

Proud sponsor:



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June 15, 2016

Mr. David Hurl
Director of Policy
Office of the Minister
Public Safety and Emergency Preparedness
269 Laurier Avenue
Ottawa, Ontario
K1A 0P8

Dear Mr. Hurl,

Once again, we would like to thank you for meeting with us on Monday, April 18, 2016 to discuss our ongoing concerns with the RFP issued by the Buffalo and Fort Erie Public Bridge Authority (Authority). We continue to have concerns about the transparency, fairness and legitimacy of this entire RFP process. Our concerns on this matter are growing, and we would like to ensure that you are aware of the situation to date. Since our meeting there have been several developments, many that should be an immediate concern to your Minister and yourself. Further, we are seeking your assurance that the matter will be addressed appropriately.

We have raised our ongoing concerns with Mr. Martin Bolduc Vice President, Operations Branch, at the Canada Border Services Agency (CBSA). On Monday, May 30, 2016 we received a response from him (attached) which advised us that the final decision remains with the Minister. We are concerned that with respect to the written policies of the CBSA he commented that “policies are only one of the factors that the Minister must consider”. He also declined a request to meet with him to discuss this more specifically.

Foremost among our concerns are the circumstances surrounding the sudden resignation of Mr. Anthony Annunziata from the Authority. A report in a publication called *The Public* on Tuesday, May 3, 2016 discloses that “[Mr.] Annunziata does marketing consulting for a firm that hopes to win the lucrative lease for the Canadian duty-free shop at the Peace Bridge.” His potential involvement or connection to a bid for the lease at the duty free store, raises significant concerns. As Vice Chair and a former Chair, he would have been involved with the creation, confirmation and issuance of the RFP. We believe this situation should also be treated as a warning sign that other potential flaws may exist with respect to the appropriateness of the RFP process.

We support the fact that the Minister will have the final decision as to the timing and execution of the response. However, as the representative Association for the land border duty free industry, we must emphasize that the issuance and current evaluation of the entire process has raised enough concerns to us, that we must ask the Minister to defer cancelling the existing license until a thorough investigation has taken place.

As mentioned by Mr. Bolduc any decision with respect to licence cancellation, renewal and issuance will remain under the authority of the Minister. We expect that all established processes and policies will be followed and observed – including CBSA Memorandum D4-3-2. If the Minister is in the situation of having to issue a new licence, we would like confirmation that this will be conducted in accordance to the process outlined in the Memo. Any assurance that you can provide on this would be greatly appreciated. Any decisions made that do not align with the established processes would be contrary to the expectations of the industry and public that have been established by the policy. It would also be unprecedented and unwelcomed by our Association, including all its members.

Thank you again for your consideration of this matter. We strongly believe that this process has been flawed from inception and ask that you bring a halt to the process until the Minister can make an appropriate decision based on all the facts.

We would appreciate an opportunity to meet with you at your earliest possible convenience to discuss this matter and look forward to a thorough and transparent review.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter Brain". The signature is written in black ink and is positioned above the typed name.

Peter Brain, President