

Negotiated Contracts

Info current to August 15, 2022

Department or Agency	Contractor(s)	Scope of Contract	Status of Contract	Fiscal Year(s) of Contract	Duration of Contract	Specific Benefits Analysis	Reasons stated in public notice for waiving competitive process in favour of a negotiated contract	Value of Contract	Premium (1)	Specific Benefits Achieved (2)	Significant extent, if known, to which the contract involved a subcontractor /partner not eligible under the Policy	Whether the Minister consented in writing to further assigning/ sub-contracting the work or substituting personnel
Infrastructure	13394883 Canada Inc. – Consortium with Delta North Alliance (lead), EGT Northwind Ltd. (principal contractor) & 21 other NWT companies	Enabling works for the Inuvik Airport Runway Extension and Civil Infrastructure Project, including clearing and grubbing	Awarded – In Progress	2021/22 2022/23	Nov 2021 to Aug 2022	To retain employment, training and business opportunities within the Beaufort Delta Region; and grow competitive capacity within the region for future infrastructure projects	To benefit local business development, training and local employment opportunities	\$1,775,044	Nil to date	To date, has provided employment to 10 local residents (for a total of 2,697 hours) and 1 non-local surveyor (for 72 hours); provided airport-escort training for 2 workers (including Transport Canada radio license, written test and field test); maintained the skills of resident operators during a part of the construction season when they normally are off work; and provided direct benefits for local and regional businesses through resident payroll dollars generated and spent locally	Nil to date	Not to date
Infrastructure	13394883 Canada Inc. – Consortium with Delta North Alliance (lead), EGT Northwind Ltd. (principal contractor) & 21 other NWT companies	Advance work on embankment fill and stormwater drainage for the Inuvik Airport Runway Extension and Civil Infrastructure Project, including quarry material production, common excavation, and Taxiway A and D stormwater drainage utilities	Awarded	2022/23 2023/24	Aug 2022 to Apr 2023	To retain employment, training and business opportunities within the Beaufort Delta Region; and grow competitive capacity within the region for future infrastructure projects	To benefit local business development, training and local employment opportunities	\$41,216,702	Nil to date	To be determined following the commencement of work onsite	Nil to date	Not to date

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(2) Specific Benefits - the benefits to be achieved as a result of negotiating a contract that could not reasonably be expected to be achieved if the contract were awarded through the competitive contracting process

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NWT Housing Corporation	994481 NWT Ltd.	Construction of one replacement public-housing duplex in Fort Smith	Awarded – In Progress	2021/22 2022/23	Dec 2021 to Present (Ongoing)	To maximize employment, training and business opportunities for the residents of the South Slave Region; grow regional capacity in housing construction for future projects; reduce project costs associated with travel and accommodation; and promote regional pride and accomplishment	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$1,360,170	To be determined on the completion of the project	To be determined on the completion of the project	Nil to date	Not to date
NWT Housing Corporation	994481 NWT Ltd.	Construction of one market duplex in Fort Smith	Completed	2020/21 2021/22	Sept 2020 to Feb 2022 (interim completion) – Seasonal deficiencies to be complete by Sept 30/22	To create employment, training, skills and economic development opportunities for residents in Fort Smith; increase the capacity of the Northwest Territory Métis Nation to serve future Métis housing needs; and improve the ability of 994481 NWT Ltd. to participate in the market economy	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$1,121,656	To be determined on the completion of the project	To be determined on the completion of the project	Nil	No
Infrastructure	Beaver Enterprises Ltd. Partnership	Rehabilitation between km 20 and km 34 of the Liard Highway	Awarded – Multi-Year	2021/22 2022/23 2023/24	Oct 2021 to Aug 2023	To achieve employment, training and business opportunities for the residents of Nahendeh and other parts of the NWT; grow competitive capacity in road construction within the region; and ensure the majority of benefits associated with the project remain in the NWT	To benefit local business development, training and local employment opportunities	\$14,498,851	Nil to date	To date, has provided employment to 18 workers (7 locals and 11 NWT residents); involved four companies from Fort Liard; provided four days of heavy equipment training onsite (13 local young residents participated); and used local and NWT equipment	Rowe's Construction was sub-contracted to construct the road, and RAM Consulting Ltd. is the project management consultant for Beaver Enterprises Ltd. Partnership	Not to date

