contract being rescinded by the Inspector General. But to avoid harming Ville de Montréal's operations and in the public interest, the Inspector General recommended that City Council rescind the contract as soon as possible.

Since the Office of Inspector General's public report was released, Ville de Montréal has been monitoring the market and updating its office system requirements. It thus entered into a framework agreement with Microsoft Canada Inc. through its agreement with the Ministère de la Cybersécurité et du Numérique for the supply and maintenance of the Microsoft Office 365 suite.

STM files

Two Société de transport de Montréal (STM) contracts were the subject of two public reports. [The first report](#) was released in February 2022 following a denunciation involving the awarding of a contract relating to foundation formwork for the new Bellechasse transit centre. The investigation consisted of two parts. The first part involved the awarding of a construction management contract, and the second part the cancellation of a call for tenders involving foundation formwork.

Pomerleau Inc. was awarded the construction management contract that consisted in assisting STM with the design of the construction package plans and specifications. The builder-manager also handled the coordination of the contracts awarded to companies by STM. The Office of Inspector

General's investigation revealed breaches of the regulatory framework applicable to public transit companies. STM had predetermined an amount of \$4M for an item on the price schedule for work covered by the construction management call for tenders. This predetermined amount did not allow interested firms to bid on a fixed-price or unit-price basis.

The foundation formwork call for tenders was cancelled due to the substantial difference between the lowest bidder's price and STM's estimate. Prior to the cancellation of the foundation formwork call for tenders, STM authorized the builder-manager to proceed with some of the work involved by the call for tenders and to negotiate with a subcontractor for the performance of another part of the work. The fact of delaying the cancellation of the call for tenders had enabled STM and the builder-manager to negotiate a price for the work to be performed with the specialized firm.

These breaches that were identified during the investigation were serious enough to terminate STM's contract. However, since the work covered by the investigation was finished and the \$4M amount spent at the time the report was submitted, the Inspector General made recommendations to municipal authorities, as her mandate permits, to avoid such breaches by STM.



Photo credit: Office of Inspector General

The [second public report](#), issued in May, related to an STM call for tenders to retain advisory services relating to compensation and benefits for the period of July 2021 to July 2026. The person was reporting the fact that the organization was unduly restricting competition. The Office of Inspector General therefore investigated the call for tenders and a similar contract, which had been awarded in 2016 for a period of five years, as well as a contract by mutual agreement awarded in February 2021 to the original contractor.

Several breaches of the regulatory framework governing STM were noted in the performance of the three contracts, including contract splitting, inadequate management of the STM project lead's declaration of interest (his spouse worked for the contractor), and a repeated commitment of fees beyond the approved budget envelopes. The call for tenders, which was intended to replace the original contract, included conditions that unduly limited competition. The Office of Inspector General's investigation was unable to find that the contractor, its officers or employees were in breach of the regulatory framework governing these contracts. Following the Office of Inspector General's investigation and the audits by the STM's Office of Auditor General, STM cancelled the call for tenders.

For the two Office of Inspector General public reports that concerned it, STM issued new frameworks for its staff to prevent the breaches from recurring.

Recyclables management

The Office of Inspector General investigated the performance by Ricova Services of two Ville de Montréal contracts on the sorting and marketing of recyclables. The investigation was prompted by denunciations of a possible conflict of interest by Ricova Services, which was reselling recyclables to one of its subsidiaries, Ricova International. Both contracts were legally assigned to Ricova Services as a result of financial problems experienced by the original winning bidders.

[The Office of Inspector General's investigation](#) revealed that the two Montréal sorting centres were being operated by Ricova Lachine and Ricova RSC, and not Ricova Services. However, these companies did not have an authorization to contract from the Autorité des marchés publics when they began performing the two contracts, which was in breach of the applicable legislative provisions.

Regarding the performance of the obligations for the marketing and sale of recyclables at the two sorting centres, Ville de Montréal had included a clause in the contracts whereby it was participating in the revenues from the sale of the recyclables, thereby tempering possible variations in the selling prices by assuming a share of the potential losses. The Office of Inspector

General's investigation revealed that the CEO of Ricova Services and of the other sister entities had committed a fraudulent act by deducting \$20 per tonne prior to the sale price reported by Ricova Services for the purpose of sharing sales revenues or losses. This act deprived Ville de Montréal of considerable sums of money.

