



Ottawa, Monday, November 4, 2002

File No. PR-2002-006

IN THE MATTER OF a complaint filed by XIA Information Architects Corporation under subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C. 1985 (4th Supp.), c. 47;

AND FURTHER TO a determination made pursuant to subsection 30.16(1) of the *Canadian International Trade Tribunal Act* awarding XIA Information Architects Corporation its reasonable costs incurred in preparing and proceeding with the complaint.

## ORDER

### INTRODUCTION

In a determination made on July 29, 2002, pursuant to subsection 30.16(1) of the *Canadian International Trade Tribunal Act*, the Canadian International Trade Tribunal (the Tribunal) awarded XIA Information Architects Corporation (XIA) its reasonable costs incurred in relation to preparing and proceeding with the complaint.

On August 30, 2002, XIA submitted to the Tribunal its claim for costs in the amount of \$4,584.07. The Department of National Defence (DND) did not comment on XIA's claim.

### COMPLAINT COSTS

XIA's complaint costs consist of \$4,474.74, including GST, for representation and \$109.33 for the production (i.e. binding and photocopying) of the complaint.

With respect to the representative's fees, the Tribunal notes that the amount claimed is for the services of the president, who worked 61.5 hours at \$68.00 per hour. This falls well within the rates permitted under the Tribunal's *Procurement Cost Guidelines* (the Guidelines), which range from \$85.00 to \$125.00 per hour. However, the Tribunal notes that GST cannot be claimed for in-house representative's fees. Accordingly, the amount claimed for representative's fees should be reduced to \$4,182.00. The amount claimed for photocopying, \$53.60 at \$0.10 a copy, is within the Guidelines and the cost of \$55.73 for binding appears reasonable to the Tribunal.

The Tribunal notes that DND did not file any comments with respect to the above costs. The Tribunal considers them reasonable in the circumstances and will therefore allow the full amount, less applicable GST, claimed in this regard.

**CONCLUSION**

The Tribunal hereby awards XIA costs in the amount of \$4,291.33 for preparing and proceeding with the complaint and directs PWGSC to take appropriate action to ensure prompt payment.

Zdenek Kvarda  
Zdenek Kvarda  
Presiding Member

Michel P. Granger  
Michel P. Granger  
Secretary