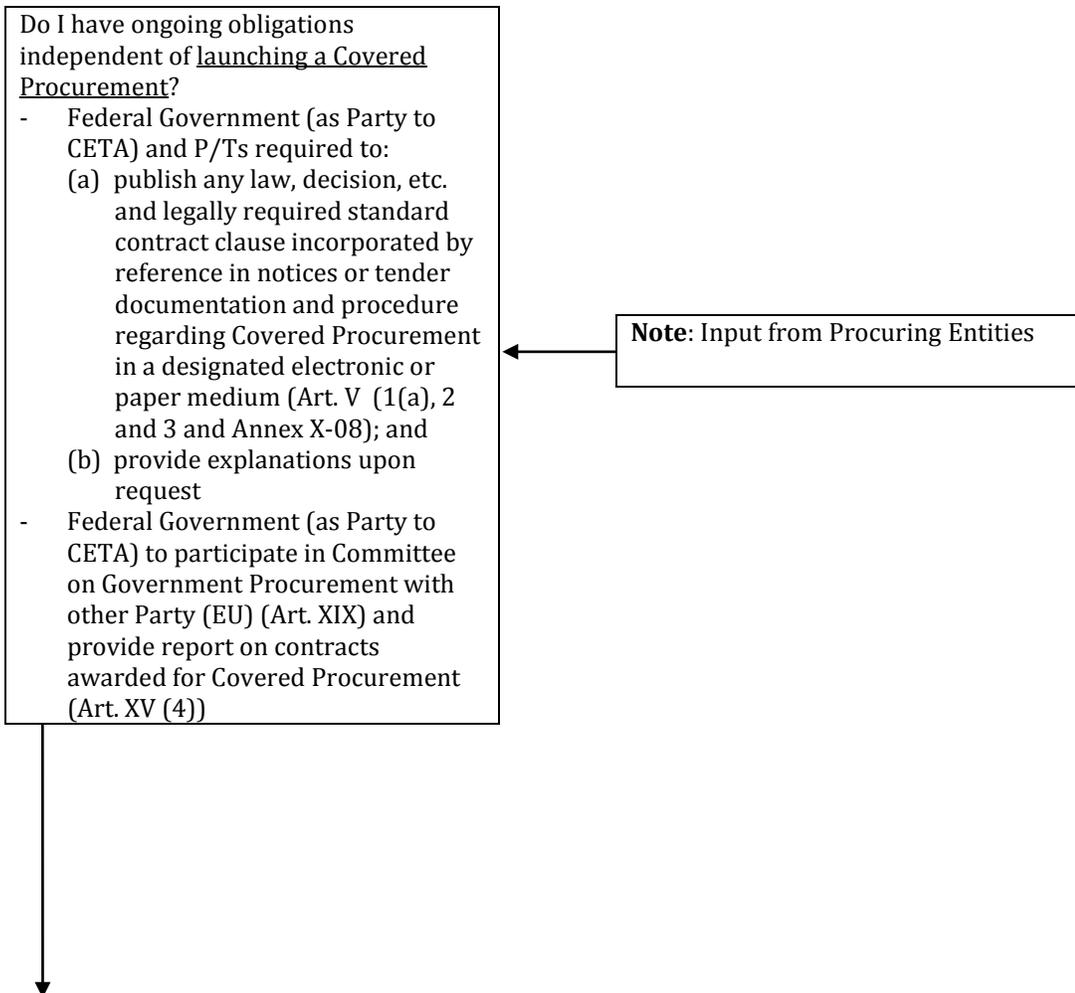
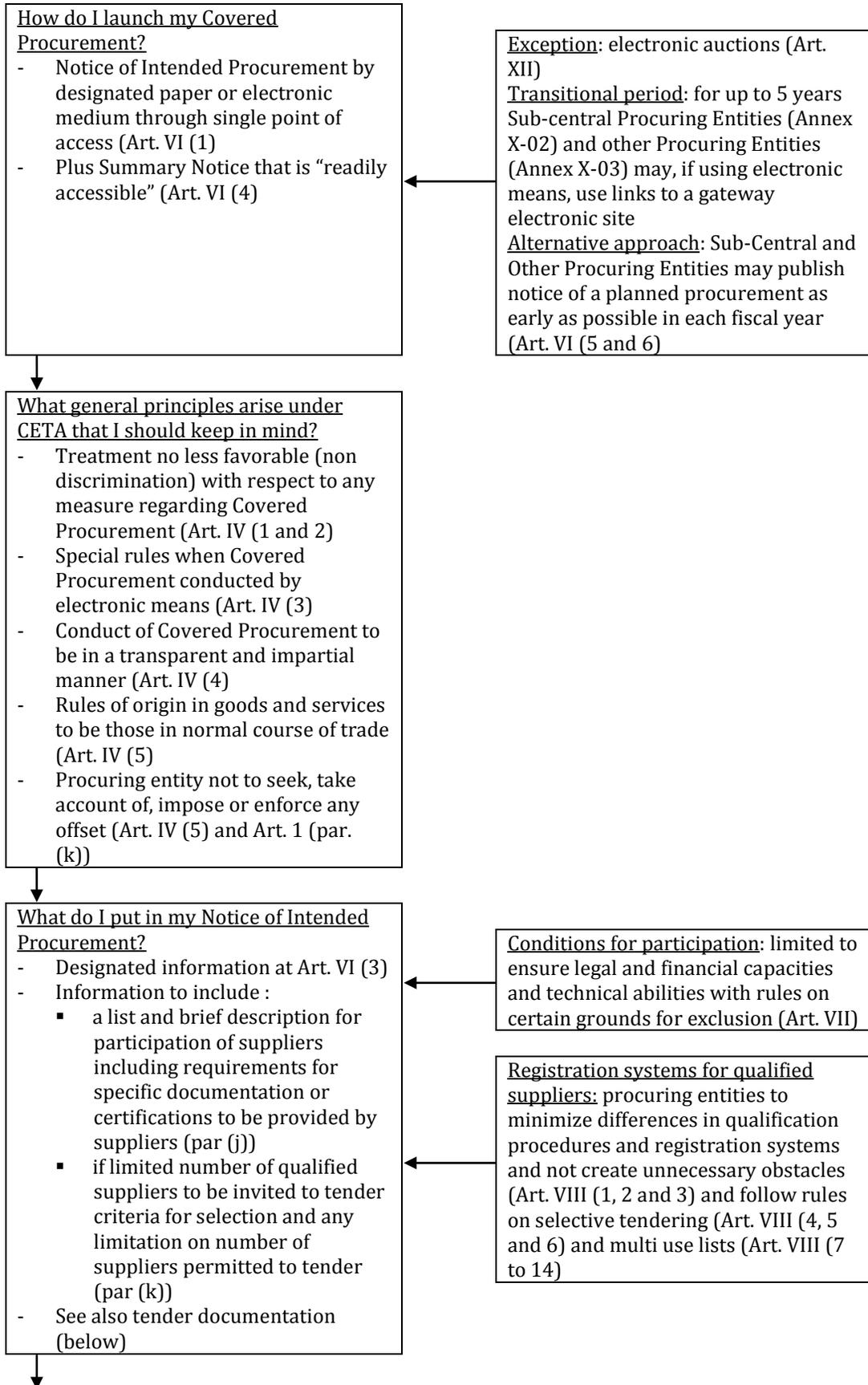


