



Indigenous and  
Northern Affairs Canada

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et du Nord Canada



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# Does your Procurement have Comprehensive Land Claims Agreement Obligations?

**Presented by: Dennis Brunner and Cathryn Kallwitz**  
**Implementation Branch and Setaside Solutions**

**Presented to : Canadian Institute for Procurement and Materiel  
Management**

**Ottawa – June 7th, 2016**



# Objectives

Provide an understanding of how Comprehensive Land Claims Agreements (CLCAs) affect procurement :

- What are CLCAs and how does Canada address CLCA obligations during our contracting process?
- CLCA applicability
- Questions



## **Treasury Board Contracting Policy Notice 1997-8**

- The Government of Canada has entered into a number of Comprehensive Land Claims Agreements with various Aboriginal peoples to resolve the rights over the territory traditionally used by the Aboriginal people.
- Most Comprehensive Land Claims Agreements deal with certain economic and social development benefits for Aboriginal peoples. Contracting authorities should examine the applicable land claims agreements, Park Agreements and Co-operation Agreements for any Aboriginal participation requirements for contracting activities that take place in a land claim settlement area.
- Accordingly, where a contracting authority is engaged in a contract for the procurement of goods, services or construction in a settlement area or national park, these activities are subject to the contracting obligations that are found in the applicable agreement.
- This policy is issued to make contracting authorities aware of the nature of these contracting obligations.



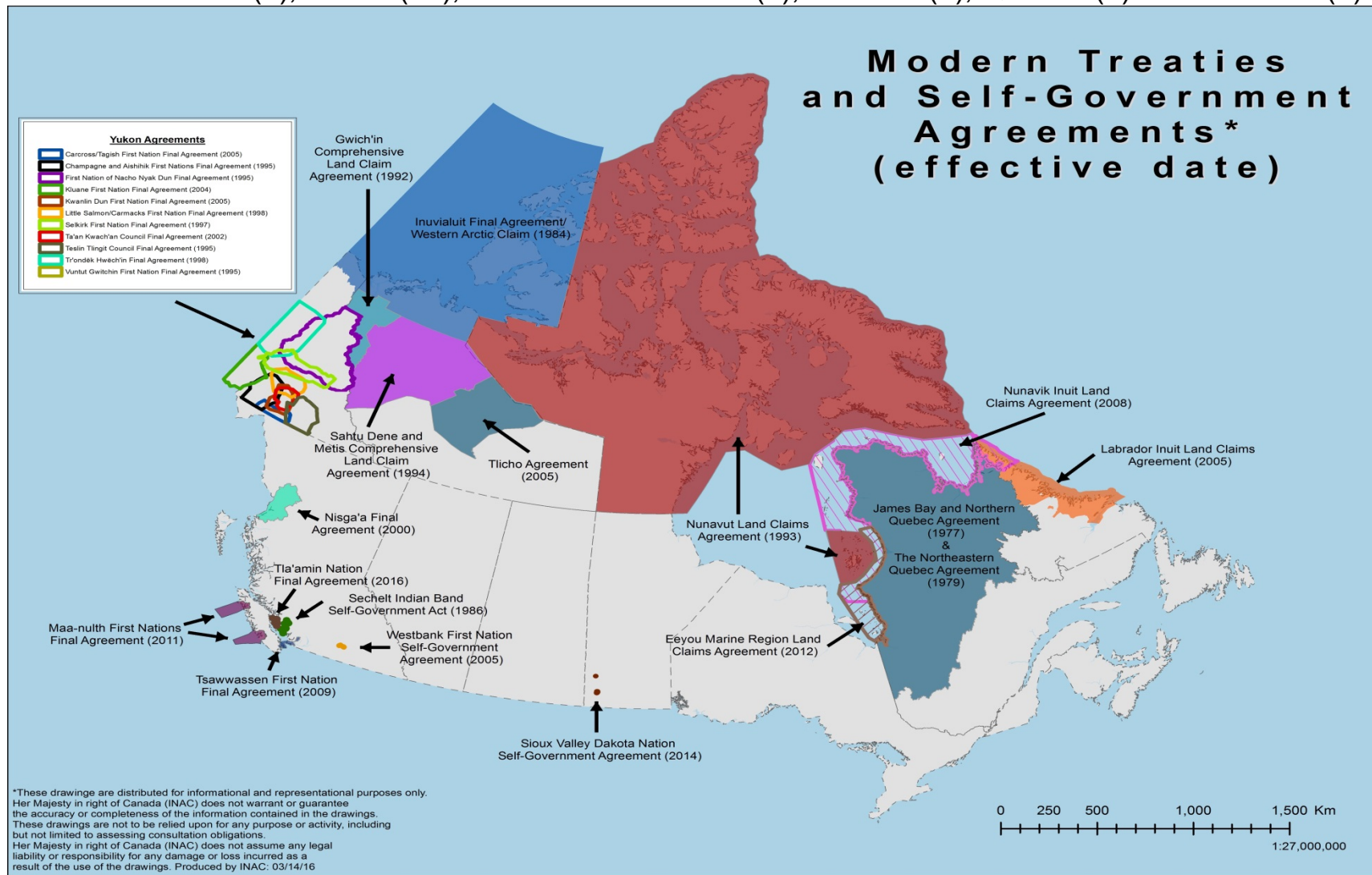
## What are CLCAs?