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Transportation	Déjné (Charter Community)	Operation and maintenance of the Déjné Airport	Completed	2015/16 2016/17 2017/18 2018/19 2019/20	Apr 1/15 to Mar 31/20	To achieve local and regional employment, training and business opportunities for Council	To achieve employment, training and business opportunities for local residents	\$870,000	Nil	Provided employment, training and business opportunities to local and regional residents through the local government; and provided training, experience and economic benefits that would not normally be available to local government staff and leaders	Nil	No
NWT Housing Corporation	Delta North Alliance	Construction of three market duplexes (6 units) in Inuvik	Awarded – In Progress	2020/21 2021/22 2022/23	Sept 2020 to Present (Ongoing)	To create employment, training, skills development and economic development opportunities for residents in the Beaufort Delta Region	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$4,278,817	To be determined on the completion of the project	To be determined on the completion of the project	Nil to date	Not to date
NWT Housing Corporation	Deninu Kúé Development Corporation Ltd.	Construction of a public-housing duplex in Fort Resolution	Awarded – In Progress	2022/23	Jun 2022 to Present (Ongoing)	To maximize local and regional employment and profits; capacity building, training opportunities and experience for area residents and businesses in modular building assembly and completion, including at least one apprentice assignment in a construction trade; reduce project costs due to reduced travel and accommodation; promote a sense of community pride and accomplishment; and increase economic self-sufficiency in the region	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$1,272,565	To be determined on the completion of the project	To be determined on the completion of the project	Extent of the benefit to Northern Industrial Construction Ltd. (sub-contractor) to be determined on the completion of the project	Not to date

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NWT Housing Corporation	Digaa Enterprises Ltd.	Renovations to the Deh Gah Got'ie Kue Senior's Home in Fort Providence	Completed	2019/20 2020/21	Jul 2019 to Oct 2020	To provide employment, training and business opportunities for the residents of Fort Providence	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$739,755	Nil	Built capacity of the company to win future construction projects using local labour; maximized local employment, with 8 local residents employed for more than 1,250 hours; increased opportunities for training local residents; enhanced economic benefits to the community; supported growth, competitive capacity and relationship-building for other local businesses, including through the use of 2 local sub-contractors that likely would not have been hired had the work been publicly tendered (for work valued at \$255,000) as well as other BIP businesses as sub-contractors	Nil	No
Infrastructure	Digaa Enterprises Ltd. & Rowe's Construction (Joint Venture)	Rehabilitation between km 222 and 240 of the Mackenzie Highway, including replacement of drainage structures, rebuilding of base/sub base course, shaping of road and completion of chip-seal surface	Awarded – Multi-Year	2021/22 2022/23 2023/24	Sep 20/21 to Aug 15/23	To achieve employment, training and business opportunities for area residents, particularly in Fort Providence and Kakisa; grow competitive capacity in road construction within the region; and ensure the benefits associated with the project remain in the NWT	To benefit local business development, training, and local employment opportunities	\$9,496,835	Nil to date	To date, has provided employment to 37 workers (12 local and 25 NWT residents); provided training in traffic control/flagging to 2 local and 3 NWT residents, with additional training planned; involved two companies from Fort Providence; and used local and NWT equipment	Nil to date	Not to date
Industry, Tourism and Investment	Doi T'oh Territorial Park Corporation	Construction of two emergency shelters on the CANOL Heritage Trail, located at Mile 125 and 150	Awarded – In Progress	2021/22 2022/23	Sept 10/21 to Sept 30/22	To develop the capacity and skills of a local contractor and residents to develop, operate and manage a territorial park	To build the necessary skills and capacity required to develop, operate and manage the future Doi T'oh Territorial Park per the Canol Trail Memorandum of Agreement	\$275,000	To be determined on the completion of the project	To date, has provided a local contractor with the opportunity to perform the work; provided employment for local residents; developed the knowledge and skills of local residents; honoured the spirit of the Canol Trail Memorandum of Agreement; and increased the capacity of the organization to undertake government contracts	Nil to date	Not to date

