



NNI Contracting Appeals Board

Annual Report 2004-2005

This Annual Report covers the activities of the NNI Contracting Appeals Board for the period April 1st, 2004 to March 31, 2005. Financial statements covering the same period and a list of appointed Commissioners for 2004 – 2005 are also attached.

A total of four Intents to Appeal were submitted to the NNI Contracting Appeals Board during the said period under Section 18.11 of the NNI Policy. All four received hearings under Section 18.12 of the NNI Policy. None of the intents were where dismissed under Section 18.14 and three were heard within the time limits set in 18.17. One hearing was delayed an extra 30 days while the NNI Secretariat was established to support the NNI Contracting Appeals Board’s activities. One appeal was heard within the limits set in 18.17 but no decision consistent with the time frames set in 18.22 of the NNI Policy has been issued to leaving the Appeal as “Decision Pending.”

Hearing Results

Appeal 1: Kitikmeot Supplies versus Nunavut Housing Corporation	
Date Intent to Appeal received	May 27, 2004
Date Appeal proceeded to Hearing	June 25, 2004
Appellant	Kitikmeot supplies
Reasons for Appeal	Contracting Authority erred in the application of the NNI Policy for Housing corporation material re supply
Board Decision	Appeal Dismissed under Section 18.21 (a) Copy of Decision attached
Contracting Authority’s reply to Decision	Not applicable

Appeal 2: Akhaliak Consulting and Aarluk Consulting Inc. (partnership) versus Government of Nunavut Re: Boston Trade Show	
Date Intent to Appeal received	August 13, 2004
Date Appeal proceeded to Hearing	Oct 14, 2004 (delay due to set up of NNI Secretariat)
Appellant	Akhaliak Consulting in partnership with Aarluk Consulting Inc.
Reasons for Appeal	Contracting Authority had erred in the application of the NNI Policy
Board Decision	Dismissed under Section 18.21 (a) with recommendation to GN under 18.21 (b) (v) Decision attached
Contracting Authority's reply to Decision	Not applicable

Appeal 3: Ledcore Construction Ltd versus Government of Nunavut Re: Nunavut Justice Center	
Date Intent to Appeal received	July 21, 2004 and November 14, 2004
Date Appeal proceeded to Hearing	August 3, 2004 and December 14, 2004
Appellant	Ledcore Construction Ltd. c/o Rasmussen, Star, Ruddy, LLP
Reasons for Appeal	Contracting Authority erred in its application of the NNI Policy
Board Decision	Originally the Board had dismissed the Intent to Appeal under Section 18.21 (a) on August 3rd, 2004. In late September the Board was notified the Appellant was not using the newest Contracting Appeals procedure and to ensure the appellant was treated fairly, he was allowed to re-submit an intent to Appeal following the NNI Contracting Appeals procedures developed in consultation with NTI and now forming part of the NNI Policy as Section 18. The Appellant resubmitted an Appeal on November 14, 2004. On December 14, 2004 the Appeal was again dismissed under Section 18.21 (a). Copy of final Board Decision attached
Contracting Authority's reply to Decision	Not applicable

Appeal 4: 953731 NWT Ltd versus Government of Nunavut	
Date Intent to Appeal received	October 29th, 2004
Date Appeal proceeded to Hearing	November 25, 2004
Appellant	953703 NWT Ltd.
Reasons for Appeal	Contracting Authority erred in the application of the NNI
Board Decision	“Pending” When the appeal was heard, the Board had questions for the Contracting Authority about the evaluation process. On the 9th of December, 2004 the Contracting Authority replied to a written request for information from the Appeals Board dated December 1, 2004. The Board was not satisfied with the reply and wanted to request more information. No further activity transpired.
Contracting Authority’s reply to Decision	Not applicable

Other NNI Contracting Appeals Board activities:

- All Commissioners and Alternate Commissioners of the NNI Contracting Appeals Board participated in a training workshop in October of 2004.
- In October of 2004 a member of the Appeals Board resigned.
- In March of 2005 the Chair of the NNI Appeals Board resigned.

Sincerely,

Henry Coman
Chair, NNI Appeals Board

CC: Honorable Olayuk Akesuk
Minister Economic Development and Transportation

**NNI Contracting Appeals Board
2004-2005
Financial Expenditures**

Office Supplies and advertising	\$4,200
Administrative support	\$3,250
Honoraria	\$6,000
Travel	\$3,000
Accommodation and per diem	\$1,000
Training & Development	\$1,500
Translation and Interpretation	\$0
Total Expenditures	\$18,950

The Government of Nunavut is responsible for all costs incurred by the NNI Contracting Appeals Board as per Section 18.32 of the NNI Policy and disburses all payments related to the identified costs.

Readers should be advised that the financial information provided derives from the Boards estimated expenditures incurred during the period specified and are provided for informational purposes only.

2004 - 2005 Appeal Board Members

Board Departures	
Pat Lyall	
Patrick Tagoona	
Rosemary Cooper	
Mary Wilman	Resigned October 2004
Bob Long	
Glenn McLean	