



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Procurement

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## ORDER AND REASONS

File No. PR-2019-049

Opus Leaders Inc.

v.

Department of Public Works and  
Government Services

*Order and reasons issued  
Tuesday, January 28, 2020*

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IN THE MATTER OF a complaint filed by Opus Leaders Inc. 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 of the Canadian International Trade Tribunal to conduct an inquiry into the complaint pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act*.

**BETWEEN**

**OPUS LEADERS INC.**

**Complainant**

**AND**

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

**Government  
Institution**

**ORDER**

The Tribunal ceases its inquiry. Each party shall bear its own costs.

Susan D. Beaubien  
\_\_\_\_\_  
Susan D. Beaubien  
Presiding Member

**STATEMENT OF REASONS**

[1] This complaint was filed on December 2, 2019, by Opus Leaders Inc. (Opus).

[2] The Tribunal decided, on December 9, 2019, to inquire into the complaint, pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act* and subsection 7(1) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations*.

[3] The government institution filed and served its report on January 15, 2020. Upon reviewing the report filed by the government institution, Opus advised the Tribunal that the report contained information that clarified, to Opus's satisfaction, that the bid evaluation process had been conducted fairly. As such, Opus informed the Tribunal on January 16, 2020, that it wished to withdraw its complaint.

[4] The government institution has admitted that the letter sent to Opus announcing the outcome of the procurement process contained several material errors concerning the value and other aspects of the contract as awarded. From the record, the Tribunal concludes that these errors were inadvertent. However, the Tribunal also finds that the errors underpinned, in whole or in part, the grounds for contesting the procurement, as set forth in Opus's complaint.

**ORDER**

[5] In view of the foregoing, the Tribunal hereby ceases its inquiry, pursuant to subsection 30.15(5) of the *Canadian International Trade Tribunal Act*. However, in view of the circumstances that the filing of the complaint was due to errors in the government institution's correspondence with Opus, each party shall bear its own costs.

Susan D. Beaubien  
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Susan D. Beaubien  
Presiding Member