



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Procurement

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## ORDER

File No. PR-2007-079

Immeubles Yvan Dumais Inc.

v.

Department of Public Works and  
Government Services

*Order issued  
Tuesday, October 14, 2008*

IN THE MATTER OF a complaint filed by Immeubles Yvan Dumais Inc. 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 Canadian International Trade Tribunal issued on June 10, 2008, in which it determined that the complaint was valid and recommended that the Department of Public Works and Government Services compensate Immeubles Yvan Dumais Inc. for the profit that it lost in not being awarded the contract in question;

AND FURTHER TO a notice of motion filed by the Department of Public Works and Government Services, under rule 24 of the *Canadian International Trade Tribunal Rules*, for an order requiring Immeubles Yvan Dumais Inc. to allow an inspection of its building located at 770 de Bretagne St., Baie-Comeau, Quebec.

## **BETWEEN**

**IMMEUBLES YVAN DUMAIS INC.**

**Complainant**

## **AND**

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

**Government  
Institution**

## **ORDER**

Having considered the motion of the Department of Public Works and Government Services dated September 17, 2008, the submissions of Immeubles Yvan Dumais Inc. dated September 30 and October 9, 2008, and the submission of the Department of Public Works and Government Services dated October 3, 2008, and having determined that the requested order is necessary in order to allow the Department of Public Works and Government Services to file a submission concerning the issue of compensation further to the recommendations of the Canadian International Trade Tribunal dated June 10, 2008, an issue that the Canadian International Trade Tribunal must decide with prejudice unless the parties agree on the amount of compensation, the Canadian International Trade Tribunal, under subsection 17(2) of the *Canadian International Trade Tribunal Act*, makes the following order:

- Immeubles Yvan Dumais Inc. will allow the Department of Public Works and Government Services to inspect, at the Department of Public Works and Government Services' costs and within 45 days from the date of this order, as necessary, its building located at 770 de Bretagne St., Baie-Comeau, Quebec, in order to be able to determine the scope of the work that would be needed to make the said building conform to the requirements and standards outlined in the "Lease Documentation Package for Lease Project Number 529468" and to determine the cost of that work; and

- the Department of Public Works and Government Services will advise Immeubles Yvan Dumais Inc. at least 48 hours in advance of its inspection of the said building.

Serge Fréchette  
Serge Fréchette  
Presiding Member

Hélène Nadeau  
Hélène Nadeau  
Secretary