While the breaches that were uncovered justified rescinding the contracts, the City Administration was unable to replace them within the time period required by law, which could have resulted in an interruption in service that would not have been in the public interest. Accordingly, the Inspector General recommended that Ville de Montréal rescind both contracts as soon as possible. It further recommended that Dominic Colubriale, Ricova Lachine, Ricova RSC, Ricova Services and Ricova International be declared ineligible for Ville de Montréal contracts and subcontracts for a period of five years, a recommendation that Ville de Montréal followed. The operating contract for the Lachine recyclables sorting centre was rescinded and a new contract was signed with Société V.I.A.

Working for a contractor despite their ineligibility status

In June, the Office of Inspector General published an [investigation](#) on subcontracts awarded by Les Entreprises K.L. Mainville to an ineligible person. Louis-Victor Michon and his companies were excluded by City Council from any public contracts for a period of five years, from November 8, 2016 to November 7, 2021, following the release of a public report by the Office of Inspector General on collusive agreements between Louis-Victor Michon and his company, as well as a competitor.

The Office of Inspector General's investigation revealed that K.L. Mainville and its president, Serge Mainville, allowed Louis-Victor Michon to work on municipal contracts in 2016, 2018 and 2021. Louis-Victor Michon was awarded subcontracts through Excavation Bromont inc. based on a fronting agreement with the company's president, Daniel Girard. In view of the seriousness of the observed breaches, the Inspector General rescinded the two contracts awarded to K.L. Mainville. The Inspector General also believed that Louis-Victor Michon, Serge Mainville and Les Entreprises K.L. Mainville should be declared ineligible for Ville de Montréal contracts for a period of five years. The duration recommended by the Inspector General for the same penalty was four years for Excavation Bromont and three years for Daniel Girard.

Work site monitoring

Work to replace lead water service lines

Each summer, the Inspector General assigns investigating officers from her office to oversee a major Ville de Montréal construction project. This is part of her statutory responsibilities aimed at preventing and detecting integrity breaches and, where applicable, making recommendations to Ville de Montréal.

For example, over the years, investigating officers have monitored job sites around infrastructure work, contaminated soil management, and arena upgrades. They also investigated the management of construction debris, the contracting process for the development of municipal parks, and the management of housing renovation projects by the Office municipal d'habitation de Montréal. In summer 2022, the team investigated the tendering process, contract award and performing for the replacement of lead service lines.

For the Inspector General, construction site monitoring is an excellent way to meet with municipal teams, contractors and monitoring firms to discuss the problems observed at work sites with them. The information gathered will be useful for future investigations in this area, as well as for expanding their network of contacts. The presence of the Office of Inspector General at construction sites also makes it possible to take preventive action against contract integrity breaches.

Why should lead water service lines be replaced?

Montreal buildings are connected to the water supply system through an underground water service line. Part of this pipe is on public land while the other part is on private land. Most of the buildings built between 1940 and 1970 have lead service lines. According to the public health department, lead exposure poses health risks, particularly to children. In 2007, Ville de Montréal adopted an action plan to maintain the well-being of its residents and the quality of its drinking water. This plan was updated in 2019 with the aim of removing 48,000 lead service lines in the city by 2032.

The work to replace them includes excavation, removal of lead service lines and the connection of new copper pipes. Construction is completed with the restoration of the street and landscaping.



Photo credit: Office of Inspector General of Ville de Montréal

Monitoring of work to replace lead service lines

The Office of Inspector General's teams were assigned to monitor the replacement of lead service lines in summer 2022 due to the recurrence of the program along with an estimate assessed by the Office of Inspector General, based on the actual costs, of \$914 million⁴ by 2032. The Office of Inspector General also found that only three firms were awarded contracts in 2022 for this type of work, which may represent an increased risk of contract allocation through various strategies (collusive tendering, bid suppression, bid rotation, contract award⁵). During bid assessment, the team identified collusion risk factors, although they could not be confirmed upon further investigation. The Office of Inspector General will continue to keep a close eye on this program given the associated risks and the recurring invested amounts.

⁴ Calculated based on the average price of bids submitted in 2022 on the SÉAO site, divided by the number of projected connections in 2022 and multiplied by the number of connections to be completed by 2032.

⁵ Competition Bureau Canada, [Attention procurement agents: Use our Collusion Risk Assessment Tool to protect your contracts from bid-rigging](#), June 2022.

The Office of Inspector General also noted deficiencies in contaminated soil management during its review of the contract documents. It found that a proposed land disposal site did not have the required authorizations. During the performance of the

water service line contracts, the Office of Inspector General also identified a problem with excavated soil management and road repairs. These breaches were immediately reported to the business unit responsible for the contracts, which promptly corrected them.

Monitoring resulted in ...

