

APPENDIX 1 – FAQ

Why did we need a Yukon First Nations Procurement Policy?

The Yukon First Nations Procurement Policy encourages a new way of doing business in the Yukon in three different ways.

- It creates wide-ranging benefits by facilitating opportunities for partnerships between Yukon First Nations businesses and the broader business community.
- It also encourages hiring and retaining Yukon First Nations Citizens for long-term employment.
- It is an important milestone that helps meet the objectives outlined in Chapter 22 of the Umbrella Final Agreement.

Is the policy actually making a difference?

Currently, we are seeing small, positive changes thanks to the policy, and we hope to see more in the future.

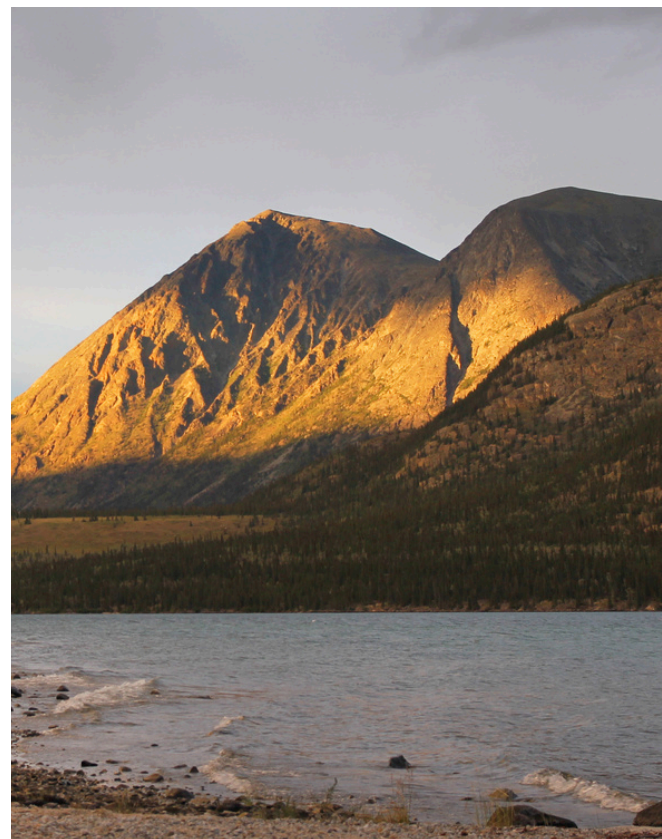
The Monitor and Review Committee's Annual Report describes these changes, and all parties acknowledge there is still work to do. After all, socio-economic and cultural change are long-term goals that need ongoing relationship-building, education and communication.

Do Yukon First Nations actually want this policy?

Yukon First Nations endorse the policy and participate in the Technical Working Group and Monitor and Review Committee.

Representatives of Yukon First Nations also collaborate with the Government of Yukon and industry to continue to improve:

- the policy;
- its outcomes; and
- its impacts.



What is being done about shell companies?

Policy stakeholders all agree that tactics to “game the system” are unacceptable.

As implementation of the policy continues, the Government of Yukon and Yukon First Nations will continue to refine the definition of a “Yukon First Nation Business” to prevent attempts to abuse the policy.

Here are a few measures that we have taken in the past to combat companies from “gaming the system.”

May 2023

There were changes to the policy. Plus, stakeholders worked to strengthen the policy and its procedures so they aligned with the policy’s original intent.

This work was done collaboratively by the Government of Yukon, Yukon First Nations partners, the Yukon First Nations Chamber of Commerce and the Monitor and Review Committee.

June 2024

The Government of Yukon and Yukon First Nations Chamber of Commerce published a new guide for applicants. The guide:

- clarifies the requirements to add a business to the Yukon First Nations Business Registry; and
- helps screen out businesses that do not meet the policy’s intent.

How can I get on the "list"?

We encourage Yukon First Nation businesses to apply to be on the Yukon First Nation Business Registry. The registry is the gateway for businesses to benefit directly from the policy.

Visit the registry at yukon-first-nations-business-registry.service.yukon.ca to find out how to add your business to it. You can also reach out to the Yukon First Nations Chamber of Commerce using the contact information below.

