



TRANSLATION

BY FACSIMILE

July 5, 2007

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Subject: Solicitation No. EG973-051089/A
Les logiciels Lingua Technologies Inc. (File No. PR-2007-024)

The Canadian International Trade Tribunal (the Tribunal) (Presiding Member: Pierre Gosselin) has reviewed the complaint submitted on behalf of Les logiciels Lingua Technologies Inc. (Lingua) on June 25, 2007, and has decided not to initiate an inquiry into the complaint.

The Request for Proposal (RFP) of the Department of Public Works and Government Services (PWGSC) sought services for the leasing and maintenance of a turnkey system for the translation of meteorological bulletins from English to French and vice versa. Lingua alleged that it was unable to demonstrate its solution because the instructions contained in the RFP were ambiguous, badly defined and inaccurate. PWGSC refused to allow Lingua to repeat its demonstration.

Paragraph 7(1)(c) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations* requires that the Tribunal determine whether the information provided by the complainant discloses a reasonable indication that the procurement has not been carried out in accordance with whichever of Chapter Ten of the *North American Free Trade Agreement*, Chapter Five of the *Agreement on Internal Trade* or the *Agreement on Government Procurement* applies.

Based on the information in the complaint, the Tribunal is of the opinion that the process followed by PWGSC was consistent with the process described in Annex DA-16 to the RFP, which contains revised Appendix A-3 titled "Real-time Demonstrations and Trials". The Tribunal is also of the opinion that revised Appendix A-3 contains sufficient information to enable the conduct and environment of the trials to be understood and that the process of erasing the hard disks was not useless and abusive.

The Tribunal finds that the complaint does not disclose a reasonable indication that the

procurement by PWGSC has not been carried out in accordance with the relevant trade agreements.

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

Yours sincerely,

Hélène Nadeau
Secretary