11 calls for tenders analyzed

07 contracts reviewed

42 work sites visited

91 witnesses met

Assessment of the risk of contract integrity breaches

Overall, the work that was monitored was completed without the Office of Inspector General finding any major contractual breaches. The business units responsible for contract design and performance were met to inform them of the findings resulting from work site monitoring. The Office of Inspector General recommended that they continue to closely monitor soil management and, for future calls for tenders, expand the market to as many qualified contractors as possible to maximize competition and thus reduce the risk of monopoly or collusion.



Photo credit: Office of Inspector General of Ville de Montréal

Contract integrity partners accompanied the Office of Inspector General's team in the field for two days, which enabled them to learn more about work site monitoring planning. From left to right: Benoit Pinet, from the Bureau d'intégrité et d'éthique de Laval-Terrebonne, Lyne Dunberry, from the Bureau de l'intégrité professionnelle et administrative de la Ville de Saint-Jérôme, Félix d'Amours, from the Bureau de l'inspecteur général de la Ville de Montréal, and Annie Clara Gravel, from the Bureau de l'intégrité professionnelle et administrative de la Ville de Saint-Jérôme.

Towing in Montreal: 5 years later

In 2017, the Office of Inspector General released a report on the towing industry. Intimidation, collusion, territory division and ties to organized crime were the focus of the public report. The report also covered a public safety issue, namely of tow truck operators driving at speeds well over the legal limits in order to be the first to arrive at the scene of an accident. The Inspector General made recommendations aimed at cleaning up towing practices in the city. Five years later, the Inspector General wanted to review the situation in the industry to see whether the recommendations had been followed and if further action was required to make the towing sector healthy and competitive.

Since the creation of the Office of Inspector General in 2014, and prior to the release of the [Report on the Towing Industry in Montréal](#) in 2017, towing companies used for snow removal had already been the subject of two other public reports by the Office of Inspector General. In one report, the Inspector General had rescinded contracts involving the rental of tow trucks for snow removal because of collusive arrangements between three companies, which ended up being excluded from all calls for tenders, subcontracts and contracts by mutual agreement for a period of five years. [In the second public report](#), the monitoring carried out by the Office of Inspector General made it possible to establish fraudulent practices between these three companies listed in the Register of Ineligible Persons and companies acting as a front.

Towing industry in 2017

The Inspector General of Ville de Montréal's report on the towing industry described a number of issues. The most notable ones include territory sharing between towing companies, no consistent and systematic awarding of contracts, a climate of violence and retaliation, and the presence and influence of organized crime in the industry. In addition, there was an agreement between towing companies for territory sharing, made easier by the fact that Ville de Montréal had not awarded an exclusive contract for towing vehicles involved in an accident.

What you need to know...

There are five types of towing contracts in Montreal:

Exclusive contracts for towing vehicles involved in an accident that are blocking traffic.

Contracts involving towing and impounding vehicles of drivers who committed certain offences.

Towing contracts for vehicles obstructing driveways and reserved lanes as well as abandoned vehicles.

Contracts for the rental of tow trucks to remove vehicles during snow-clearing operations.

These findings were followed by a series of recommendations to clean up the towing industry within Ville de Montréal limits. The recommendations included setting up of calls for tenders for exclusive towing in specific areas for vehicles involved in accidents or that had to be impounded, and during snow loading operations. In addition, the Inspector General recommended conducting security investigations among contractors and ensuring that exclusive contracts by sector were observed.

Current situation

The Office of Inspector General's investigation in 2022 required the review of five denunciations, three of which were made during the course of the investigation, as well as 120 meetings. These actions established the seriousness of the approach used by the Service de police de la Ville de Montréal (SPVM) in implementing the Office of Inspector General's recommendations.

SPVM's role

In 2018, the SPVM took over from the Montreal Taxi Office (Bureau du taxi de Montréal), which was in charge of the administration and monitoring of various towing contracts. Its inspection, towing and background check section issues operating permits to anyone operating a tow truck. It also issues a driver's licence to any person performing a towing.

Awarding of towing contracts

In 2018, the SPVM issued a call for tenders for three types of towing. The tender was cancelled due to the complex nature of the administrative processing, which included implementing and updating a single rate grid. In October 2020, a new call for tenders was issued for the vehicle impounding portion since this rate was the only one included in by-law RCG19-032 (now RCG20-040). As a result of changes to the rates by-law, the SPVM issued a call for tenders in December 2020 for the towing of broken-down or accident vehicles. The proposed rates were challenged by the industry, which considered them too low, which led to the call for tenders being cancelled.

