



## Request for Proposals

### *Provision of expert advisory services for the Environmental Impact Review of the Gahcho Kue Project*

**Mackenzie Valley Environmental Impact Review Board  
June 2007**

#### **Request for Proposals**

The Mackenzie Valley Environmental Impact Review Board (MVEIRB) is requesting proposals from qualified persons or firms for the provisions of the services outlined in this Request for Proposals (RFP).

#### **Introduction**

The MVEIRB is the main instrument for environmental assessment and environmental impact review of developments in the Mackenzie Valley as defined in the Mackenzie Valley Resource Management Act (MVRMA). The MVEIRB conducted an environmental assessment of a proposed diamond mine project by DeBeers Canada Mining at Kennady Lake in the Northwest Territories and on June 8, 2006 ordered that an environmental impact review (EIR) be conducted on the proposed development. Following a judicial review application by DeBeers the NWT Supreme Court upheld the order on April 2, 2007. An EIR under the MVRMA is roughly comparable to a panel review under the Canadian Environmental Assessment Act.

The proposed development, known as the Gahcho Kué project is an open pit diamond mine located approximately 300 kilometers northeast of Yellowknife at Kennady Lake. The Gahcho Kué project has an anticipated life span of 20 years, involves three pits with

a potential for underground mining, and will produce approximately 30 million tonnes of ore over its lifespan.

### **The Challenge**

The Gahcho Kué project would be the fourth diamond mine in the NWT and the fifth in the Slave Geological Province. The mine is being proposed in an area that may be experiencing cumulative impacts from previous development. The mine design, includes the draining of 80% of Kennady Lake's area as well as backfilling two of the three pits with waste rock and processed kimberlite. The size and complexity of the project and the potential for significant adverse impacts requires a rigorous and complete technical analysis of all components assessed during the environmental review process.

For this reason, the MVEIRB is issuing this RFP to identify persons or firms who may be able to assist the panel conducting the environmental impact review of the Gahcho Kué project. The successful applicant(s) may be expected to perform the following tasks:

- Review the *Environmental Impact Statement* (EIS), information request responses, technical submissions and any other pertinent technical documentation;
- Assist the Gahcho Kué Panel and its staff in the drafting of Information Requests to the developer and other parties;
- Participate in technical meetings organized by the Gahcho Kué Panel;
- Attend public hearings organized by the Gahcho Kué Panel; and
- Assist the Gahcho Kué Panel and its staff in the preparation of a report.

### **Approach**

The MVEIRB issued the *Reasons for Decision and Report of Environmental Assessment for the DeBeers Gahcho Kue Diamond Mine* (REA) which briefly describes the project, work done to date by the MVEIRB and reasons for the EIR order. Applicants to this RFP are strongly encouraged to review the REA prior to submitting their proposal. All documents pertaining to the environmental assessment of the Gahcho Kué project are available in the Review Board's online public registry at: [www.mveirb.nt.ca/registry](http://www.mveirb.nt.ca/registry). The public registry also contains all documents generated in the EIR to date. Potential applicants are encouraged to review the website or to contact the Review Board directly regarding the latest information on the Gahcho Kué project.

The Review Board recognizes that the project will encompass a broad range of themes and components. The expertise required for a thorough technical examination of the environmental impact review of the Gahcho Kué project will need to be gathered from many disciplines. Principally, the Review Board is interested in proposals from experts in the following themes:

- Potential impacts to local and regional water quality and water systems;
- Issues related to geochemistry, hydrology, hydrogeology and perma frost;

- Potential impacts to carnivores and carnivore habitat;
- Potential impacts to fish and fish habitat;
- Consideration of cumulative effects;
- Consideration of alternative technologies and energy sources;
- Geotechnical and engineering considerations of the development; and
- Potential socio-economic impacts.

The Gahcho Kué Panel will consider proposals from qualified person or firms who have the capacity to provide expertise in any or all of the above-listed themes.

## **Evaluation**

All proposals will be evaluated according to the following weighted criteria:

- Expertise and qualifications in the key theme areas; (30%)
- Experience and skill in reviewing development projects; (30%)
- Ability to communicate technical information to non-technical decision-makers (20%)
- Interdisciplinary experience; (10%)
- Costs; (10%)

When all else is equal, preference in selection will be given to NWT-based applicants.

## **Addressing Selection Criteria**

In addition to the submission of CVs, Each proposal must directly address the criteria cited above, as well as provide a curriculum vitae for each key team member. More information on the selection criteria can be found below.

*Expertise and qualifications in key theme(s):* The proposal must provide details regarding the relevant technical experience and qualifications that the expert advisor(s) possess in the key theme areas that the Review Board has established as being crucial for the environmental impact review of the Gahcho Kué project.

*Experience and skill in reviewing development projects:* The Review Board requires that eligible expert advisors have prior practical experience in reviewing development projects. Past experience participating in the environmental assessment or the regulatory review of projects similar to that of the Gahcho Kué project is an asset that should be clearly noted in the proposal.

*Ability to communication technical information to non-technical decision-makers:* The Review Board requires that its expert advisors not only have excellent experience and qualifications in their respective disciplines, but also the ability to convey this knowledge in a meaningful and lucid non-technical manner to the Board members who must make decisions regarding the Gahcho Kué project. The proposal should confirm the communication skills of the eligible expert(s) in this matter.

*Interdisciplinary experience:* The environmental impact review of a development, such as the Gahcho Kué project, will require an interdisciplinary approach. Expert advisors will be required to work collaboratively with specialists from other disciplines. The proposal should cite past examples where the eligible expert advisors have worked within an interdisciplinary milieu.

