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## OCP Ombudsman Complaint Handling Process

### Procedures

Complaints may be submitted online via the OCP website (online form coming soon), via USPS, telephone or in person. A [standard form](#) is available for download from the OCP website with instructions on how to prepare the complaint, inquiry, etc. For those actions received in person or by phone, the OCP Ombudsman's office will assist in completing the form. Regardless of the disposition of compliant or inquire, each will be logged in on a spread sheet and closed in writing. The steps for handling a complaint or inquiry are as follows:

- Incoming complaints will be screened to examine whether they are within the purview of the OCP Ombudsman and whether they have an apparent case warranting investigation:
  - Does the complaint clearly state the problem, desired remedy and prior actions taken to resolve the matter?
- Complainants "screened in" will be evaluated within three days of receipt and a determination made as to resolution disposition e.g. mediation or full investigation.
  - Full investigation would be warranted where gross misconduct, etc. were suspected. In those cases, OPIC will be immediately advised for possible assistance and a notice will be sent to the OCP Chief of Staff
  - The goal is to complete/resolve non-complex complaints within 10 business days. Complex complaints involving investigation will be completed on a case by case basis with the goal of not exceeding 15 business days
- For complainants "screened out", the complainant will be notified of the reasons for not pursuing the case and as appropriate include suggestions for other remedies or means of resolving the concern.
- At the conclusion of an inquiry or investigation, the OCP Ombudsman will present in writing its findings to the complainant. For cases resolved by mediation, the OCP Ombudsman will confirm in writing the settlement agreement between the two parties
- If the OCP Ombudsman discovers administrative or process faults on the part of OCP or an Agency, the OCP Ombudsman will make recommendations for improvement, streamlining a faulty procedure or recommend other remedial measures

To view the OCP Ombudsman Complaint Handling Flow Chart, click [here](#).



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## **Approaches**

**Inquiry:** Inquiry is the process to handle complaints that lend themselves to reaching quick resolution. The Agency or Contract Officer under complaint will be asked to respond (to the Ombudsman) and as appropriate to the complaining organization as well:

- The OCP Ombudsman will examine the response the complainant's claim and where applicable, with any other relevant information, present the findings of the complainant;
- When more in-depth probing is needed, the OCP Ombudsman may elect to conduct a full investigation (possibly engaging OPIC for assistance)

**Mediation:** Mediation will be used when the complaint involves minor or no obvious maladministration:

- This is a voluntary process where the complainant and the Agency or Contract Officer under complaint agree to discuss the matter at a meeting or by phone to explore mutually acceptable solutions;
- The OCP Ombudsman will moderate the discussion as an impartial facilitator for the parties to reach agreement;
- If mediation fails, the OCP Ombudsman may initiate a full investigation or make specific recommendations to OCP and Agency Senior staff to assist in reaching a resolution.

**Full Investigation:** Full investigations may be necessary in complex complaints which appear to involve issues of principle, serious maladministration, and systemic flaws or simply require deeper probing

- Full investigations may involve assistance from OPIC, OCP General Counsel or OAG;
- The results of the investigation and recommended corrective actions will be shared with OCP Senior Staff and the complainant;
- The OCP Ombudsman (in partnership with OPIC), will monitor the implantation of corrective actions and improvements – in the absence of implantation or improvement, additional steps may be taken with District's Chief Procurement Officer, OCP General Counsel and as needed, the OAG and the OIG.



### Requests for 2nd Review

For cases "screened out", complainants can make an appeal to the OCP Ombudsman in writing with justifications. The OCP Ombudsman with assistance from OPIC will "re-assess" such cases and consider the complainants' grounds to decide whether the case should be re-opened for further follow-up actions and report on the same. In the review report, the OCP Ombudsman will make a final decision on whether the original conclusion should be upheld or varied. Apart from requesting a review, the complainants may seek a judicial review of the OCP Ombudsman's decision.

### Complaint Intake

- Contractors may submit concerns, requests or suggestions via phone, e-mail, USPS, or in Person. The following processes and form will be utilized as the initial intake document.
- **By Phone:** Upon receiving a call from a complainant, the OCP Ombudsman will ask if the complainant wants to document the matter. If so, the complainant can answer the questions on the [In-Take Form](#) and the OCP Ombudsman will complete the form. Once completed, the appropriate method to resolve will be determined and a copy of the In-Take Form will be sent to the complainant.
- **e-Mail:** The complainant may download the [In-Take Form](#), complete the form and e-mail it to the OCP Ombudsman at [ocp.ombudsman@dc.gov](mailto:ocp.ombudsman@dc.gov). Upon receipt of the form, the OCP Ombudsman will acknowledge receipt via e-mail, log the complaint and determine the appropriate method to resolve the matter.
- **USPS:** Same process as with e-Mail
- **In Person:** Same process as By Phone

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