Following adjustments to the rate grid, contracts by mutual agreement were awarded for the towing of broken-down or accident vehicles. In addition, exclusive contracts were awarded by sector to qualified bidders with a security clearance. However, this did not prevent the competition from going to the scenes of accidents and towing the vehicles. This failure to comply with exclusive contracts could be explained by the contractors, the SPVM and emergency services being unaware of Ville de Montréal's towing by-law: [Translation] *No one may permit, carry out or permit to be carried out towing in an area that is under an exclusive contract with Ville de Montréal if they are not in possession of a tow truck whose operating permit holder has been awarded a contract for the area in question* (article 40).

Towards a more integrated and safe market

As reported in 2017, the towing industry was a far cry from what it is today. Acts of violence and intimidation were commonplace. There were turf wars in the industry. The infiltration of organized crime, resulting, among other things, from a contractual framework that allowed the industry to regulate itself, gave way to a collusive, violent and criminalized system.

The SPVM therefore implemented a number of measures to set up a tendering process to regulate the towing industry. Our oversight investigation on the recommendations and industry revealed that the SPVM's efforts resulted in a healthier and more equitable industry. However, witnesses stated that the new contractual rules were initially difficult to implement for both the industry and the Ville de Montréal business units. They claimed there was an ongoing climate of violence and intimidation during the towing regulation transition period.

Witnesses also reported the resistance on the part of a number of contractors that had been excluded and misunderstandings among contractors in the application of exclusive territories. For instance, unqualified companies used new tactics to double the number of contractors at accident sites (e.g., emergency frequencies and incentives offered to accident witnesses) and thus maintain their place in the industry.

This period of acclimatization and introduction of new rules seems to be better understood and handled by the SPVM. Its inspection, towing and background check section has undertaken a review of its action plan to ensure that it operates efficiently and fairly. New contracts have been awarded and a contractual framework has been planned. Meetings were also held to maintain communication that takes into account the needs of all stakeholders. Among other things, exclusive contracts will be enforced in the ten target areas. All of these measures will enable sustainable practices to be implemented to make the towing industry more competitive.

To conclude, although this industry still needs to be monitored, the various meetings show that the SPVM has taken the Office of Inspector General's report seriously. It undertook to regulate the towing industry rigorously and in a manner which the Inspector General would like to point out. Contracts are awarded to responsible, ethical towing companies that provide front-line service at all times. Exclusive contracts in 10 different areas are now available. A single rate structure also reduced the risk of collusion and ensured fair and equitable billing. All of these measures helped strengthen public safety and the relationship of trust with Montrealers and industry players.

The Inspector General applauded the work done by the SPVM following the investigation report released in 2017. She also pointed out that an office like the Office of Inspector General can support various missions through its mandate to maintain contractual integrity, thereby reducing the risk of contractual breaches in various areas, including public safety.



Legal Affairs

- » Legal challenges: judgments confirming the Office of Inspector General's status and powers



Legal Affairs

Legal challenges: judgments confirming the Office of Inspector General's status and powers

In 2022, the courts handed down several decisions concerning the status and powers of the Office of Inspector General of Ville de Montréal. While in some cases these are not judgments that deal with the principal action, these decisions provide a clearer legal framework for the Office of Inspector General and, in addition to similar previous decisions, enrich the legal framework on the subject.

Observance of procedural fairness

On May 25, 2020, following an administrative investigation into the performance of contracts to clean and empty catch basins, the Office of Inspector General issued a public report that namely recommended that Ville de Montréal list 9108-4566 Québec inc. and its president, Pascal Pesant, on Ville de Montréal's Register of Ineligible Persons for a period of three years. On October 14, 2020, the Ville de Montréal Executive Committee declared them ineligible to contract for a period of three years.

The applicants submitted an application for a judicial review seeking to quash Ville de Montréal's resolution. Although the ruling was in that respect, the January 5, 2022 judgment found that the process followed by the Office of Inspector General met the obligation of procedural fairness toward those involved in its decision.

Under the rule of procedural fairness, the decision-maker—in this case the Inspector General—must provide reasons for the decision, give the persons concerned a reasonable opportunity to submit comments, and review them before making a final decision.

As part of the process, the Office of Inspector General provides each party concerned by its investigation with a "Notice to Interested Parties" indicating the relevant facts gathered during the investigation. Upon receiving the Notice, the persons concerned may submit in writing any comments, representations or observations they believe to be relevant.