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Infrastructure	EGT Northwind Ltd.	Operation and maintenance of the Inuvik Tuktoyaktuk Highway	Awarded – Multi-Year	2018/19 2019/20 2020/21 2021/22 2022/23 2023/24	Mar 2019 to Feb 2024	To provide employment, training and business opportunities for residents within the Beaufort Delta Region	To achieve employment, capacity building and business opportunities for the residents within the Beaufort Delta	\$1,999,998 per year (\$10,000,000 total)	Nil to date	To be determined following the provision of information by the contractor	Nil to date	Not to date
Infrastructure	Gwich'in Development Corporation	Remediation of two land treatment units at the James Creek Highway Maintenance Camp at km 28.8 of the Dempster Highway	Awarded – Multi-Year	2021/22 2022/23 2023/24	Aug 2021 to Jul 2023	To retain employment, training and business opportunities within the Gwich'in Settlement Area; ensure the project is performed by a local business and provides local employment; and grow regional capacity in environmental remediation	To achieve employment, training and business opportunities for the residents within the Gwich'in Settlement Area	\$352,166	Nil to date	To be determined following the provision of information by the contractor	Nil to date	Not to date
Infrastructure	K&D Contracting Ltd.	Construction and maintenance of the Inuvik to Aklavik Winter Road	Awarded – Multi-Year	2020/21 2021/22 2022/23 2023/24 2024/25	Nov 13/20 to Apr 30/25	To maximize employment, training and business opportunities for the residents of Aklavik; and achieve effective and efficient construction by building on the contractor's existing knowledge and experience with the Mackenzie Delta channels between Inuvik and Aklavik	To benefit local business development, training and local employment opportunities	\$2,159,980	Nil to date	To date, has provided regular employment and training to 17 residents of Aklavik in 2021; led to 8 employees obtaining their Class 1 or 2 Driver's License for heavy equipment and ice-road construction training; generated positive economic impacts in terms of wages generated directly from the construction and maintenance crew, locally sourced supplies and wages spent indirectly back into the local economy; strengthened local business relationships; and provided support for an Indigenous business	Nil to date	Not to date

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Infrastructure	K&D Contracting Ltd.	Labour services and equipment for improvements to the runway drainage network at the Aklavik Airport, including to promote positive drainage, eliminate ponded areas and improve outlet	Completed	2020/21	Aug 24/20 to Oct 19/20	To create employment, training, skills development and economic opportunities for residents in Aklavik; and contribute to building the administrative, managerial and operational capacity and resources of K&D Contracting Ltd.	To provide local employment and training to Aklavik residents and build administrative, managerial and operational capacity and resources for the contractor	\$213,675	Nil	Provided employment to local residents on a weekly basis, with the hiring of 3 people each day for fence removal and dewatering (Week 1); 13 people each day for ditching and material removal/hauling (Week 2 and 3); and 2 people each day for placement of granular liner (Week 4 and 5); provided experience and knowledge to a local contractor and employees; and further enhanced the capacity of a local contractor already accustomed to work of this nature	Nil	No
Infrastructure	K&D Contracting Ltd.	Demolition and abatement of two temporary buildings and general landscaping, including general site filling/grading, at Moose Kerr School in Aklavik	Completed	2018/19 2019/20	2 years	To provide employment, training and business opportunities for residents within the Beaufort Delta Region	To achieve employment, capacity building, and business opportunities for residents within the Beaufort Delta	\$280,000	Nil	Provided employment and training to 8 local Indigenous persons; built the capacity of this local contractor; and generated business opportunities for residents within the Beaufort Delta Region through the use of local labour, local equipment, a local environmental consultant and Nanzu Demolition (sub-contractor)	Nil	No
Transportation	K'asho Got'ine Dene Community Council	Operation and maintenance of the Fort Good Hope Airport	Completed	2015/16 2016/17 2017/18 2018/19 2019/20	Apr 1/15 to Mar 31/20	To achieve local and regional employment, training and business opportunities for Council	To achieve employment, training and business opportunities for local residents	\$820,000	Nil	Provided employment, training and business opportunities to local and regional residents through the local government; and provided training, experience and economic benefits that would not normally be available to local government staff and leaders	Nil	No

