



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Procurement

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## ORDER

File No. PR-2014-019

Oracle Canada ULC

v.

Department of Public Works and  
Government Services

*Order issued  
Tuesday, September 2, 2014*

IN THE MATTER OF a complaint filed by Oracle Canada ULC pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C., 1985, c. 47 (4th Supp.);

AND FURTHER TO a notice of motion filed by Oracle Canada ULC on August 15, 2014, for the production of documents by the Department of Public Works and Government Services;

AND FURTHER TO a notice of motion filed by Oracle Canada ULC on August 15, 2014, requesting an extension of time to file comments on the Government Institution Report.

**BETWEEN**

**ORACLE CANADA ULC**

**Complainant**

**AND**

**THE DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES**

**Government Institution**

**ORDER**

The Canadian International Trade Tribunal grants the request in part.

Having reviewed the request for the production of documents made by Oracle Canada ULC dated August 15, 2014, the comments by the Department of Public Works and Government Services and Sierra Systems Group Inc. dated August 20, 2014, and the reply by Oracle Canada ULC dated August 22, 2014, the Canadian International Trade Tribunal orders the Department of Public Works and Government Services, pursuant to subsection 17(2) of the *Canadian International Trade Tribunal Act*, to file with the Canadian International Trade Tribunal, no later than **Thursday, September 4, 2014**, the following documents:

- unredacted/confidential versions of the two amendments to the contract between Sierra Systems Group Inc. and the Department of Public Works and Government Services that were issued on March 20 and 31, 2014, as well as any further amendments to the contract;
- unredacted/confidential versions of task authorizations PWGSC TA-001, 002 and 003;
- unredacted/confidential versions of task authorizations IC CIO TA-001, IC CIO TA-001 amendment 1, IC CIO TA-002, IC CIO TA-002b and IC CIO TA-003;
- an unredacted/confidential version of the contract between Sierra Systems Group Inc. and the Department of Public Works and Government Services dated December 20, 2013;
- an unredacted version of the bid made by Sierra Systems Group Inc.; and
- all communications between and amongst the Department of Public Works and Government Services, any other government department, Sierra Systems Group Inc. and Microsoft Canada Inc., Microsoft Corporation and Microsoft Licensing, GP relating to the switch from Microsoft Dynamics 2011 to Microsoft Dynamics 2013.

Pursuant to paragraph 46(1)(b) of the *Canadian International Trade Tribunal Act*, the Canadian International Trade Tribunal orders the Department of Public Works and Government Services to file with the Canadian International Trade Tribunal, no later than **Thursday, September 4, 2014**, non-confidential edited versions or non-confidential summaries of task authorizations PWGSC TA-004, 005 and 006, and IC CIO TA-001.

Finally, having reviewed the requests for an extension of time to file comments on the Government Institution Report made by Oracle Canada ULC dated August 15, 2014, and by Sierra Systems Group Inc. and Microsoft Canada Inc., Microsoft Corporation and Microsoft Licensing, GP dated August 18, 2014, the Canadian International Trade Tribunal directs Sierra Systems Group Inc. and Microsoft Canada Inc., Microsoft Corporation and Microsoft Licensing, GP to file their comments, if any, on the complaint and the Government Institution Report by **Thursday, September 11, 2014**, and Oracle Canada ULC to file its comments, if any, on the Government Institution Report and the submissions by Sierra Systems Group Inc. and Microsoft Canada Inc., Microsoft Corporation and Microsoft Licensing, GP by **Monday, September 15, 2014**.

Ann Penner

Ann Penner

Presiding Member

The reasons for this order will be included in the statement of reasons on the merits of the complaint.