In this case, the court found that the Office of Inspector General's counsel [TRANSLATION] "*made a compelling case regarding respect for the applicants' rights in the NOTICE TO INTERESTED PARTIES that enabled them to know the 'accusatory inferences' against them that will justify the findings in the report.*"⁶ The fact that the process followed by the Office of Inspector General respected procedural fairness was also confirmed in another decision involving Les Entreprises K.L. Mainville Inc.⁷ Following the rescinding of two snow removal contracts by the Office of Inspector General, the company sought a judicial review to obtain a suspension of the decision and thus keep the contracts being investigated in force until a judgment on the merits was obtained.⁸ From a procedural standpoint, K.L. Mainville took issue with the process followed by the Office of Inspector General prior to making her decision. Among these was the fact that the Office of Inspector General had not given K.L. Mainville sufficient time to respond to the notice, and that the refusal to provide certain investigation documents that were requested deprived K.L. Mainville of the right to make full answer and defence. K.L. Mainville also took issue with the fact that the Inspector General had made her decision only days after receiving K.L. Mainville's comments and that she was not sufficiently independent from Ville de Montréal.

⁶ 9108-4566 Québec inc. c. Ville de Montréal, 2022 QCCS 3, par. 25.

⁷ Les Entreprises K.L. Mainville inc c. Bishop, 2022 QCCS 2881.

⁸ An application for suspension is a kind of interim step before the substantive review of the case. Since it may only occur several months or even years after an administrative decision comes into force, a suspension allows the party affected by the decision to apply for a temporary suspension of some of its effects pending a hearing on the merits.

The judge found that all of these arguments did not have a strong colour of right and dismissed them for the purposes of the stay application.

The judge noted that K.L. Mainville had received a notice in writing of more than forty pages setting out the alleged facts and the possible consequences for the company. In addition, at K.L. Mainville's request, the Office of Inspector General had provided some additional details as well as an additional period of time which, although not as long as the company had hoped for, still enabled it to produce a detailed response. With respect to the report drafting time, the judge found that despite the short period of time, the Inspector General appeared to have considered K.L. Mainville's arguments in her decision. Finally, the court also rejected arguments relating to a lack of independence on the part of the Inspector General, pointing out the multiple guarantees provided in that respect under the *Charter of Ville de Montréal, metropolis of Québec*.

Stay of decision: considering private interest versus public interest

In addition to the strong colour of right, K.L. Mainville also had to show, in order to obtain a stay of the municipal decision, that the company would suffer serious and irreparable harm if the decision to rescind were to be maintained and that the inconveniences incurred would be more severe than those incurred by Ville de Montréal.

First, the judge noted that the two snow removal contracts in question represented a minimal loss for K.L. Mainville in light of all the other contracts held by the company with the Ministère des Transports du Québec and that, in any event, the losses incurred as a result of the rescinding of the two contracts could be monetarily compensated if the company were to be successful on the merits of the case. Second, the Court found that when weighing the potential inconveniences of K.L. Mainville against those of Ville de Montréal, the latter were greater. [TRANSLATION] *"If a contractor whose contract was rescinded under section 57.1.10 of the Charter of Ville de Montréal could defeat it by obtaining a stay, the safeguards put in place by legislators in favour of the public interest would be rendered ineffective."*⁹ Note that the substantive part of the court case is still ongoing.

Capacity to sue or to be sued¹⁰

On June 14, 2021, the Office of Inspector General issued a public report recommending that three contracts awarded to 11073192 Canada inc. (hereinafter "Na-Sa") be rescinded and

that Na-Sa, Samuel Dubé and Nancy Desjardins (hereinafter "the applicants") be added to the list of persons ineligible to contract with Ville de Montréal for a period of two years. On December 8, 2021, the Ville de Montréal Executive Committee rescinded the contracts and declared the applicants ineligible to contract for two years.

As a result of this decision, the applicants filed a judicial review against Ville de Montréal to have the latter's decision cancelled and to invalidate various sections of Ville de Montréal's by-law on contract management. This litigation is ongoing and will continue between Ville de Montréal, the Inspector General and the applicants. Hearing dates have been set for March 17 and 18, 2024.

The Inspector General was not initially the subject of the application for judicial review, but since Ville de Montréal's decision was based in part on her report, a motion in conservatory intervention was filed so that she could intervene in the case. In a decision rendered on November 11, 2022, the Honourable Sylvain Lussier of the Québec Superior Court granted the Inspector General's request to intervene in the case.

Like municipal auditors general, the court recognizes that, despite the fact that the Inspector General does not have a legal personality under a statute, she may take legal action within the scope of her mandate. This capacity to take legal action stems from the legislative provisions of the *Charter of Ville de Montréal, metropolis of Québec*, giving her independence and autonomy in carrying out her mission with respect to Ville de Montréal. The Inspector General is appointed by City Council by a two-thirds majority vote, her budget is protected by law, and unlike other Ville de Montréal public servants, she does not report to the City director general. The Court also noted that the Inspector General can be sued in the performance of her duties and has the necessary legal immunity should this situation arise.