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Infrastructure	LJ's Septic Services & Contracting Ltd.	Operation and maintenance of the Dempster Highway, for the section between km 0.0 and km 142.6	Awarded – Multi-Year	2021/22 2022/23 2023/24	Apr 2021 to Mar 2024	To retain employment, training and business opportunities within the Gwich'in Settlement Area	To benefit local business development, training and local employment opportunities	\$4,248,930	Nil to date	To date, has provided employment to 20 residents; provided training in some capacity for 40 residents in 2021/2022 (including local summer students); and created business opportunities for residents within the Gwich'in Settlement Area	Nil to date	Not to date
Infrastructure	LJ's Septic Services & Contracting Ltd.	Maintenance between km 0 (NWT-Yukon border) and km 142.6 (south shore of the Mackenzie River) of the Dempster Highway	Completed	2018/19 2019/20 2020/21	3 years	To ensure all identified benefits, including employment, training and business opportunities, remain within the Gwich'in Settlement Area	To achieve employment, training and business opportunities for the residents within the Gwich'in Settlement Area	\$3,678,600	Nil	Provided employment to 14 NWT residents; retained all employment, training and business opportunities within the Gwich'in Settlement Area; and built northern capacity in highway operations and maintenance	Nil	No
Infrastructure	LJ's Septic Services & Contracting Ltd.	Haul and stockpile of 15,000 cubic meters of gravel between km 126 and 147 of the Dempster Highway for future capital work	Completed	2019/20	1 year	To provide employment, training and business opportunities for residents within the Gwich'in Settlement Area	To achieve employment, training and business opportunities for the residents within the Gwich'in Settlement Area	\$525,000 (\$35 per m ³)	Nil	Provided employment to 45 people, including post-secondary and high school students in the summer; provided training and experience to several employees as traffic control persons, cook helpers, camp attendants, flaggers, etc.; and provided business opportunities for residents within the Gwich'in Settlement Area, including through the use of local equipment	Nil	No

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Transportation	LJ's Septic Services & Contracting Ltd.	Maintenance and operation of the Fort McPherson Community Airport	Completed	2016/17 2017/18 2018/19 2019/20 2020/21	Jul 2016 to Jun 2021	To achieve employment, training and business opportunities for the residents of Fort McPherson	To achieve employment, training and business opportunities for the residents of Fort McPherson	\$459,715	Nil	Provided employment to 6 local residents; provided training for employees, including related to winter and summer maintenance, human factors, safety management, airside vehicle operations, radio operations, and management; and retained all employment, training and business opportunities within the Gwich'in Settlement Area	Nil	No
NWT Housing Corporation	Metcan Building Solutions Inc.	Construction of two public-housing duplexes in Hay River	Awarded – In Progress	2022/23	Jun 2022 to Present (Ongoing)	To maximize regional and local employment and profits; provide capacity building, training opportunities and construction experience for area residents and businesses, including at least one South Slave resident apprenticing in a construction trade; reduce project costs due to reduced travel and accommodation; promote a sense of regional pride and accomplishment; and increase economic self-sufficiency in the region	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$3,845,830	To be determined on the completion of the project	To be determined on the completion of the project	Arctic Canada Construction Ltd. is a minority partner in Metcan Building Solutions Inc.	Not to date

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NWT Housing Corporation	MYB Construction Ltd.	Construction of a market housing 4-plex (labour only)	Awarded – In Progress	2022/23 2023/24	Jun 2022 to Present (Ongoing)	To maximize regional and local employment and profits; provide capacity building, training opportunities and residential construction experience for area residents and businesses, including at least two local residents apprenticing in a construction trade; reduce project costs due to reduced travel and accommodation; promote a sense of regional pride and accomplishment; and increase economic self-sufficiency in the region	To increase the capacity of an Indigenous-owned business towards realizing housing goals	\$1,788,000	To be determined on the completion of the project	To be determined on the completion of the project	Extent of the benefit to Northern Industrial Construction Ltd. (sub-contractor) to be determined on the completion of the project	Not to date
Infrastructure	Nihtat Energy Ltd.	Provision of biomass heating to six GNWT-owned buildings in Inuvik	Awarded – In Progress	To be determined	2020/21 to 5 years after the date heat is first supplied	To provide employment and business opportunities for residents within the Beaufort Delta Region, including to a local Indigenous business; and achieve an expected annual reduction of 450 to 600 tonnes of greenhouse gas emissions (about 1% of the reduction target set out in the 2030 Energy Strategy)	To achieve employment, capacity building, and business opportunities for residents within the Beaufort Delta	Not applicable – To be determined annually	Not applicable – To be cost neutral (no more than the average oil and natural gas prices paid by the GNWT)	To be determined following the installation of the biomass boilers at the proposed buildings	Nil to date	Not to date

