



September 10, 2020

MR. JACKSON LAFFERTY
MLA, MONFWI**Oral Question 224-19(2) Dehk'è Frank Channel Bridge**

This letter is in follow-up to the Oral Question raised on May 26, 2020, regarding the Dehk'è Frank Channel Bridge. My predecessor as Minister of Infrastructure committed to providing the Member with the status of the application for federal funding, information about a sole-source contract or negotiated contract for the project, and reviewing the implications of Chapter 26 of the Tłıchǫ Agreement and Implementation Plan for the Government of the Northwest Territories (GNWT).

The replacement of the Dehk'è Frank Channel Bridge is critical to the transportation of people and goods in the Northwest Territories (NWT), including to the mineral-rich Slave Geological Province (SGP) and beyond. The Department of Infrastructure (INF) is continuing with internal work to advance the project and secure funding for construction of the bridge. Pre-engineering and environmental baseline work to prepare for replacement of the bridge is now complete.

The federal government announced that there would be an additional \$400 million made available through the National Trade Corridor Fund (NTCF) for projects in northern Canada. The GNWT's last application for funding under the NTCF for the replacement of the Dehk'è Frank Channel Bridge was not approved due to limited funds available at that time. However, the GNWT is of the understanding that the project meets the objective of the NTCF and will be a good candidate for this program. The GNWT plans to submit another proposal once the call is issued, which is expected sometime this fall.

Federal officials have been made aware of the importance of the Dehk'è Frank Channel Bridge project, as well as the request by the Tłıchǫ Government for a negotiated contract. However, the GNWT will not be in a position to undertake a contracting process until funding has been confirmed. If the GNWT receives funding from the federal government, the contracting process will be subject to the terms and conditions of the funding agreement with the Government of Canada. These funding agreements may specifically allow for negotiated contracts or may require Treasury Board approval in order to pursue a negotiated contract. Any contracting processes must also comply with the GNWT and federal government's obligations under national and international trade agreements.

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The GNWT is committed to maximizing the benefits of the Dehk'è Frank Channel Bridge project for the Tłıchǫ people. In support of this, and to support the objective that the Tłıchǫ should be economically self-sufficient, and recognizing that the procurement of infrastructure is of critical importance to support the economic recovery of our communities, the GNWT and the Tłıchǫ Government recently entered into an Infrastructure Cooperation Agreement (ICA), effective August 1, 2020. In the agreement, the GNWT has committed to directly negotiating contracts with Tłıchǫ businesses for infrastructure located on Tłıchǫ lands and in Tłıchǫ communities. Where direct negotiations are not possible, the GNWT has committed to including minimum Tłıchǫ labour and contracting requirements in its competitive tenders.

At the June 26, 2020, Tłıchǫ Government-GNWT Memorandum of Understanding bilateral meeting, it was agreed upon that both parties would convene a bilateral table on the GNWT's approach to procurement in Mǫwhì Gogha De Nı̄tłee. The GNWT also committed to follow-up with the Tłıchǫ Government to ensure there is a shared understanding and implementation of the provisions of the Tłıchǫ Agreement regarding procurement in Mǫwhì Gogha De Nı̄tłee.

As a result, provisions have been built into the GNWT-Tłıchǫ Government ICA that will see the formation of an infrastructure and procurement working group to oversee the procurement function for infrastructure projects located on Tłıchǫ lands and Tłıchǫ community lands, including any obligations for the GNWT under Chapter 26 of the Tłıchǫ Agreement. Senior officials at INF have been briefed on the new ICA and the obligations of the GNWT in regards to procurement and infrastructure on Tłıchǫ lands.

This issue has been evolving over recent months, and I feel that we have reached a point where all parties are working cooperatively to reach the common goal of capacity building and active participation for Tłıchǫ citizens and government in these projects, as well as improved self-sufficiency for the Tłıchǫ people.

A handwritten signature in black ink that reads "DThom". The letters are cursive and somewhat stylized.

Diane Thom
Minister, Infrastructure

- c. Clerk of the Legislative Assembly
Legislative Coordinator, Executive and Indigenous Affairs