Finally, the Court chose to exercise its discretion to allow the Inspector General to intervene in the case because of her contribution to it, given her expertise in contract investigation and her legal powers: [TRANSLATION] *"The Inspector General has special expertise in contractual investigations. She is in a unique position to inform the Court about the scope of the powers conferred to her by legislators, on the factual and legal realities of her investigations, and on the reasonableness of the sanctions she recommended."*¹¹

⁹ Les Entreprises K.L. Mainville inc c. Bishop, 2022 QCCS 2881, par. 88.

¹⁰ Taking legal action or defending oneself when being sued.

¹¹ 11073192 Canada inc. (Dénégement Na-Sa) c. Ville de Montréal, 2022 QCCS 4172, par. 47.

Immunity from disclosure of Office of Inspector General information and documents

In May 2020, the Office of Inspector General filed a report, rescinding 12 of the 13 contracts awarded by Ville de Montréal to Beauregard Environnement Ltée to clean up catch basins and sewers, with the recommendation that the thirteenth contract be rescinded. Subsequent to these rescindings¹², Beauregard invoiced Ville de Montréal for a total of \$132,774.44 for work performed. Ville de Montréal disputed the invoices and in turn claimed \$1,063,648.65 from Beauregard, which represented the additional cost to perform the services stipulated in the rescinded contracts and damages and costs under the *Act to Ensure Mainly the Recovery of Amounts Improperly Paid as a Result of Fraud or Fraudulent Tactics in Connection with Public Contracts*.

Given that Ville de Montréal's claim was based in part on the Office of Inspector General's report, Beauregard requested access to several elements of Office of Inspector General's investigation file, including any recordings of meetings with witnesses, written statements, any surveillance reports, and any photographs or video recordings. The Office of Inspector General intervened in the judicial process to oppose the application, invoking section 57.1.24 of the *Charter of Ville de Montréal, metropolis of Québec*, which provides that the Inspector General and her employees cannot be compelled to disclose any information obtained in the performance of their duties.

Indeed, as acknowledged by Beauregard, all the information the company was looking to obtain consisted of evidence gathered during the investigation. Beauregard argued, however, that disclosure immunity is not absolute and that it should have access to information to ensure a balance of information with Ville de Montréal in their dispute.

However, there was never an imbalance between Beauregard and Ville de Montréal given that the latter only had access to the public report filed with City Council and not to the investigation information. Second, Ville de Montréal's action was claiming several exhibits which, although mentioned in the public report, originated from Beauregard itself (including invoices, weighing tickets and truck GPS data).

Lastly, comparatively with other legislation and court decisions, the Court acknowledged the absolute nature of the aforementioned immunity. According to the Court, [Translation] "*Section 57.1.24 is intended to protect the Office of Inspector General as well as the integrity of its process and the effectiveness of investigations, along with the ability to carry out its mission.*"¹³ It thus concluded that by "*structuring the Office of Inspector General's role and power, legislator chose to arbitrate between public interest and individual rights, and this choice favouring public interest should be respected.*"¹⁴ The request for disclosure of investigative information was therefore denied. The case is still before the courts as to substance, with the hearing date yet to be determined.

¹² Beauregard applied for a suspension of the rescindings issued by the Inspector General, with the application being denied in August 2020: [Beauregard Environnement Ltée c. Inspectrice générale de la Ville de Montréal, 2020 QCCS 2616](#).

¹³ *Beauregard Environnement Ltée c. Inspectrice générale de la Ville de Montréal*, 2022 QCCS 797, par. 32.

¹⁴ *Idem*, par. 30.



Prevention and Training

- » Prevention activities
- » Training program

Prevention and Training

Prevention activities

The Office of Inspector General operates at various levels, either directly with the business units at fault to correct irregular situations in breach of Ville de Montréal's by-laws and requirements, or on a large scale through its training program and the publication of a prevention newsletter intended for all Ville de Montréal employees under its mandate as well as other interested parties.

Prevention newsletter



Twice a year, the Office of Inspector General publishes a prevention newsletter for public servants involved in municipal contracting to inform or remind them of best practices in relation to their work. Most of the time, the Office of Inspector General uses the main recurring breaches to determine the content of the prevention newsletter. Priority is given to breaches with a significant negative impact as well as those that occur in large numbers.

The topic of the first newsletter in 2022 was the Bureau de la sécurité privée, its governing legislation, and its requirements for the installation of security systems. It specifically mentions who should hold the necessary permits and authorizations to perform municipal work under the *Private Security Act*, based on field observations and related court cases. The second newsletter covered rules and best practices related to the use of contracts by mutual agreement. Since divergences from the regulatory framework governing its application are still too frequently observed by the Office of Inspector General, the newsletter focused on the rules relating to the use of the contract by mutual agreement and the best practices to be adopted.

