

ARTICLE 13

GOVERNMENT OF CANADA EMPLOYMENT AND CONTRACTS

PART 13.1: DEFINITIONS

In this article:

“*government contract*” means a contract, other than a contract for employment in the federal Public Service, between the Government of Canada and a party other than the Government of Canada or any other government for procurement of goods or services, and includes:

- (a) contracts for the supply of goods;
- (b) construction contracts;
- (c) contracts for the supply of services; and
- (d) leases, other than leases respecting real property.

“*Government of Canada*” means all departments and agencies, including departmental corporations and branches designated as departments for purposes of the *Financial Administration Act*.

“*Nunavik Inuit Enterprise*” means an entity which complies with the legal requirements to carry on business in the NMR and which is, a partnership, including a joint venture partnership, at least fifty percent of which is owned by one (1) or more Nunavik Inuit, or a co-operative or non share-capital corporation, a majority of whose voting shares are beneficially owned by one (1) or more Nunavik Inuit, or a share-capital corporation, a majority of whose voting shares are owned by one (1) of the foregoing.

PART 13.2: EMPLOYMENT

- 13.2.1 The Government of Canada undertakes to take all reasonable and timely measures to provide Nunavik Inuit with priority with respect to federal Public Service employment opportunities in the NMR.
- 13.2.2 If Federal Public Service employment opportunities exist in the NMR, the Government of Canada is committed to awarding those opportunities so as to achieve a public service in the NMR which reflects the ratio of Nunavik Inuit to non-Nunavik Inuit in Nunavik.
- 13.2.3 The Government of Canada shall remove employment barriers for Nunavik Inuit in relation to Federal Public Service positions within the NMR by reviewing job qualifications and recruitment procedures and removing

inappropriate requirements in respect of cultural factors, experience or education.

PART 13.3: CONTRACTS

13.3.1 The Government of Canada shall provide reasonable support and assistance to Nunavik Inuit enterprises as set out in the following articles to enable them to compete for government contracts.

13.3.2 If the Government of Canada contracts for the procurement of goods or services in the NMR, Nunavik Inuit Enterprises shall, subject to meeting the technical and administrative conditions of the request for goods or services, be given fair consideration.

13.3.3 In inviting bids on Government of Canada contracts for the procurement of goods or services in the NMR, the Government of Canada shall provide all reasonable opportunities to Nunavik Inuit Enterprises enumerated on the list referred to in section 13.3.5 to submit competitive bids and in doing so, shall take, where practicable and consistent with sound procurement management, the following measures:

- (a) set the date, location and terms and conditions for bidding so that Nunavik Inuit businesses may readily bid;
- (b) invite bids by commodity groupings to permit smaller and more specialized firms to bid;
- (c) permit bids for goods and services for a specified portion of a larger contract package to permit smaller and more specialized firms to bid;
- (d) design construction contracts so as to increase the opportunity for smaller and more specialized firms to bid; and
- (e) avoid artificially inflated employment skills requirements not essential to the fulfilment of the contract.

13.3.4 Whenever practicable and consistent with sound procurement management, and subject to Canada's international obligations, all of the following criteria, or as many as may be appropriate with respect to any particular contract, shall be included in the bid criteria established by the Government of Canada for the awarding of its government contracts for the procurement of goods and services in the NMR:

- (a) the existence of head offices, administrative offices or other facilities in the NMR;
- (b) the employment of Nunavik Inuit labour, engagement of Nunavik Inuit professional services, or use of suppliers that are Nunavik Inuit or Nunavik Inuit enterprises in carrying out the contracts; and

- (c) the undertaking of commitments, under the contract, with respect to on-the-job training or skills development for Nunavik Inuit.

13.3.5 The MDO shall prepare and maintain a comprehensive list of Nunavik Inuit enterprises, together with information on goods and services which they would be in a position to supply in relation to contracts offered by the Government of Canada. This list shall be considered, where practicable and consistent with sound procurement practices, by the Government of Canada in meeting their obligations under this Article.