**GOVERNMENT PROCUREMENT AND THE
COMPREHENSIVE ECONOMIC TRADE AGREEMENT (CETA)¹
What steps do I need to follow?**

1) How do I launch my Covered Procurement?



¹ See Chapter 21 - Government Procurement at <http://www.international.gc.ca/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/text-texte/toc-tdm.aspx>.



What can I put in my requirements for technical specifications in tender documentation?

- No technical specifications having in general purpose or effect of creating “unnecessary obstacles to international trade” and specific rules (Art. IX (1 to 6))
- Complete tender information (with modifications) with rules on date for delivery and evaluation criteria (Art. IX (7 to 11))



How much time need I allow to reply to my notice?

- Sufficient time taking into account nature and complexity of procurement, subcontracting anticipated and time to submit non-electronic tenders from foreign and domestic points (Art. X (1 and 2))
- Specific rules for selected tendering (Art. X (2 to 8))

2) How do I make my Covered Procurement decision?

What can I do if tenders submitted are not satisfactory?

- Negotiations may be conducted subject to certain conditions (Art. XI (1 and 2))
- Limited tendering may be used subject to certain conditions (Art. XII (1 and 2))



What rules do I need to follow in treating tenders and awarding contracts?

- Treatment procedures to guarantee fairness, impartiality and confidentiality with rules on late tenders and correction of errors (Art. XIV (1 to 3))
- Basic rules for awarding contracts (Art. XIV (4 to 7))
- See above “What general principles arise under CETA that I should keep in mind?”

3) Information obligations once Covered Procurement decision taken

Who do I need to inform when a contract is awarded?

- Participating suppliers to be promptly informed (with explanation if requested) (Art. XV (1))
- General public within 72 days after award (Art. XV (2))
- **Note:** Procuring Entity to maintain information for at least 3 years (Art XV (3))



What happens if a contract award for Covered Procurement is contested?

- Canada (as a Party to CETA) and P/Ts will provide an administrative or judicial procedure to challenge a breach of the provisions of CETA with resolution of the complaint through consultations encouraged (Art. XVIII (1 to 8))
- Upon request from the EU the Federal Government shall (subject to certain restrictions) provide information to determine whether a procurement was “conducted fairly, impartially and in accordance with [CETA] (Art. XVI (1 and 2))