Future prevention newsletters can be obtained from the Office of Inspector General by email by submitting a request to prevention@bigmtl.ca.

Prevention activities

Each year, the Office of Inspector General receives numerous denunciations, some of which will involve an investigation, or even a public report if the investigation officers' work reveals that major errors were made. During the drafting of a public report, meetings are held between the Office of Inspector General and the business units concerned in order to present the findings and enable them to quickly make the necessary corrections and thus avoid continuing to investigate the problem that was identified.

Denunciations that are founded that do not result in a public report may involve prevention action. In this context, Office of Inspector General personnel contacts the relevant business unit or legal entity to present their findings and make recommendations with a view to continuous improvement.

Training program

Under Section 57.1.8 of the *Charter of Ville de Montréal, metropolis of Québec*, the Inspector General also has the mandate to “train the members of the councils as well as the officers and employees to recognize and prevent any breach of integrity or of the applicable rules in the making of contracts by the city or the carrying out of such contracts.” Although its training program has been in place for several years now, the Office of Inspector General is working on developing and enhancing it each year to better meet the needs of users.

At the end of this fiscal year, a record 4,440 participants took part in classroom training and virtual training videos. This brought the total number of participants to 14,686 since the Office of Inspector General started its training program in 2017. In 2022, 1,632 persons from Ville de Montréal, related bodies and external organizations attended one or more virtual training sessions offered by the Office of Inspector General.

In addition, the Office of Inspector General rolled out new training based on concrete examples of drafting needs using performance criteria. The Office of Inspector General's investigations revealed that Bill 155, which came into force in 2018 and made it mandatory to use performance specifications, was still not well known or widely enforced by municipal officials. As a result, several business units continue to use descriptive specifications or improperly use performance specifications to define their contractual requirements. The new training, based on concrete examples, outlines the applicable requirements. It showed that most business units are aware of the existence

and the obligation imposed by legislation. However, some claimed not to have the technical expertise or be equipped to deal with the new requirement.

The Office of Inspector General actively continued to provide the following training, primarily by videoconference, in 120 separate sessions:

- » The Inspector General and integrity
- » Collusion and cost estimates
- » Interpreting and applying contractual requirements
- » Contracting with non-profit organizations
- » The Inspector General and the *Act respecting the Autorité des marchés publics*
- » *Tous ensemble pour l'intégrité*
- » Defining needs through performance criteria.

Although the program was designed for elected officials and personnel of Ville de Montréal and its paramunicipal organizations, the Inspector General believes in the importance of sharing the Office of Inspector General's training with anyone who will become a project owner or will be employed by firms that will be involved in municipal contracts, particularly those of Ville de Montréal. Training was provided to École de technologie supérieure and several other municipal organizations responsible for contractual compliance as well as members of Supply Chain Canada.

Data relative to the training program

120 training sessions

327 hours of training

4,440 participants*

1,318

viewings of training videos

* Includes participation in more than one training in 2022.



Our Human and Financial Resources

» Social engagement

» Outreach

» Budget and accountability

» Equal access to employment

Our Human and Financial Resources

Social engagement

2022 Centraide Walk/Run event and Sun Youth

In the spirit of solidarity and equity, the Office of Inspector General's staff continued the tradition of getting involved in activities that help the most vulnerable.

Most of the staff participated in Ville de Montréal's annual events to raise funds for Centraide of Greater Montréal and the Canadian Red Cross – Québec Division. Sixteen staff members signed up for the Ville de Montréal's 2022 Centraide

Walk/Run, in addition to taking part in various charitable activities. Donations totalling \$6,779.50 collected at the Office of Inspector General were given to Centraide of Greater Montréal (\$5,789.50) and the Canadian Red Cross – Québec Division (\$990).

The Office of Inspector General's staff also continued the tradition of generously contributing to Sun Youth's Christmas basket campaign.

Outreach

External representations

The Inspector General, the Deputy Inspectors General and the professional staff regularly have opportunities to speak about the Office of Inspector General's structure, mandate and mission, as well as present examples of cases. In 2022, the Office of Inspector General's members spoke at the following events:

- » Round table on public procurement law by the École nationale d'administration publique (ENAP)
- » 2022 Annual Conference – Association of Inspectors General (AIG)
- » Virtual conference – Interpretation and Application of Contractual Requirements, organized by the Association des directeurs généraux des municipalités du Québec (ADGMQ)
- » Toronto Day of Dialogue 2022
- » Training at Université du Québec à Montréal
- » Training and discussion with a general delegation from the Bureau de l'inspection générale du Sénégal
- » Workshop organized by the Groupe d'étude sur la gouvernance et la passation des marchés publics as part of International Anti-Corruption Day

- » Conference part of the course on public procurement law at the École nationale d'administration publique.

