



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Procurement

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## ORDER

File No. PR-2003-007R

Port Weller Dry Docks, a division of  
Canadian Shipbuilding &  
Engineering Ltd.

v.

Department of Public Works and  
Government Services

*Order issued  
Tuesday, June 29, 2004*

IN THE MATTER OF a complaint filed by Port Weller Dry Docks, a division of Canadian Shipbuilding & Engineering Ltd., under subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C. 1985 (4th Supp.), c. 47;

AND FURTHER TO a decision of the Federal Court of Appeal, which set aside the order of the Canadian International Trade Tribunal refusing costs to the Crown in File No. PR-2003-007 made on July 14, 2003, and remitted the matter to the Canadian International Trade Tribunal with the direction to award the Crown its reasonable costs.

**BETWEEN**

**PORT WELLER DRY DOCKS, A DIVISION OF CANADIAN  
SHIPBUILDING & ENGINEERING LTD.**

**Complainant**

**AND**

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

**Government  
Institution**

**ORDER**

On May 17, 2004, the Department of Public Works and Government Services submitted to the Canadian International Trade Tribunal its claim for costs in the amount of \$5,783.95.<sup>1</sup> That amount represents legal fees for 84.2 hours at \$66.66/hour, taxes not applicable, and disbursements in the amount of \$170.80, taxes not applicable. Port Weller Dry Docks, a division of Canadian Shipbuilding & Engineering Ltd., did not file comments on the Department of Public Works and Government Services' claim.

In accordance with the Canadian International Trade Tribunal's cost order in *Antian Professional Services Inc.*<sup>2</sup> with respect to the appropriate rate for in-house counsel, the Canadian International Trade Tribunal is of the opinion that the rate charged by the Department of Public Works and Government Services, in this case, is appropriate. The Canadian International Trade Tribunal is also of the opinion that the hours claimed are reasonable in this case and, therefore, allows the Department of Public Works and Government Services its legal costs in the amount of \$5,612.77. The Canadian International Trade Tribunal is also of the opinion that the amount of disbursements is reasonable in this case and allows the Department of Public Works and Government Services its costs in the amount of \$170.80.

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1. Total dollars as added by PWGSC. The correct total is \$5,783.57.  
2. (24 October 2003), PR-2002-051 (CITT).

The Canadian International Trade Tribunal hereby allows the Department of Public Works and Government Services costs in the amount of \$5,783.57 for responding to the complaint and directs Port Weller Dry Docks, a division of Canadian Shipbuilding & Engineering Ltd., to take appropriate action to ensure prompt payment.

Pierre Gosselin  
Pierre Gosselin  
Presiding Member

Zdenek Kvarda  
Zdenek Kvarda  
Member

Ellen Fry  
Ellen Fry  
Member

Hélène Nadeau  
Hélène Nadeau  
Secretary