- CLCAs are constitutional protected documents.
- Modern treaties are constitutionally protected under Section 35 of the *Constitution Act*, 1982.
- This provides modern treaty provisions and the rights protected within the highest legal precedence in Canada.
- The obligations of Canada and its Aboriginal and provincial/territorial modern treaty partners are legally binding.
- The purpose of settlement agreements is to prove certainty and clarity of rights to ownership and the use of land and resources.
- This certainty is supported through economic measures such as government contracting.



# Where are CLCAs?

British Columbia (4), Yukon (11), Northwest Territories (4), Nunavut (1), Quebec (4) and Labrador (1)





## Is my procurement in a CLCA settlement area?

We have access to two (2) tools:

- 1) For a quick check – go to the *C5 Expert*® QuickSearchMap  
[www.c5expert.ca](http://www.c5expert.ca)
- 2) For more in depth information - use the Aboriginal and Treaty Rights and Information System (ATRIS)  
<https://www.aadnc-aandc.gc.ca/eng/1100100014686/1100100014687>

➤Community

➤Postal Code

➤Latitude/Longitude

For access contact:

Dennis Brunner ([dennis.brunner@canada.ca](mailto:dennis.brunner@canada.ca))

Cathryn Kallwitz ([cathryn@setasidesolutions.ca](mailto:cathryn@setasidesolutions.ca))



# C5 Expert<sup>®</sup> – Quick Search Map

The screenshot displays the RFP SOLUTIONS website interface. The header includes the RFP SOLUTIONS logo and the SETASIDE SOLUTIONS logo, which is an Aboriginal Joint-Venture. The navigation bar contains links for Home, Français, Contact Us, Notices, and Help, along with a search bar. Below the navigation bar, there are three main sections: HELP YOURSELF, LET US HELP YOU, and WHY RFP SOLUTIONS. The main content area is divided into three columns. The left column contains a Main Menu with links to Home, RFP Portal, RFP Express, RFP Advisor, RFP Update, RFP Library, and C5 Expert. The middle column features a section titled RFP SOLUTIONS NEWS & INFO, which includes a large graphic for the Quick Search Map (Carte de recherche rapide) and a brief description of RFP SOLUTIONS INC. services. The right column displays RFP Dashboard Data, showing a pie chart with the number 209 LOI/RFI, and RFP Resources, which includes a circular logo for RFP SOLUTIONS INC. The website is viewed in a browser window with the address bar showing www.rfpsolutions.ca/rfpportal/index.php. The taskbar at the bottom shows various application icons and the system clock indicating 12:13 PM on 5/9/2016.