Inspector General's conference

The Inspector General asked governance and ethics expert Marc Y. Tassé to share his expertise on areas of vulnerability experienced by municipal project owners since the start of the pandemic. His presentation, which was given at the Inspector General's third conference, was viewed by about 100 people involved in contract integrity in Quebec. The conference took place on June 8 in hybrid mode.

Whistleblower Awareness Day

The Forum des partenaires en intégrité publique organized a half-day of conferences to raise awareness in the public sector of the importance of whistleblowers in protecting the probity of Quebec public organizations. The event took place on March 23 in Québec City as part of *Whistleblower Awareness Day*. The Inspector General was invited to share her perspective under the theme "Working together to strengthen the integrity of public bodies."

Coordination committee

Since 2017, the coordination committee for contractual integrity units has been meeting to share best practices and emerging trends in contract delinquency. Two meetings were held in 2022, attended by persons from the following organizations:

- » Office of Inspector General of Ville de Montréal
- » Bureau d'intégrité et d'éthique conjoint Laval-Terrebonne
- » Bureau d'inspection contractuelle de la Ville de Longueuil
- » Bureau de l'intégrité professionnelle et administrative de la Ville de Saint-Jérôme
- » Autorité des marchés publics
- » Unité permanente anticorruption

Public integrity partnership forum

The public integrity partnership forum brings together several public bodies to share best practices and information to enhance the performance of units whose mandate is primarily focused on integrity. The forum was held in February, June and October.

The forum participants consisted of:

- » Protecteur du citoyen
- » Office of Inspector General of Ville de Montréal
- » Unité permanente anticorruption
- » Bureau du commissaire au lobbyisme du Québec
- » Commission municipale du Québec
- » Autorité des marchés publics
- » Commission de la représentation électorale
- » Commissaire à l'éthique et à la déontologie

Board of Directors of the Association of Inspectors General

In October, as part of her duties, the Inspector General served on the committee for the 2022 Association of Inspectors General's Board of Directors Meeting in Atlanta, USA. At that meeting, Ms. Bishop was elected to sit on the AIG's Executive Committee, becoming the first Canadian woman to do so.

Budget and accountability

In 2022, the original budget of the Office of Inspector General was set at 0.11% of Ville de Montréal's total operating budget, representing approximately \$6.6 million (\$6,640,600).

Expenditures were \$4.5 million (\$4,505,100), consisting of \$4 million (\$4,046,500) in salary expenses and \$458,600 in non-salary expenses.

The overall favourable variance between expenditures and the original budget corresponds to the unspent amounts budgeted for professional services. These amounts are reserved for special projects and contingencies. The unspent \$2.1 million (\$2,135,500), or 32% of the original budget, will be returned to the Ville de Montréal surplus.

The table below presents the Office of Inspector General's original budget, total expenditures and allocation of expenses in dollars and percentages for the year ended December 31, 2022.

In thousands of dollars:		
BUDGET	6,640.6	100%
EXPENDITURES	4,505.1	67.8%
Salary expenses	4,046.5	60.9%
Compensation and professional dues	4,046.5	60.9%
Non-salary expenses	458.6	6.9%
Rental, maintenance and repair expenses	22.3	0.3%
Technical and other services	109.9	1.7%
Durable and non-durable goods	111.3	1.7%
Professional fees	141.0	2.1%
Transport and communication	74.1	1.1%
VARIANCE	2,135.5	32.2%

Equal access to employment

The following table illustrates the breakdown in staff at the Office of Inspector General at December 31, 2022 based on the groups covered by the *Act Respecting Equal Access to Employment in Public Bodies*.

Category	Number	Percentage
Men	16	55%
Women	13	45%
Aboriginal people	0	0%
Visible and ethnic minorities*	2*	7%
Disabled persons	0	0%

*This group includes both men and women.

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For the year ended
December 31, 2022

Section 57.1.23
of the *Charter of Ville de Montréal,*
metropolis of Québec



Electronic form:

www.bigmtl.ca/denonciation/

Email:

big@bigmtl.ca

Telephone: 514 280-2800

Fax: 514 280-2877

Mailing address:

1550 Metcalfe Street, Suite 1200, 12th floor
Montréal, Québec H3A 1X6

Graphic Design:
Bivouac Studio
info@bivouacstudio.com

For more information, please visit our website at
bigmtl.ca