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Transportation	Nihtat Services Ltd.	Brushing, litter control and signage maintenance between km 178 and km 272.5 of the Dempster Highway	Completed	2015/16 2016/17 2017/18 2018/19 2019/20	Jun 1/15 to Mar 15/20	To achieve employment training and business opportunities for the residents of the Inuvik Region	To achieve employment training and business opportunities for residents within the Gwich'in Settlement Area	\$450,000	Nil	Provided employment, training, skills development and experience to 4 residents in the Inuvik Region; created opportunities for capacity building in highway operation and maintenance for this company; provided economic opportunities and benefits to this company, its business partners, subcontractors and service providers; and contributed to the value of work awarded to Gwich'in beneficiaries	Nil	No
NWT Housing Corporation	Norman Wells Claimant Corporation	Construction of two single family residences for the Royal Canadian Mounted Police in Norman Wells	Awarded – In Progress	2021/22 2022/23	Jul 2021 to Present (Ongoing)	To maximize employment, training and business opportunities for the residents of the Sahtú Region; grow regional capacity in housing construction; reduce project costs associated with travel and accommodation; and promote regional pride and accomplishment	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$2,195,374	To be determined on the completion of the project	To be determined on the completion of the project	Extent of the benefit to Northern Industrial Construction Ltd. (sub-contractor) to be determined on the completion of the project	Not to date

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NWT Housing Corporation	Norman Wells Claimant Corporation	Construction of two public-housing duplexes in Norman Wells	Awarded – In Progress	2022/23 2023/24	Mar 2022 to Present (Ongoing)	To maximize regional and local employment and profits; provide capacity building, training opportunities and construction experience for area residents and businesses, including an apprentice in a construction trade; reduce project costs due to reduced travel and accommodation; promote a sense of regional pride and accomplishment; and increase economic self-sufficiency for participants of the Sahtú Dene and Métis Comprehensive Land Claim Agreement	To increase the capacity of an Indigenous government's development corporation towards realizing its housing goals	\$3,830,879	To be determined on the completion of the project	To be determined on the completion of the project	Extent of the benefit to CAB Construction Ltd. (sub-contractor) to be determined on the completion of the project	Not to date
Transportation	Pehdzeh Ki Contractors Limited	Maintenance at the Wrigley Airport	Completed	2016/17 2017/18 2018/19 2019/20	Jan 1/17 to Dec 31/19	To improve the skills and work experience of the contractor; and provide economic benefits for residents and the community, including employment, training, capacity-building and increased business opportunities	To provide opportunities to improve the skills and experience of local residents	\$300,000	Nil	Provided employment, training and business opportunities for local residents, including stable employment year-round for at least one individual in the community of Wrigley and short-term employment and skills development for other local labourers during summer and winter operations	Nil	No

