



BY FACSIMILE

November 14, 2003

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**Re: Solicitation Number W0125-03ENV3/A
Inland Technologies Canada (File No. PR-2003-060)**

I wish to inform you that the Canadian International Trade Tribunal (the Tribunal) has reviewed the complaint submitted by Inland Technologies Canada (Inland) regarding a procurement (Solicitation No. W0125-03ENV3/A) by Public Works and Government Services Canada (PWGSC) on behalf of the Department of National Defence (DND) for the provision of glycol recovery services. The Tribunal (Presiding member: Bradford) has decided not to initiate an inquiry into this complaint.

Subsection 7(1) of the Canadian International Trade Tribunal Procurement Inquiry Regulations (the Regulations) sets out conditions that must be satisfied before the Tribunal may conduct an inquiry in respect of a complaint. One of these conditions is that the complaint, and any other information examined by the Tribunal in respect of the complaint, disclose a reasonable indication that the procurement has not been carried out in accordance with the applicable trade agreements.

In its complaint, Inland alleged that the evaluation process was unfair, based on Inland's opinion that the winning bidder could not have had the same level of experience as Inland. The Tribunal, having reviewed all information submitted with the complaint, including an explanation from PWGSC as to why Inland did not win the solicitation, finds that neither the complaint nor the accompanying information give any indication that the procurement failed to be carried out in accordance with the RFP or that PWGSC otherwise violated the applicable trade agreements.

In light of the foregoing, the Tribunal will not conduct an inquiry into this complaint and considers the matter closed.

Yours sincerely,

Michel P. Granger
Secretary