RFP SOLUTIONS / SETASIDE

www.rfpsolutions.ca/rfpportal/index.php

**RFP SOLUTIONS™**  
Public Sector Procurement Solutions

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RFP SOLUTIONS™ Aboriginal Joint-Venture

Home Français Contact Us Notices Help search... Go

**HELP YOURSELF**

**LET US HELP YOU**

**WHY RFP SOLUTIONS**

**Main Menu**

- Home
- RFP Portal @
- RFP Express @
- RFP Advisor @
- RFP Update @
- RFP Library @
- C5 Expert @

**What's New**

- CIPMM 2016 Workshop
- C5 QuickSearchMap
- RFP Library is Open!
- CIPMM Breakfast
- We've Moved
- Our Newest Clients

**Why RFP SOLUTIONS?**

**RFP SOLUTIONS NEWS & INFO**

**QuickSearchMap**  
Carte de recherche rapide

RFP SOLUTIONS INC. provides Canadian public sector organizations with trusted Request-for-Proposal (RFP) development services, expert systems, and procurement consulting and training. RFP SOLUTIONS has worked exclusively for public sector organizations for over 20 years, and is an employee-owned firm based in [Ottawa, Ontario, Canada](#). Check out our [News & Info](#).

[Read More About RFP SOLUTIONS...](#)

**RFP Dashboard Data**

209 LOI/RFI

**RFP Resources**

RFP SOLUTIONS INC. RFP PORTAL

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# C5 Expert<sup>®</sup> – Quick Search Map - <http://c5expert.ca>





# C5 Expert<sup>®</sup> – Quick Search Map

The screenshot displays the C5 Expert website interface. At the top, the RFP SOLUTIONS logo is on the left, and the SETASIDE SOLUTIONS logo is on the right. Below the logos is a navigation bar with links for Home, Français, Contact Us, Notices, and Help. A search bar is also present. The left sidebar contains a Main Menu with links to Home, RFP Portal, RFP Express, RFP Advisor, RFP Update, RFP Library, and C5 Expert. Below this is a 'What's New' section with links to CIPMM 2016 Workshop, C5 QuickSearchMap, RFP Library is Open!, CIPMM Breakfast, We've Moved, and Our Newest Clients. The 'Why RFP SOLUTIONS?' section includes links to About Us, Why RFPs?, We are RFPs!, Setaside Solutions, and RFP Library. The main content area features the C5 EXPERT logo and a description of the system. It highlights the QuickSearch Map feature, which is used to locate requirements using the C5 QSM. The interface includes a 'QuickSearchMap' button and a 'CLCA Contract Compliance Checklist' button. The bottom of the page shows a Windows taskbar with various application icons and a system clock indicating 12:14 PM on 5/9/2016.

www.rfpsolutions.ca/rfpportal/index.php?option=com\_content&view=article&id=89&Itemid=132

**RFP SOLUTIONS™**  
Public Sector Procurement Solutions

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Home Français Contact Us Notices Help

search... Go

**Main Menu**

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**What's New**

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**Why RFP SOLUTIONS?**

- About Us
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- We are RFPs!
- Setaside Solutions
- RFP Library

**C5 EXPERT®**

Powered by SETASIDE SOLUTIONS

C5Expert® is an expert system designed to help public sector officials determine their organization's compliance obligations when issuing contracts that may involve delivery locations within one or more Comprehensive Land Claims Agreement (CLCA) settlement areas.

**1 QuickSearchMap** C5 Expert™ CLCA QuickSearch Map

**Step 1 - Locate Your Requirement Using the C5 QSM**

The C5Expert® QuickSearch Map tool provides a **quick and easy method** to assess whether the locations of work or delivery for an anticipated contract requirement fall within one (1) or more **Comprehensive Land Claims Agreement (CLCA)** areas. This process supports the early identification of any contracting obligations arising from each CLCA found to apply to the anticipated activity.