Yukon First Nations Business Registry Manager
Office phone: 867-667-7917, extension 103
Cellphone: 867-687-2902 Email: manager.yfnbr@yfncc.ca

How does the policy actually benefit Yukon First Nations? Give me a concrete example.

Here are three examples of how the policy benefits Yukon First Nations.

Carcross water delivery services (March 2024)

A local non-Yukon First Nations business won this contract through a labour bid value reduction. This means the business committed to have Yukon First Nations employees on staff for this contract. As a result of this commitment, their bid value went from second lowest to the lowest, winning them the contract.

Local Yukon First Nations Citizens now enjoy long-term employment because of this policy incentive. This contract provides a vital service for the community, including new opportunities to develop a community-based, certified and trained Yukon First Nations workforce.

Woodworking shop equipment and supplies (January 2024)

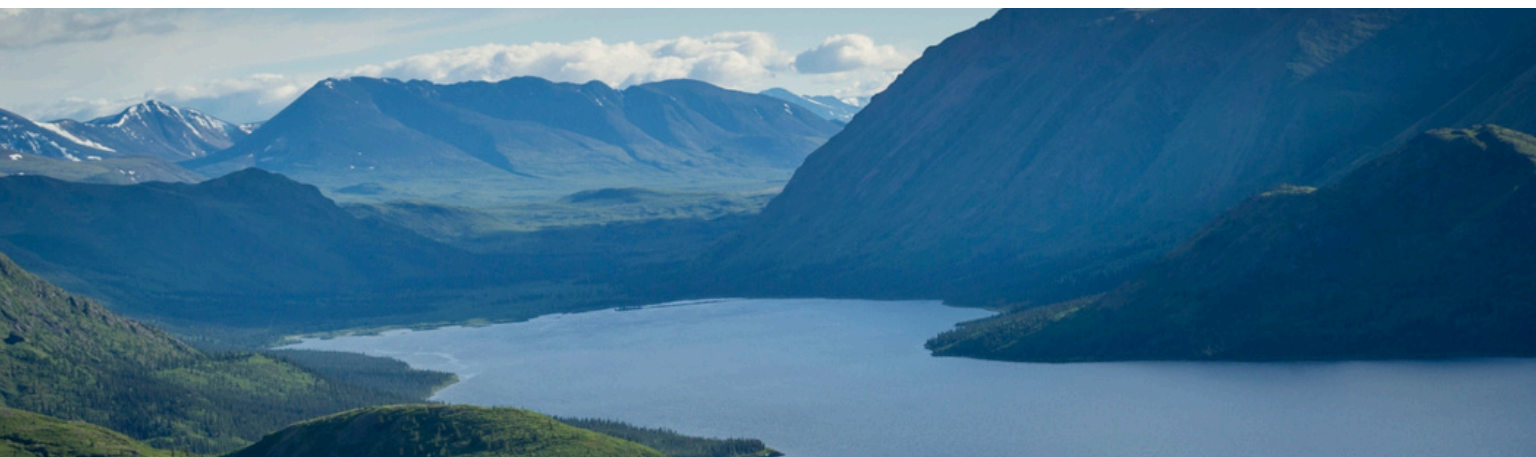
A local Yukon First Nations business won this contract with an ownership bid value reduction. This means the business saw its bid value reduced because the business is owned by Yukon First Nations. Without this measure, they would have lost the contract to an Edmonton-based business.

As a result, this policy incentive kept the purchase local and provided support to a local Yukon First Nations business.

New Community Development Agreement – Watson Lake Housing First project

The Government of Yukon and Liard First Nation struck a Community Development Agreement for a housing project in Watson Lake. This helped increase involvement of Liard First Nation and create benefits for Liard First Nation businesses and Citizens.

From the \$11.4 M project, Liard First Nation businesses or Citizens committed to doing around 22% of the work. This, in turn, helped increase the community's capacity while delivering vital housing services.



Why are there no points for a local Yukon company?

The Government of Yukon is a signatory to the multiple national and international trade agreements, such as the:

- Canadian Free Trade Agreement; and
- Canada-European Union Comprehensive Economic and Trade Agreement.

These agreements ensure that all Canadian companies have an equal opportunity to participate in government procurements. Barring a few exceptions, this means we cannot give preference to companies according to where they are based.

