



Procurement

Stikeman Elliott's procurement specialists guide public and private sector clients through all stages of a procurement process — from the preparation of compliant RFP and tender documentation through to the execution of a successful contract with the selected proponent.

We possess considerable experience working with governments and agencies across Canada to develop procurement process rules, negotiate government integrity and eligibility rules, draft process documents, contracts, standard definitions and prescribed forms, as well as managing successful negotiations with procurement process participants. Our experience in this area has taught us the importance of having a firm understanding of the policy and stakeholder considerations that underlie a successful procurement..

Our deep familiarity with the procurement standards and processes used by government enables us to provide private sector proponents with the critical combination of legal and strategic advice to support a winning bid across a range of industry sectors.

In the event that a disagreement arises, we have the capability to guide public and private sector clients through dispute resolution processes. While we work with a view to preserving a productive working relationship between the parties, we have the experience and skills necessary to represent clients in contested court, tribunal or arbitration proceedings when the need arises.

Our Expertise

- Consecutive negotiation RFPs
- FIT and RESOP programs
- Integrity and eligibility regimes
- No-negotiation RFPs
- Procurement process rules
- Requests for proposals
- Tender documentation

Recent Work

- Independent Electricity System Operator on a soon to be released RFP for Energy Regulation Services.
- Waterfront Toronto in connection with the procurement and development of the Waterfront Innovation Centre in Toronto, a significant office campus for innovative technology uses and developers.
- A proponent in responding to a Request for Pre-Qualification and Request for Proposal issued by Ontario Lottery and Gaming Corporation to select a service provider to run gaming operations for gaming sites Woodbine Racetrack and Ajax Downs.

- The Independent Electricity System Operator, and the former Ontario Power Authority, in connection with various procurement processes, including the Renewable Energy Supply III RFP and the Demand Response Pilot Program RFP.
- Ministry of Finance Ontario in connection with the modernization of the Ontario Lottery and Gaming Commission procurement process.
- Government of Nova Scotia, as renewable energy advisor, in its Large Renewable Energy Procurement that successfully procured and contracted for 300-MW of wind power.
- Renewable Energy Supply III procurement process for the Ontario Power Authority, including the development of the first Aboriginal consultation model for a procurement undertaken by the Ontario Power Authority.
- EDF EN Canada, a subsidiary of EDF Energies Nouvelles Group, on responding to Hydro-Québec requests for bids for wind projects as well as the sale of 50% of its interest in the 300-MW Lac-Alfred Wind Project to Enbridge Inc. and the acquisition of all minority interests in seven power projects in Quebec.
- Tata Steel in its acquisition of an interest in New Millennium Capital Corp., which included revision and negotiation of EPCM (Engineering, procurement and Construction Project Management) contracts, various consultations regarding the draft proposed contract with the general contractor.
- Toronto Transit Commission in its procurement process for and the development of a cellular signal network in transit tunnels.
- Neptune Technology Group, in connection with procurement issues arising out of its sale and installation of smart water meters to municipalities across Canada, including the City of Toronto.
- Isolux Corsan and TC Energy Corporation in preparing a joint comprehensive proposal in their joint proposal to the Ontario Energy Board's designation proceeding for the East-West Tie Line.
- The Region of York to defend the Region's position concerning the King City "Big Pipe" at Divisional Court and Court of Appeal proceedings.
- Omnicell, Inc. and Munro Ltd. on freedom of information matters related to public sector procurements in the health care and transportation sectors respectively.
- wpd Canada and Niagara Region Wind Corporation in respect of FIT contract matters related to their respective wind power projects.
- Las Vegas Sands Corp. in responding to a Request for Information in connection with a potential Toronto casino.
- Numerous developers of solar and wind power projects, including assistance with the initial program applications and contract-related issues, such as assignments, amendments and force majeure claims.
- Cities of Vancouver and Richmond in connection with the Canada Line Project, being the rapid transit link between two cities and the airport, forming an integral part of the infrastructure supporting the 2010 Winter Olympics.