If you are a public sector official, or an Aboriginal Nation, interested in accessing the **QuickSearch Map**: [Request an Invite](#) and check out the [QSM Guide](#).

**2 C5 EXPERT™** CLCA Contract Compliance Checklist

**Step 2 - Obtain a C5Expert® Checklist**

Once you've determined your requirement is in a land claim, the C5Expert® system can



# C5 Expert<sup>®</sup> – Quick Search Map

C5 Expert<sup>®</sup> Login

https://c5expert.ca/apps/index.php?option=com\_user&view=login&return=aHR0cHM6Ly9jNWV4cGVydC5jYS9hcHBzL2luZGV4LnBocD9vcHRpb249Y29tX2Nocm9ub2NvbnRhY3QmSXRlbWlkPTExNCZsYW5nPWVw

**SETASIDE SOLUTIONS**  
RFP SOLUTIONS™ Aboriginal Joint-Venture

**C5 EXPERT QSMAP**

Home About Contact

**Message**

- You must log in first

**Login**

To access the private area of this site, please log in.

Username

Password

Remember Me ☐

Login

- [Forgot your Password?](#)
- [Forgot your Username?](#)
- [Register](#)

SSL Entrust SECURE

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# C5 Expert<sup>®</sup> – Quick Search Map

Registration

Name:  \*

Username:  \*

E-mail:  \*

Password:  \*

Verify Password:  \*

Fields marked with an asterisk (\*) are required.



# C5 Expert<sup>®</sup> – Quick Search Map

C5 Quick Search

← → ↻ 🏠 [https://c5expert.ca/apps/index.php?option=com\\_chronocontact&Itemid=114&lang=en](https://c5expert.ca/apps/index.php?option=com_chronocontact&Itemid=114&lang=en) 🔍 ☆ ☰

Apps 🇨🇦 Ottawa (Kanata - Ori) 🇨🇦 CBC News - Latest Co 🇨🇦 Home Page - GEDS 🇨🇦 General Briefing Note 🇨🇦 Comprehensive Land 🇨🇦 Federal Contracting in 🇨🇦 7.2 Object codes—Enr 🇨🇦 Contracting Policy 🇨🇦 Contracting Policy No 🇨🇦 Government-Wide Re 🇨🇦 Government of Nuna 🇨🇦 Other bookmarks

Home About QSM Login QuickSearch Contact Français

**C5 EXPERT QuickSearch Map**

Welcome, Erick Robinson Logout Clear All ?

Please enter the location(s) to which the requirement will be delivered, using the follow methods:

1 Locality Locality: Search Tip: To look up a postal code, please use the Canada Post .

Map Satellite

Arctic Ocean

Greenland

Iceland

Sweden

Norway

United Kingdom

France

Spain

Germany

Canada

United States

North Pacific

Map data ©2016 Terms of Use

**Land Claims**

- ☒ Carcross/Tagish
- ☒ Champagne and Aishihik
- ☒ Eeyou
- ☒ Gwich'in
- ☒ Innu Nation
- ☒ Inuvialuit
- ☒ James Bay and Northern Quebec
- ☒ Kluane
- ☒ Kwanlin Dun
- ☒ Labrador Inuit
- ☒ Little Salmon/Carmacks
- ☒ Maa-nulth
- ☒ Nacho Nyak Dun
- ☒ Nisga'a
- ☒ Northeastern

This Map is for illustrative purposes only to assist GoC personnel in identifying CLCAs. It does not in any way modify or convey rights or title to lands.