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Transportation	Rat River Development Corporation Ltd.	Labour services for surveying, flagging, equipment servicing/repairs and laboratory work in the Fort McPherson area	Completed	2015/16 2016/17 2017/18 2018/19 2019/20	May 21/15 to May 31/20	To achieve employment training and business opportunities for the residents of the Inuvik Region	To achieve employment training and business opportunities for the residents within the Gwich'in Settlement Area	\$389,738	Nil	Provided employment, training, experience and skills development for 4 residents of the Inuvik Region; built capacity in the operation and maintenance of NWT highways in the region and for this business; created economic opportunities and benefits for this business, its partners, subcontractors and service providers; and contributed to the value of work awarded to Gwich'in beneficiaries	Nil	No
Infrastructure	Sachs Harbour (Hamlet)	Labour services and provision of equipment to complete runway drainage improvements at the Sachs Harbour Airport	Awarded – Multi-Year	2020/21 2021/22 2022/23	Mar 2021 to Dec 2022	To maximize employment, training and business opportunities for the residents of Sachs Harbour; and grow the administrative, managerial and operational capacity of the Hamlet of Sachs Harbour	To provide local employment and training to Sachs Harbour residents and build administrative, managerial and operational capacity and resources for the Hamlet	\$400,000	Nil to date	To be determined when the information is available	Nil to date	Not to date
Infrastructure	Sambaa K'e Development Corporation	Labour services and provision of equipment for runway drainage improvements at the Sambaa K'e Airport	Completed	2020/21 2021/22	Jul 2020 to Mar 2022	To create employment, training, skills development and economic opportunities for residents of Sambaa K'e; and contribute to building the administrative, managerial and operational capacity and resources of the Sambaa K'e Development Corporation	To provide local employment and training to Sambaa K'e residents and build administrative, managerial and operational capacity and resources for the contractor	\$250,000	Nil	Provided employment to 10 local residents in various roles of equipment operation and labour; generated economic benefit to the local Bed & Breakfast through the presence of survey control personnel provided by the consultant and field supervision personnel from INF's Air, Marine & Safety Division; and led to the acquiring, maintenance and charge of new lighting equipment by the company (for work performed in evenings to minimize impacts to air traffic)	Dillon Consulting Ltd. was engaged as part of a standing offer to serve as the design consultant and provide survey layout support	No (written consent is not required for engagement under a standing offer)

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Department or Agency	Contractor(s)	Scope of Contract	Status of Contract	Fiscal Year(s) of Contract	Duration of Contract	Specific Benefits Analysis	Reasons stated in public notice for waiving competitive process in favour of a negotiated contract	Value of Contract	Premium (1)	Specific Benefits Achieved (2)	Significant extent, if known, to which the contract involved a subcontractor /partner not eligible under the Policy	Whether the Minister consented in writing to further assigning/ sub-contracting the work or substituting personnel
Infrastructure	Sambaa K'e Development Corporation	Construction and maintenance of the Trout Lake Winter Road	Completed	2017/18 2018/19 2019/20 2020/21 2021/22	Dec 2017 to Mar 2022	To achieve employment, training and business opportunities for the residents of Sambaa K'e	To provide steady employment and training opportunities to local residents	\$1,000,000	Nil	Provided employment to 4 local residents; and provided employees with experience in operating snow cats, constructing the initial opening of the winter road, grading and winter road maintenance, including watering creek crossings and marking hazards	Rowe's Construction was sub-contracted by the community of Sambaa K'e to provide the equipment for opening and training	No
Infrastructure	Tłı̄chq Road Constructors	Construction of the Tłı̄chq Winter Road System	Completed	2018/19 2019/20 2020/21	Dec 2018 to Mar 2021	To provide employment, training and business opportunities for residents within the Tłı̄chq Region	To achieve employment, capacity building, and business opportunities for residents within the Tłı̄chq Region	\$7,040,994	Nil	Provided employment to 5 residents of Whatì, 7 from Gamètì and 5 from Wekweètì each year from 2018 to 2021; provided employees with training in winter road construction and on equipment (e.g. snowcat, plow truck, water truck, grader and fuel truck), which would make them more qualified for future work opportunities; created an opportunity for residents in Tłı̄chq communities to be self-sufficient in the construction of the yearly winter roads; used local providers whenever possible to support construction, including flight services, food, lodging, fuel and equipment rentals; and created an opportunity for a contracting firm owned and operated by the Tłı̄chq people	Rowe's Construction was subcontracted to complete portions of the road	No
Transportation	Tulita (Hamlet)	Operation and maintenance of the Tulita Airport	Completed	2015/16 2016/17 2017/18 2018/19 2019/20	Apr 1/15 to Mar 31/20	To achieve local and regional employment, training and business opportunities for Council	To achieve employment, training and business opportunities for local residents	\$825,000	Nil	Provided employment, training and business opportunities to local and regional residents through the local government; and provided training, experience and economic benefits that would not normally be available to local government staff and leaders	Nil	No

(1) Premium - an estimate of the potential difference in costs between negotiating a specific contract and awarding a similar contract through the competitive contracting process

(2) Specific Benefits - the benefits to be achieved as a result of negotiating a contract that could not reasonably be expected to be achieved if the contract were awarded through the competitive contracting process