

Relationship Review Protocol for Identified Indigenous Shared Use Persons

Highway 91/17 Upgrade Project

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Canada



BRITISH
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PORT of
vancouver

partnerships
British Columbia

Protocol for businesses affiliated with Identified Indigenous Groups on the Highway 91/17 Upgrade Project (the “Project”) with regard to participation as Identified Indigenous Shared Use Persons in the Competitive Selection Process

1. The Ministry of Transportation and Infrastructure has developed this protocol to establish a process for the Relationship Review Committee to classify businesses affiliated with Identified Indigenous Groups (as defined in the Request for Proposals (the “RFP”)) that wish to participate in the Competitive Selection Process for the Project as Identified Indigenous Shared Use Persons.
2. **“Identified Indigenous Business”** means a sole proprietorship, limited company, co-operative, partnership, or not-for-profit organization where:
 - a) at least 51% is owned and controlled by members of one or more Identified Indigenous Groups; and
 - b) if it has six or more full-time employees, at least 33% of the full-time employees are members of one or more Identified Indigenous Groups.
3. **“Identified Indigenous Joint Venture”** means two or more Identified Indigenous Businesses or one or more Identified Indigenous Businesses and one or more other businesses, provided that the Identified Indigenous Business(es) has at least 51% ownership and control of the joint venture, and, if it has six or more full-time employees, at least 33% of the full-time employees are members of one or more Identified Indigenous Groups.
4. The Relationship Review Committee will classify as an Identified Indigenous Shared Use Person a business affiliated with an Identified Indigenous Group where:
 - a) the business conforms to the definition of either an Identified Indigenous Business or an Identified Indigenous Joint Venture as set out in Section 2 and Section 3 above;
 - b) the business agrees to provide its services to all Proponents on a non-exclusive basis;
 - c) the business agrees that such services must be provided without preference or discrimination between Proponents and on equal terms and conditions;
 - d) the business agrees to keep confidential its discussions with each Proponent; and
 - e) the business agrees to participate in the Competitive Selection Process in accordance with the requirements of the RFP.
5. A business interested in obtaining an Identified Indigenous Shared Use Person classification may make such a request, and provide the following to the Contact Person at PROVREP.HWY91_17@gov.bc.ca:
 - a. Legal Name of the business;
 - b. Short description of the business, including size, business activities, year of formation and Identified Indigenous Group(s) affiliation;
 - c. Designated contact name and contact details;
 - d. Legal character of the business (e.g. sole proprietorship, limited company, co-operative, partnership, not-for-profit organization, etc.) and supporting documentation or other information as applicable; and
 - e. Confirmation that the business conforms to one of the definitions in either Section 2 or Section 3 above.

6. A business classified as an Identified Indigenous Shared Use Person must sign and return the acknowledgement attached to the notification letter from the Relationship Review Committee to indicate its agreement with the requirements of the classification as set out in the letter and in Section 4 above.
7. The Identified Indigenous Shared Use Person classification will remain in effect until the earlier of:
 - a. the conclusion of the Competitive Selection Process for the Project;
 - b. the business requests withdrawal from the classification; or
 - c. the business is determined to be in compliance with the requirements of Section 4 of this Protocol.