That said, all Yukon businesses can gain competitive advantages under the Yukon First Nations Procurement Policy by:

- partnering with Yukon First Nations businesses;
- sub-contracting with Yukon First Nations businesses; and
- hiring Yukon First Nations Citizens.

How do I contact Yukon First Nations and discuss partnering in my bid?

If you want to work with a Yukon First Nations business, you have several options to find suitable businesses to partner with.

One option is to use the Yukon First Nation Business Registry to find contact details for various businesses.

The development corporations of First Nations governments are another option.

You could also reach out to the Yukon First Nations Chamber of Commerce, which maintains the Yukon First Nations Business Registry.

If you'd like to learn more about the Yukon First Nations Business Registry, contact the Yukon First Nation Business Registry Manager using the contact information below.

Yukon First Nations Business Registry Manager

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How does this policy advance reconciliation?

The Truth and Reconciliation Commission states that a core tenet of reconciliation is “establishing and maintaining a mutually respectful relationship.”

The Monitor and Review Committee oversees the Yukon First Nations Procurement Policy by working in collaboration with the Technical Working Group. Yukon First Nations, the Government of Yukon and industry take part in ongoing dialogue that aims to find consensus, while allowing for minority positions. Engagement is done in a respectful and accountable environment where the experiences, knowledge, insights and opinions of all parties are valued.

All parties continue to embrace the core objectives of the policy, which constitutes a sincere and meaningful commitment to reconciliation with Yukon First Nations.

The Monitor and Review Committee Annual Report also provides evidence of how the policy is positively impacting economic reconciliation. The annual report explains that the policy provides meaningful incentives to help Yukon First Nations:

- become more involved in the Yukon’s economy;
- achieve a greater share of Yukon government contracts; and
- stimulate expanded partnership with Yukon’s business community.

Yukon First Nations companies get a 15% advantage on every Yukon government contract. I cannot compete with this, as 15% would wipe out my profit margin. Why should make any effort to bid on government contracts?

Bid value reductions help reduce bid prices using three incentives.

1. Yukon First Nations ownership – up to 15% in reduction
2. Employing Yukon First Nations labour – up to 15% in reduction of the dollar value of wages paid to Yukon First Nations employees
3. Primary location of the Yukon First Nations businesses where the contract activities will occur (outside of Whitehorse) – up to 5% in reduction.

Businesses rarely earn a full 15% reduction on the entire bid price.

It should also be recognized that any business can gain competitive advantages in the bidding process by:

- partnering with Yukon First Nations businesses; and
- employing Yukon First Nations Citizen.

To understand the impact of bid value reduction incentives, a two-year bid value reduction review was published in 2023. The review provides insights into the impact of bid value reductions. One of the key findings of the review is as follows.

“The data reviewed does not indicate evidence of negative unintended consequences that were considered potential risks when [bid value reductions] were initially implemented, such as unanticipated cost increases, concentrations of market share, or widespread disruptions to procurement processes.

Competition of procurement is fundamental to success. Each business has its own unique ways to be successful and it is strongly encouraged to participate in those processes.”

There are parts of the Yukon First Nations Procurement Policy that I do not understand, and I am not sure how they could impact my business. How can I find out more? Who can I contact?

There is lots of great information for suppliers about the policy on the [Growing Together: The Yukon First Nations Procurement Policy](#) website.

If you would like to speak to someone, the Procurement Support Centre can give information on Government of Yukon procurements.

You can contact the Procurement Support Centre by calling 867-667-5385 or emailing contracts@yukon.ca.

Are goods treated the same as services?

The Yukon First Nations Procurement Policy applies to all procurements, including goods and services. Under the policy, they are subject to the same measures and incentives.

What happens if a company does not deliver on the commitments in its contract to employing Yukon First Nation employees?

The Government of Yukon holds these commitments in high regard and will keep contractors accountable for the commitments they have made.

The commitment to hiring Yukon First Nations employees is like any other deliverable. If a bidder makes this commitment during the bidding process, then it is added to their contract.

If a bidder does not respect the requirements outlined in their contract, including the commitment to hiring Yukon First Nations employees, then the same mechanisms apply as if they did not deliver any other part of the contract. This includes holdbacks, deficiency rectification and, in some cases, termination of the contract.