*Costs:* The proposal should seek to justify the expenses associated with the provision of expert advice. Applicants must ensure that the submitted proposals include the daily charge-out rates for the proposed experts, as well as any administrative overhead expenses.

### **Budget**

The Review Board has established an approximate budget of \$250,000.00 for technical advice to the Gahcho Kué Panel. The budget is subject to change without notice. It is expected that the Review Board will call upon successful applicants on an as-need basis throughout the duration of the environmental impact assessment.

### **Contract Length**

The length of the contract(s) has not been established. The duration of the Gahcho Kué project environmental impact review is dependent on a number of factors, some of which are beyond the control of the Review Board, although MVEIRB anticipates that the review will last at least two years. Successful applicants are expected to be able to provide expert advisory services to the Review Board until the submission of the Review Board's *Report of the Review Panel*. Further expert advisory services may be required in the event that a post-assessment consult to modify process occurs.

### **Disclosure of Past Activities**

Any work previously conducted for DeBeers Canada, or its subsidiaries must be disclosed by the applicant. Applicants whose services have been engaged by other parties, such as government, during the pre-environmental impact assessment phase of the Gahcho Kué project must also disclose their activities.

### **Invoicing**

Successful applicants whose services are engaged by the Review Board will be able to submit invoices for work completed on an at-minimum quarterly basis during the period of the contract. All invoices should be accompanied by timesheets and associated receipts for disbursements that confirm the work completed during the invoiced period.

Prior to commencement of any work, the applicant will submit a statement of work, with estimated expenses, for approval by the Manager of Environmental Impact Assessment. The expenses will include travel, support and miscellaneous expenses, as well as the Goods and Service Tax (GST).

## Instructions to Applicants

1. Proposals shall be sent to the Review Board by mail, facsimile or email to the following address:

Mackenzie Valley Environmental Impact Review Board  
P.O. Box 938, 5102 50th Avenue  
Yellowknife NT, X1A 2N7

Facsimile number: (867) 766-7074

Email: [mhaefele@mveirb.nt.ca](mailto:mhaefele@mveirb.nt.ca)

Proposals will be accepted until 5:00 (MST) pm on July 13, 2007. Proposals received after the exact time and date noted above will be rejected.

2. Applicants sending their proposals by mail must ensure that the original proposal is submitted with two copies. In order to expedite the review of the proposal, the envelope used to send the proposal should clearly indicate the nature of the contents as well as the closing date and the applicant's name.
3. The Review Board will not be responsible for any proposal that:
  - Does not indicate the Request for Proposals Title, closing date and applicant's name on the outside of the envelope.
  - If sent by facsimile, fails to clearly identify, by way of a cover page, the nature of the document.
  - Is sent to any address other than that provided above.
4. Proposals transmitted by facsimile or email will be accepted under the following conditions:
  - The proposal is received before the submission deadline at the facsimile number stated.
  - The Review Board will not accept liability for any claim, demand or other actions for any reason should a facsimile transmission or email be interrupted, not received in its entirety, received after the stated closing time and date, received by any other facsimile unit or email address other than those stated herein, or for any other reasons.
  - The Review Board cannot guarantee the complete confidentiality of information contained in the proposal received by facsimile or email;

- The applicant shall submit an original proposal and two copies to the address stated herein immediately following the transmission of the facsimile or email.
- Emailed proposals should be submitted in either Post Document Format (PDF) or Microsoft Word format.

In the event of sending the proposal by email or facsimile, the applicant is recommended to confirm receipt of the proposal by a telephone inquiry to ensure that it has been received before the closing date.

5. Notice in writing to an applicant and the subsequent execution of a written agreement shall constitute the making of a contract. No applicant shall acquire any legal or equitable rights or privileges whatsoever until the contract is signed.
6. The contract will contain the relevant provisions of this Request for Proposals. Additionally, the contract may include mutually agreed provisions which may arise from the accepted proposal or as a result of any negotiations prior or subsequent thereto. The Review Board reserves the right to negotiate modifications with any applicant who has submitted a proposal.
7. In the event of any inconsistency between this Request for Proposal and the ensuing contract, the contract shall govern.
8. The Review Board has the right to cancel this Request for Proposals at any time, as well as the right to revise or reissue it for any reason whatsoever, without incurring any liability and no applicant will have any claim against the Review Board as a consequence.
9. Any amendments made by the Review Board to this Request for Proposals will be issued, in writing, before the closing date and time, and will be sent to all parties which have requested the Request for Proposal documents.
10. The Review Board is not liable for any costs of preparation or submission of proposals.
11. Applicants may amend their proposal up to the closing date and time by email or facsimile. After the closing date and time, a proposal may not be amended but it may be withdrawn by the applicant at any time prior to acceptance.
12. The *Access to Information Act* and the *Privacy Act* will define the Contract Authority's responsibilities with respect to any information received pursuant to the RFP process.
13. The proposal and accompanying documentation submitted by the Applicants are the property of the Review Board and will not be returned.

14. All questions or inquiries concerning this Request for Proposals must be in writing and must be submitted to the contact person (provided below) no later than five (5) calendar days prior to the proposal deadline. Verbal responses to any inquiry cannot be relied upon and are not binding on either party.

### **Contact Information**

For more information on this Request for Proposal, please contact Martin Haefele at the MVEIRB at the following address:

Mackenzie Valley Environmental Impact Review Board  
P.O. Box 938 (5102-50<sup>th</sup> Ave.)  
Yellowknife, NT  
Tel: (867) 766-7053  
Fax: (867) 766-7074  
[mhaefele@mveirb.nt.ca](mailto:mhaefele@mveirb.nt.ca)