



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

DETERMINATION

File PR-2025-014

Cadex Inc.

v.

Department of Public Works and
Government Services

*Determination issued
Monday, November 17, 2025*

IN THE MATTER OF a complaint filed by Cadex Inc. pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*;

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

CADEX INC.

Complainant

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.

For more detailed reasons to be provided shortly, the Tribunal concludes that Cadex Inc. has standing as a “potential supplier” to bring this complaint, which was timely filed. The Tribunal has reviewed the materials and submissions filed by the parties and has applied a deferential standard of reasonableness in assessing the government institution’s explanation for the prescribed signal-to-noise ratio (SNR) threshold as a mandatory requirement of the solicitation, in response to the grounds of complaint. The Tribunal finds that the government institution has not provided sufficiently transparent or intelligible justification that could underpin a conclusion by the Tribunal that the SNR threshold requirement is reasonable, in the circumstances. As such, the Tribunal concludes that solicitation WS4843480208 contravenes articles 502 and 509 of the Canadian Free Trade Agreement.

Pursuant to section 30.15 of the *Canadian International Trade Tribunal Act*, the Tribunal recommends that the Department of Public Works and Government Services (PWGSC) revises and reissues solicitation WS4843480208, having regard to the Tribunal’s forthcoming reasons.

The Tribunal awards Cadex Inc. its reasonable costs with respect to preparing and proceeding with this complaint, which costs are to be paid by PWGSC. The intervener, Photonis France SAS, shall bear its own costs.

In accordance with its [Procurement costs guidelines](#) (Guidelines), the Tribunal’s preliminary determination of the level of complexity for this complaint is Level 2 and its preliminary indication of the amount of the cost award is \$2,750. If any party disagrees with the preliminary level of complexity or indication of the amount of the cost award, it may make submissions to the Tribunal, as contemplated in article 4.2 of the Guidelines, within 20 days of the date of the Tribunal’s reasons. The Tribunal reserves jurisdiction to establish the final amount of the cost award.

Susan D. Beaubien

Susan D. Beaubien
Presiding Member

The statement of reasons will be published on the Tribunal's website at a later date.