

RETURN BIDS TO:
RETOURNER LES SOUMISSIONS À:
**Bid Receiving Public Works and Government
Services Canada/Réception des soumissions Travaux
publics et Services gouvernementaux Canada**
John Cabot Building
10 Barters Hill, P.O. Box 4600
St. John's
Newfoundland and Labrador
A1C 5T2
Bid Fax: (709) 772-4603

SOLICITATION AMENDMENT
MODIFICATION DE L'INVITATION

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Solicitation remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'invitation demeurent les mêmes.

Comments - Commentaires

Vendor/Firm Name and Address
**Raison sociale et adresse du
fournisseur/de l'entrepreneur**

Issuing Office - Bureau de distribution
PWGSC/TPSGC-Nfld Region/Real Property
John Cabot Building
10 Barters Hill, P.O. Box 4600
St. John's
Newfoundl
A1C 5T2

Title - Sujet Marg. Wharf Const. - Rencontre East	
Solicitation No. - N° de l'invitation E0224-130988/A	Amendment No. - N° modif. 001
Client Reference No. - N° de référence du client R.057681.001	Date 2012-07-19
GETS Reference No. - N° de référence de SEAG PW-\$PWD-005-5637	
File No. - N° de dossier PWD-2-35060 (005)	CCC No./N° CCC - FMS No./N° VME
Solicitation Closes - L'invitation prend fin at - à 02:00 PM on - le 2012-08-01	Time Zone Fuseau horaire Newfoundland Daylight Saving Time NDT
F.O.B. - F.A.B. Plant-Usine: <input type="checkbox"/> Destination: <input type="checkbox"/> Other-Autre: <input type="checkbox"/>	
Address Enquiries to: - Adresser toutes questions à: O'Brien, Cheryl	Buyer Id - Id de l'acheteur pwd005
Telephone No. - N° de téléphone (709) 772-3460 ()	FAX No. - N° de FAX (709) 772-4603
Destination - of Goods, Services, and Construction: Destination - des biens, services et construction: Rencontre East, NL A0H 2C0	

Instructions: See Herein

Instructions: Voir aux présentes

Delivery Required - Livraison exigée	Delivery Offered - Livraison proposée
Vendor/Firm Name and Address Raison sociale et adresse du fournisseur/de l'entrepreneur	
Telephone No. - N° de téléphone Facsimile No. - N° de télécopieur	
Name and title of person authorized to sign on behalf of Vendor/Firm (type or print) Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie)	
Signature	Date

IMPORTANT NOTICE TO BIDDERS

IMPORTANT CHANGES TO GI01 "CODE OF CONDUCT AND CERTIFICATION - BID" OF R2710T, GENERAL INSTRUCTIONS TO BIDDERS (REFER TO SPECIAL INSTRUCTIONS TO BIDDERS SI01 6) BIDDERS **MUST** FROM NOW ON SUBMIT WITH THEIR BIDS ON CLOSING DATE. **FAILURE TO COMPLY WITH THE CERTIFICATIONS OR TO COMPLY WITH THE REQUEST OF THE CONTRACTING AUTHORITY FOR ADDITIONAL INFORMATION WILL ALSO RENDER THE BID NON-RESPONSIVE:**

- A COMPLETE LIST OF EACH INDIVIDUAL WHO IS CURRENTLY ON THE BIDDER'S BOARD OF DIRECTORS. (SEE APPENDIX 3)

AND

- CONSENT TO A CRIMINAL RECORD VERIFICATION FORM (PWGSC-TPSGC 229) PROPERLY COMPLETED AND SIGNED, FOR EACH INDIVIDUAL NAMED IN THE AFORMENTIONED LIST. (SEE SAMPLE IN APPENDIX 4)

SPECIAL INSTRUCTIONS TO BIDDERS (SI)

SI01 BID DOCUMENTS

ADD THE FOLLOWING

6.) Code of Conduct Certifications - Consent to a Criminal Record Verification

6.1 Pursuant to section GI01 of the General Instructions to Bidders R2710T the bidders must submit with their bid by bid solicitation closing date:

- a complete list of names of all individuals who are currently directors of the Bidder and
- a properly completed and signed consent form, for each individual named in the aforementioned list. The form PWGSC_TPSGC 229 is available on line at WEB site
<http://www.tpsgc-pwgsc.gc.ca/app-acq/forms/documents/229.pdf>

CONTRACT DOCUMENTS

DELETE

5. GC1.20 Code of Conduct and Certifications

AND REPLACE WITH:

5. GC1.20 Code of Conduct and Certifications - Contract

Add to R2810D GC1 - General Provisions - New section GC1.20 "Code of Conduct and Certifications - Contract"

1. The Contractor agrees to comply with the Code of Conduct for Procurement and to be bound by its terms. In addition to complying with the Code of Conduct for Procurement, the Contractor must also comply with the terms set out in this section.
2. The Contractor further understands that, to ensure fairness, openness and transparency in the procurement process, the commission of certain acts or offences may result in a termination for default under the Contract. If the Contractor made a false declaration in its bid, makes a false declaration under the Contract, fails to diligently maintain up to date the information herein requested, or if the Contractor or any of the Contractor's parent companies, subsidiaries and affiliates fail to remain free and clear of any acts or convictions specified herein during the period of the Contract, such false declaration or failure to comply may result in a termination for default under the Contract. Canada may verify the information provided by the Contractor, including the information relating to the acts or convictions specified herein, through independent research, use of any government resources or by contacting third parties. The Contractor understands that a termination for default will not restrict Canada's right to exercise any other remedies that may be available against the Contractor and agrees to immediately return any advance payments.
3. For the purpose of this section, business concerns, organizations and individuals are Contractor's affiliates if:
 - a. directly or indirectly either one controls or has the power to control the other, or
 - b. a third party has the power to control both.

Indicia of control, include, but are not limited to, interlocking management or ownership, identity of interests among family members, shared facilities and equipment, common use of employees, or a business entity created following the acts or convictions specified in this section which has the same or similar management, ownership, or principal employees, as the case may be.
4. During the entire period of the Contract, the Contractor must diligently update, by written notice to the Contracting Authority, the list of names of all individuals who are directors of the Contractor, as well as the Corresponding Consent Forms.
5. The Contractor certifies being aware, and that its parent companies, subsidiaries and affiliates are aware, that Canada may verify the information provided by the Contractor, including the information relating to the acts or convictions specified herein through independent research, use of any government resources or by contacting third parties.
6. The Contractor certifies that neither the Contractor nor any of the Contractor's parent companies, subsidiaries or affiliates have directly or indirectly, paid or agreed to pay, and will not, directly or indirectly, pay a contingency fee to any individual for the solicitation, negotiation or obtaining of the Contract if the payment of the fee would require the individual to file a return under section 5 of the *Lobbying Act*.
7. The Contractor certifies that except for those offences where a criminal pardon or a record suspension has been obtained, capacities restored by the Governor in Council, or

