



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

DETERMINATION

File No. PR-2019-025

Heiltsuk Horizon Maritime
Services Ltd. and Horizon Maritime
Services Ltd.

v.

Department of Public Works and
Government Services

*Determination issued
Friday, October 18, 2019*

IN THE MATTER OF a complaint filed by Heiltsuk Horizon Maritime Services Ltd. and Horizon Maritime Services Ltd. pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C., 1985, c. 47 (4th Supp.);

AND FURTHER TO a decision to conduct an inquiry into the complaint pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act*.

BETWEEN

**HEILTSUK HORIZON MARITIME SERVICES LTD. AND
HORIZON MARITIME SERVICES LTD.**

Complainants

AND

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

**Government
Institution**

DETERMINATION

Pursuant to subsection 30.14(2) of the *Canadian International Trade Tribunal Act*, the Canadian International Trade Tribunal determines that the complaint is valid in part.

As a result of this determination, the Tribunal recommends that all of the bids be re-evaluated by the Department of Public Works and Government Services (PWGSC) solely with respect to compliance with mandatory criterion 12 (MR 12), in accordance with the Tribunal's directions set out in the reasons for this determination, including permitting the submission of new information regarding compliance with MR 12. For clarity, this is the same remedy as the one recommended as a result of the determination in PR-2019-020.

The Tribunal awards the complainants their reasonable costs incurred in preparing and proceeding with the complaint, which costs are to be paid by PWGSC. In accordance with the *Procurement Costs Guideline*, the Tribunal's cost award is \$1,150.

Peter Burn

Peter Burn
Presiding Member

The statement of reasons will be issued at a later date.