

**SUBJECT: Office of the Auditor General (OAG) – Zero Emission Buses Project –
Sprint 4 Audit Report**

File Number ACS2023-OAG-BVG-0006

**Report to the Joint Meeting of Audit Committee and Transit Commission on 9
June 2023**

and Council 14 June 2023

Submitted on May 31, 2023 by Nathalie Gougeon, Auditor General

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(OAG)**

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Ward: Citywide

**OBJET : Bureau de la vérificatrice générale (BVG) – Rapport sur la vérification
des autobus non polluants – Sprint 4**

Dossier : ACS2023-OAG-BVG-0006

**Rapport présenté à la réunion conjointe du Comité de la vérification et de la
Commission du transport en commun**

Rapport soumis le 9 juin 2023

et au Conseil le 14 juin 2023

Soumis le 31 mai 2023 par Nathalie Gougeon, vérificatrice générale

**Personne-ressource : Nathalie Gougeon, vérificatrice générale, Bureau de la
vérificatrice générale (BVG)**

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

That the Joint Audit Committee and Transit Commission receive the audit report and recommend that Council consider and approve the recommendations.

RECOMMANDATION(S) DU RAPPORT

Que le Comité de la vérification et de la Commission du transport en commun reçoive le rapport de vérification, et recommande au Conseil d'examiner les recommandations, à des fins d'approbation.

BACKGROUND

The audit of the Zero-Emission Buses (ZEB) project was approved to be included in the Office of the Auditor General's (OAG) 2021 Interim Audit Workplan, via an amendment memo, as approved by City Council (Council) on July 7, 2021.

DISCUSSION

In accordance with the Governance report approved by Council on December 7, 2022, the **Audit of Zero-Emission Buses Sprint 4 – Envari Contract** is being tabled (recommended to be presented *in camera*; see “Legal Implications” section of this report) with the Audit Committee (Document 1).

This report will then be referred to Council for approval of the recommendations. Details of the engagement objective, scope, findings, recommendations, and management action plans can be found in the report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments to the Audit Committee and Council considering this report.

However, the City Clerk and City Solicitor, in consultation with the Auditor General, have recommended that the ZEB Sprint 4 Audit Report be presented to the Joint Meeting in closed session and not reported out until such time as the contract in question is signed. The comments set out below explain the underlying rationale for this recommended approach.

As the content of the in-camera presentation to the Joint Meeting regarding Zero Emission Buses contains information pertaining to the City's contract negotiations with

Envari Energy Solutions, the release of which could prejudice the City's legal and bargaining position in respect of these contract negotiations, and the Committee may seek advice that is subject to solicitor-client privilege in relation to these negotiations, the material falls within the exceptions contemplated by Subsections 13(1)(f) and (k) of City Council's Procedure By-law, and is also exempt from disclosure pursuant to Sections 6(1)(b), 11(e) and 12 of the Municipal Freedom of Information and Protection of Privacy Act. As such this matter will only be reported out upon execution of the contract.

Furthermore, this report is to be considered in camera pursuant to the Procedure By-law (By-law No. 2022-410), Subsection 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and Subsection 13(1)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide issue.

ADVISORY COMMITTEE(S) COMMENTS

This section does not apply, as this is a city-wide administrative report.

CONSULTATION

As this is considered an internal administrative matter, no public consultation was undertaken.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

TERM OF COUNCIL PRIORITIES

This report supports the Term of Council Priority related to Governance, Planning and Decision Making.

SUPPORTING DOCUMENTATION

Document 1 – OAG: ZEB Audit Report (Sprint 4)

Document 1 – BVG : Rapport sur la vérification des ANP (Sprint 4)

As noted in the “Legal Implications” section above, Document 1 is confidential until the draft contract with Envari is signed. Document 1 is held on file with the City Clerk. It will also be available on the Auditor General’s website at www.oagottawa.ca and www.bvgottawa.ca once the contract is signed.

DISPOSITION

The Office of the Auditor General will proceed according to the direction of the Joint Meeting of the Audit Committee and Transit Commission and Council in considering this report.