- Contractor nor
ever been
- leniency granted as further described in subsection 8 herein, neither the
any of the Contractor's parent companies, subsidiaries or affiliates has
convicted of an offence under any of the following provisions:
- a. section 45 (*Conspiracies, agreements or arrangements between competitors*),
section 46 (*Foreign directives*), section 47 (*Bid rigging*), section 49 (*Agreements
or arrangements of federal financial institutions*), section 52 (*False or misleading
representation*), section 53 (*Deceptive notice of winning a prize*) under the
Competition Act, or
- b. section 121 (*Frauds on the government and Contractor subscribing to election
fund*), section 124 (*Selling or Purchasing Office*), section 380 (*Fraud*) for fraud
committed against Her Majesty or section 418 (*Selling defective stores to Her
Majesty*), section 462.31 (*Laundering proceeds of crime*) or sections 467.11 to
467.13 (*Participation in activities of criminal organization*) of the *Criminal Code
Canada*, or
- c. paragraph 80(1)(d) (*False entry, certificate or return*), subsection 80(2) (*Fraud
against Her Majesty*) or section 154.01 (*Fraud against Her Majesty*) of the
Financial Administration Act, or
- e. section 239 (*False or deceptive statements*) of the *Income Tax Act*, or
- f. section 327 (*False or deceptive statements*) of the *Excise Tax Act*, or
- g. section 3 (*Bribing a foreign public official*) of the *Corruption of Foreign Public
Officials Act*, or
- h. section 5 (*Trafficking in substance*), section 6 (*Importing and exporting*), or
section 7 (*Production of substance*) of the *Controlled Drugs and Substance Act*.
8. In circumstances where a criminal pardon or a record suspension has been obtained,
capacities restored by the Governor in Council, or leniency granted pursuant to a formal
program (similar to the Competition Bureau's Leniency Program) for offences other than
sections 121, 124, 380 for fraud committed against Her Majesty and 418 of the
Criminal Code of Canada or offences under the *Financial Administration Act*, the
Contractor must provide a certified copy of confirming documentation from an
official source

APPENDIX

**Please add the following 2 appendices to the Table of Contents of the Invitation to Tender,
incorporate these appendices into the document and include with bid.**

APPENDIX 3 - COMPLETE LIST OF EACH INDIVIDUAL WHO IS CURRENTLY ON THE BIDDER'S
BOARD OF DIRECTORS

Solicitation No. - N° de l'invitation

E0224-130988/A

Amd. No. - N° de la modif.

001

Buyer ID - Id de l'acheteur

pwd005

Client Ref. No. - N° de réf. du client

R.057681.001

File No. - N° du dossier

PWD-2-35060

CCC No./N° CCC - FMS No/ N° VME

**APPENDIX 4 - SAMPLE OF THE CONSENT TO A CRIMINAL RECORD VERIFICATION FORM
(PWGSC-TPSGC 229)**

Solicitation No. - N° de l'invitation

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**APPENDIX 3 - COMPLETE LIST OF EACH INDIVIDUAL WHO IS CURRENTLY ON THE
BIDDER'S BOARD OF DIRECTORS**

***NOTE TO BIDDERS
WRITE DIRECTOR'S SURNAMES AND GIVEN NAMES IN BLOCK LETTERS***

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APPENDIX 4 - SAMPLE OF THE CONSENT TO A CRIMINAL RECORD VERIFICATION FORM (PWGSC-TPSGC 229)



Public Works and Government
Services
Canada

Travaux publics et Services
gouvernementaux
Canada

Protected (when completed and received by government)
Protégé (lorsque rempli et reçu par le gouvernement)

If completed manually, please print
Si rempli manuellement, veuillez écrire en lettres moulées

FOR GOVERNMENT USE ONLY POUR USAGE DU GOUVERNEMENT SEULEMENT	
Special Investigations Directorate File No. N° de dossier de la Direction des enquêtes spéciales	Date Received (Y-A M D-J) Date de réception

CONSENT TO A CRIMINAL RECORD VERIFICATION CONSENTEMENT À LA VÉRIFICATION DE L'EXISTENCE D'UN CASIER JUDICIAIRE

This form must be completed and signed by each individual who is currently on the Board of Directors of the Bidder/Officer/Supplier and provided with the Bid/Offer/Arrangement.
Le présent formulaire doit être rempli et signé par chaque membre du conseil d'administration du soumissionnaire/de l'offrant/du fournisseur et fourni avec la soumission/l'offre/l'arrangement.

A PRIVACY ACT STATEMENT ÉNONCÉ CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

The personal information requested on this form is collected under the authority of subsection 750(3) of the Criminal Code, paragraph 42(1(c)) of the Financial Administration Act, and sections 7 and 21 of the Department of Public Works and Government Services Act. The information will be used for validating the criminal conviction of the individual obtaining or maintaining a contract with other government departments, provincial, territorial, and federal, and federal, is required to conduct the criminal record verification.

