

# PROCUREMENT SERVICES REFERRAL PROTOCOL FOR LEGAL SERVICES

May 25, 2021

## Introduction

Procurement Services (“**PS**”) and the Office of University Counsel (“**OUC**”) have developed this protocol to direct and manage requests for legal services from PS to OUC (the “**Protocol**”). This Protocol aims to improve the quality of services received by PS from OUC by strengthening continuity of services, facilitating the development of higher levels of knowledge and understanding between OUC and PS.

## General Principles

This Protocol was established to:

- provide PS with a single point of contact within OUC who is a subject-matter expert in areas relevant to PS and who is aware of all matters being handled by OUC for PS; this will enable PS to receive coordinated and consistent services from OUC;
- set out a communication plan between PS and OUC regarding ongoing matters handled by OUC in connection with PS;
- allow PS to prioritize legal services it is receiving from OUC in accordance with its needs;
- develop a reciprocal understanding between PS and OUC about their respective operations in order to ensure that efficient services are provided to PS and that scarce institutional resources are used effectively and efficiently; and
- create processes within PS to vet and potentially resolve legal matters before they are escalated to OUC, allowing PS to build on previous knowledge acquired through its work with OUC and ultimately better equipping PS to manage its own affairs.

## The Protocol

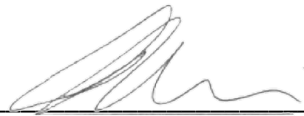
1. OUC’s primary contacts in PS are, depending on the nature of the matter, the Associate Director of Procurement, the Procurement Sourcing Manager, and the Senior Director, Financial Services & Strategic Procurement (the “**PS Contacts**”).
2. In order to ensure that the leadership within PS is aware of all matters that require the involvement of OUC, where a member of PS (the “**Member**”) believes that the Member needs legal advice or assistance, the Member should first approach the appropriate PS Contact to obtain approval for contacting the OUC.
3. If possible, to facilitate greater control over the use of legal services, the PS Contact should draw on the PS Contact’s knowledge, experience, and previous work with OUC to provide the Member with direction that may avoid the need to refer the matter to the OUC.
4. If the Member and the PS Contact are unable to resolve the issue, and the PS Contact determines that the matter should be referred to OUC, the PS Contact will refer the matter to the Contact Lawyer (as defined below).

5. PS will establish these internal communication and escalation processes with the goal of ensuring that the leadership within PS maintains visibility in respect of the legal matters being handled by OUC for PS.
6. PS's primary contact in OUC is Michael Serebriakov (the "**Contact Lawyer**"). The Contact Lawyer's email is [michael.serebriakov@ubc.ca](mailto:michael.serebriakov@ubc.ca) and his telephone number is 604-827-0209. The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
7. After the PS Contact has engaged OUC on a matter, the Contact Lawyer and the PS Contact will decide on the appropriate communications channels. To ensure that the PS Contact remains engaged in the matter and can provide additional instructions, the PS Contact will remain involved in the communications and be copied on all electronic messages, even if the communication with the Contact Lawyer is primarily through the Member.
8. If the PS Contact contacts a lawyer in OUC other than the Contact Lawyer, that lawyer will refer the matter to the Contact Lawyer.
9. The Contact Lawyer (or if the Contact Lawyer is unavailable, the University Counsel) may decide that it may be more appropriate for another lawyer to take carriage of the file. For example, the Contact Lawyer could be unavailable, or the matter could be time-sensitive or require particular expertise. In such cases, the lawyer who takes carriage of the file will brief the Contact Lawyer on the matter on an ongoing basis so that a single point of contact remains accountable for the legal services being provided to PS.
10. If someone other than the PS Contact contacts the Contact Lawyer or any other member of OUC, the Contact Lawyer or other OUC member, as applicable, will refer such person to this Protocol.
11. The Contact Lawyer will meet with the PS Contacts quarterly or as needed to discuss ongoing legal matters handled by OUC for PS, PS's priorities, and other matters that may require the assistance of OUC.



---

Hubert Lai, Q.C., University Counsel



---

Shelly Morrison,  
Senior Director, Financial Services & Strategic  
Procurement