

WESTERN REGION MODERN TREATY GUIDE

One-pager For Client Departments

Modern Treaty Identification

Determine which Modern Treaty(ies) apply to your requirement by using the Aboriginal and Treaty Rights Information System (ATRIS).



Duty to Consult and Accommodate

Consult CIRNAC to determine whether you have a duty to consult or accommodate, because of project may impact Indigenous/Inuit Treaty rights.



Access to Indigenous-Owned Lands

Consult with CIRNAC to determine whether you need permits to access Indigenous/Inuit-owned lands.



Reasonable Opportunity (Structuring)

Determine if there are any activities or events that taking place during your project and/or contract that could impact timelines and/or Indigenous/Inuit participation.

Requirement Definition

Determine whether the procurements can be separated into commodity or geographic groupings to allow smaller firms to participate.



Market and Capacity Research

Consult ISC, PSPC, and Indigenous/Inuit Business Directories to determine if there are potential businesses that can perform the work.



Indigenous Participation Plan/ Inuit Benefits Plan

Develop socio-economic evaluation criteria to increase opportunities to Indigenous/Inuit beneficiaries via IPP/IBP.



Solicitation Period

Consider using a longer solicitation period for your project, depending on the remoteness of some of the areas.



Evaluation

Conduct evaluations in accordance with the solicitation, including the IPP/IBP criteria.



Achievement and Assessment

Proactively track updates of the IPP/IBP progress from the awarded contractor(s).



Report

Activities in Modern Treaties must be reported to ISC and TBS. Client departments have access to the "CLCA.net" to report on their project. Projects within the NSA also require TBS reports shown in Appendix A & B of the full Modern Treaty Guide.



Key Points

1. Target Audience for this Guide is Western Region's Procurement Branch Client Departments' (Project / Technical Authority).
2. This guide **must** be read in conjunction with the full WR Modern Treaty Guide. Request a copy of the guide here: PWGSC.WTSSOCLCA-ROSSOCLCA.TPSGC@tpsgc-pwgsc.gc.ca
3. Modern Treaties give clarity to how land and resource rights must be managed. They ensure fair treatment of Indigenous and Inuit interests, including cultural, social, political and economic rights to lands and practice their own cultures.
4. Prior to submitting your requirement to PSPC, steps 1 – 5 should be actioned.
5. Activities 6 – 8 should be reviewed and considered.
6. Steps 1- 9 are not included in PSPC's standard procurement timelines, therefore they should be done as soon as possible to avoid any potential delays.

*** New as of December 2019:

If your requirement is located in the Nunavut Settlement Area (NSA), it is subject to Article 24 (A24) of the Nunavut Agreement (NA) and the Nunavut Directive. The Nunavut Directive is to provides reasonable support and assistance to Inuit firms in order to enable them to compete for government contracts. ***