Les renseignements personnels demandés dans le présent formulaire sont recueillis en vertu du paragraphe 750(3) du Code criminel, du paragraphe 42(1(c)) de la Loi sur la gestion des finances publiques et des articles 7 et 21 de la Loi sur le ministère des Travaux publics et des Services gouvernementaux. Ces renseignements sont nécessaires pour obtenir ou conserver un contrat avec d'autres organismes fédéraux, ainsi qu'avec les gouvernements provinciaux, territoriaux et fédéraux, dans le cadre de la vérification des condamnations.

SAMPLE ONLY
USE FORM AVAILABLE ONLINE AT WEB SITE
INDICATED IN SI01 3.1 b.

A refusal to provide information on this form may result in the bid/offer/arrangement being rejected or the contract terminated, the standing offer being set-aside or the supply arrangement being cancelled, as applicable.

Le refus de fournir les renseignements demandés, la soumission/l'offre/l'arrangement sera rejeté ou le contrat résilié, l'offre à commandes sera mise de côté ou l'arrangement en matière d'approvisionnement sera annulé, selon le cas.

The personal information is described in personal information bank PWGSC PPU 184 - Integrity Assessment Program. Individuals have a right of access to, correction of and protection of their information in accordance with the Privacy Act.

Les renseignements personnels sont décrits dans les fichiers de renseignements personnels n° TPSGC PPU 184 - Programme de l'évaluation de l'intégrité. Les personnes ont le droit d'accéder aux renseignements personnels qui les concernent, ainsi que de les faire corriger ou protéger, conformément à la Loi sur la protection des renseignements personnels.

B BIOGRAPHICAL INFORMATION - Must be completed by the individual RENSEIGNEMENTS BIOGRAPHIQUES - À remplir par l'individu

Family Name (Last Name) - Nom (de famille)	Family Name at Birth - Nom de famille à la naissance
Full Given Names (No Initials) - Prénoms au complet (aucune initiale)	
All other previously used names (i.e. maiden name, previously married names, legal name change, nicknames) Tout autre nom utilisé (tel que nom de jeune fille, noms maritaux précédents, changement de nom légaux, sobriquets)	
Gender - Sexe <input type="checkbox"/> Male Masculin <input type="checkbox"/> Female Féminin	Date of Birth - Date de naissance (Y-A M D-J)

Current Residential Information Information résidentielle actuelle

Apartment No. - N° d'appartement	Street No. - N° civique	Street Name - Nom de la rue
City - Ville	Province	Postal Code - Code postal

PWGSC-TPSGC 229 (2012/06)

Solicitation No. - N° de l'invitation

E0224-130988/A

Amd. No. - N° de la modif.

001

Buyer ID - Id de l'acheteur

pwd005

Client Ref. No. - N° de réf. du client

File No. - N° du dossier

CCC No./N° CCC - FMS No/ N° VME

C	CONSENT - Must be signed by the individual CONSENTEMENT - Doit être signé par l'individu
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I, the undersigned, confirm that I have read and understand the above *Privacy Act* statement and that I consent to the collection and use of my personal information as described therein.

Je, soussigné, confirme avoir pris connaissance de l'Énoncé concernant la *Loi sur la protection des renseignements personnels* et consens à la collecte et à l'utilisation des renseignements personnels fournis aux présentes.

Signature		SAMPLE ONLY USE FORM AVAILABLE ONLINE AT WEB SITE INDICATED IN SI01 3.1 b.			
Print Name - Nom en lettres moulées				Date (Y-A M D-J)	

D	ADMINISTRATIVE INFORMATION - Internal Government Use Only RENSEIGNEMENTS ADMINISTRATIFS - Pour usage interne du gouvernement seulement	
Requesting Branch/Sector/Directorate/Division - Direction générale/Secteur/Direction/Division requérante		
Solicitation/Proposed Contract No. - N° de la demande de soumission/N° du contrat		Date of Request (Y-A M D-J) Date de la demande
Requesting Contact Person - Personne-ressource requérante		Contact Person Tel. No. - N° de tél. de la personne-ressource