Point	Land Claim	Province Territory	Postal Code	Locality
No matching records found				

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# C5 Expert<sup>®</sup> – Quick Search Map

C5 Quick Search

← → ↻ ↗ [https://c5expert.ca/apps/index.php?option=com\\_chronocontact&Itemid=114&lang=en](https://c5expert.ca/apps/index.php?option=com_chronocontact&Itemid=114&lang=en)

Apps Ottawa (Kanata - Ori) CBC News - Latest Co Home Page - GEDS General Briefing Note Comprehensive Land Federal Contracting in 7.2 Object codes—En Contracting Policy Contracting Policy No Government-Wide Re Government of Nuna Other bookmarks

**C5 EXPERT QuickSearch Map**

Welcome, Erick Robinson [Logout](#) [Clear All](#) [?](#)

Please enter the location(s) to which the requirement will be delivered, using the follow methods:

1 Locality [?](#) Locality: X0A 0H0 [Search](#) **Tip:** To look up a postal code, please use the Canada Post .

[Map](#) [Satellite](#)

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**Land Claims**

- ☒ Carcross/Tagish
- ☒ Champagne and Aishihik
- ☒ Eeyou
- ☒ Gwich'in
- ☒ Innu Nation
- ☒ Inuvialuit
- ☒ James Bay and Northern Quebec
- ☒ Kluane
- ☒ Kwanlin Dun
- ☒ Labrador Inuit
- ☒ Little Salmon/Carmacks
- ☒ Maa-nulth
- ☒ Nacho Nyak Dun
- ☒ Nisga'a
- ☒ Northeastern Quebec

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Point	Land Claim	Province Territory	Postal Code	Locality
	Nunavut	NU	X0A 0H0	Iqaluit

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# C5 Expert<sup>®</sup> – Quick Search Map

C5 Quick Search

← → ↻ 🏠 [https://c5expert.ca/apps/index.php?option=com\\_chronocontact&Itemid=114&lang=en](https://c5expert.ca/apps/index.php?option=com_chronocontact&Itemid=114&lang=en) 🔍 ☆ ☰

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**C5 EXPERT QuickSearch Map**

Welcome, *Erick Robinson* [Logout](#) 🖨️ ?

Please enter the location(s) to which the requirement will be delivered, using the follow methods: [Clear All](#)

1 Locality ⓘ

Locality:  [Search](#)

Tip: To look up a postal code, please use the Canada Post .

Map Satellite

Google

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Land Claims

- ☒ Carcross/Tagish
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- ☒ Northeastern

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Point	Land Claim	Province Territory	Postal Code	Locality
	Inuvialuit	NT	X0E 1C0 ⓘ	aklavik
	Gwich'in	NT	X0E 0T0 ⓘ	aklavik

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## Applicability of CLCAs

The final delivery point(s) (location of delivery) of the goods and/or construction, or the services performed is the determining factor as to whether the contracting obligations of one (1) or more CLCA(s) apply.

*PWGSC Supply Manual 9.35*





## Final Point of Delivery – Goods Contract

**Requirement:** Snowmobiles are being purchased where the final deliverable is into a CLCA area but first must be shipped to a non CLCA area for installation of logos, lights, decals.

- (1) Since the final destination of the snowmobiles is in a CLCA then the CLCA obligations apply.



## Final Point of Delivery – Service Contract

**Requirement:** A report on site suitability must be researched, prepared, and delivered to NHQ.

(1) If the contractor can reference Departmental data, search google or Statistics Canada site and complete the contract with existing information then CLCA obligations do not apply.

(2) If the contractor must go on the CLCA Settlement Area or to a community then the CLCA applies. You must consider if there is an opportunity to generate socio-economic benefits for beneficiaries or beneficiary firms. This is based on your Statement of Work.

- Translation / interpretation
- Bear monitoring / patrol
- Kitchen tent / cooks
- Small boat + guide



## For more information

- On **C5Expert® QuickSearchMap** or to try it out – Visit Setaside Solutions at **Booth #25**. Or online at: [www.c5expert.ca](http://www.c5expert.ca)
- On CLCAs and what they may mean for your procurement process – Attend **Session # 19** – “Canada’s Contracting Process and Comprehensive Land Claim Agreement Contracting Obligations” – presented by *Dennis Brunner from INAC* at **3:00 pm – 4:00 pm** today in **Room #106h**.
- **Thank you!**

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