

**RETURN BIDS TO:**  
**RETOURNER LES SOUMISSIONS À:**  
Réception des soumissions - TPSGC / Bid Receiving  
- PWGSC  
1550 Avenue d'Estimauville  
Québec  
Québec  
G1J 0C7

**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**  
TPSGC/PWGSC  
1550 Avenue d'Estimauville  
Québec  
Québec  
G1J 0C7

<b>Title - Sujet</b> Optique atmosphérique	
<b>Solicitation No. - N° de l'invitation</b> W7701-125216/A	<b>Amendment No. - N° modif.</b> 002
<b>Client Reference No. - N° de référence du client</b> W7701-12-5216	<b>Date</b> 2012-07-17
<b>GETS Reference No. - N° de référence de SEAG</b> PW-\$QCL-018-14700	
<b>File No. - N° de dossier</b> QCL-1-34731 (018)	<b>CCC No./N° CCC - FMS No./N° VME</b>
<b>Solicitation Closes - L'invitation prend fin</b> <b>at - à 02:00 PM</b> <b>on - le 2012-08-08</b>	<b>Time Zone</b> Fuseau horaire Heure Normale du l'Est HNE
<b>F.O.B. - F.A.B.</b> <b>Plant-Usine:</b> <input type="checkbox"/> <b>Destination:</b> <input checked="" type="checkbox"/> <b>Other-Autre:</b> <input type="checkbox"/>	
<b>Address Enquiries to: - Adresser toutes questions à:</b> Piras, Gabriel	<b>Buyer Id - Id de l'acheteur</b> qcl018
<b>Telephone No. - N° de téléphone</b> (418) 649-2870 ( )	<b>FAX No. - N° de FAX</b> (418) 648-2209
<b>Destination - of Goods, Services, and Construction:</b> <b>Destination - des biens, services et construction:</b> R & D POUR LA DÉFENSE CANADA - VALCARTIER BATIMENT 53 2459 BOUL. PIE XI NORD QUÉBEC Québec G3J1X5 Canada	

**Instructions: See Herein**

**Instructions: Voir aux présentes**

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

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**TITLE : WORK IN ATMOSPHERIC OPTICS  
AMENDMENT 002**

Included in the present amendment :

- Modification 2.1 - Consent to a Criminal Record Verification form
- Modification 2.2 - Attachment 2, Mandatory and Point Rated Technical Criteria
- Question and answer 2.1

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**Modification 2.1**

*Pursuant to section 01 of Standard Instructions 2003, a Consent to a Criminal Record Verification form, must be submitted with the bid, by the bid solicitation closing date, for each individual who is currently on the Bidder's Board of Directors.*

*The Request for Proposals is therefore amended as follows :*

**PART 2 - BIDDER INSTRUCTIONS****1. Standard Instructions, Clauses and Conditions****DELETE :**

"The 2003 (2012-03-02) Standard Instructions - Goods or Services - Competitive Requirements, are incorporated by reference into and form part of the bid solicitation."

**INSERT :**

"The 2003 (2012-07-11) Standard Instructions - Goods or Services - Competitive Requirements, are incorporated by reference into and form part of the bid solicitation."

**PART 5 - CERTIFICATIONS****DELETE :**

"Part 5 in its entirety."

**INSERT :****"PART 5 - CERTIFICATIONS"**

Bidders must provide the required certifications to be awarded a contract. Canada will declare a bid non-responsive if the required certifications are not completed and submitted as requested.

Compliance with the certifications bidders provide to Canada is subject to verification by Canada during the bid evaluation period (before award of a contract) and after award of a contract. The Contracting Authority will have the right to ask for additional information to verify the bidders' compliance with the certifications before award of a contract. The bid will be declared non-responsive if any certification made by the Bidder is untrue, whether made knowingly or unknowingly. 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.

## 1. Code of Conduct Certifications - Consent to a Criminal Record Verification

Bidders must submit with their bid, by the bid solicitation closing date:

- (a) a complete list of names of all individuals who are currently directors of the Bidder;
- (b) a properly completed and signed form Consent to a Criminal Record Verification (PWGSC-TPSGC 229), for each individual named in the list.

## 2. Certifications Precedent to Contract Award

The certifications listed below should be completed and submitted with the bid but may be submitted afterwards. If any of these required certifications is not completed and submitted as requested, the Contracting Authority will so inform the Bidder and provide the Bidder with a time frame within which to meet the requirement. Failure to comply with the request of the Contracting Authority and meet the requirement within that time period will render the bid non-responsive.

### 2.1 Federal Contractors Program for Employment Equity - Certification

#### 2.1.1 Federal Contractors Program - \$200,000 or more

1. The Federal Contractors Program (FCP) requires that some suppliers, including a supplier who is a member of a joint venture, bidding for federal government contracts, valued at \$200,000 or more (including all applicable taxes), make a formal commitment to implement employment equity. This is a condition precedent to contract award. If the Bidder, or, if the Bidder is a joint venture and if any member of the joint venture, is subject to the FCP, evidence of its commitment must be provided before the award of the Contract.

Suppliers who have been declared ineligible contractors by Human Resources and Skills Development Canada (HRSDC) are no longer eligible to receive government contracts over the threshold for solicitation of bids as set out in the *Government Contracts Regulations*. Suppliers may be declared ineligible contractors either as a result of a finding of non-compliance by HRSDC, or following their voluntary withdrawal from the FCP for a reason other than the reduction of their workforce to less than 100 employees. Any bids from ineligible contractors, including a bid from a joint venture that has a member who is an ineligible contractor, will be declared non-responsive.

2. If the Bidder does not fall within the exceptions enumerated in 3.(a) or (b) below, or does not have a valid certificate number confirming its adherence to the FCP, the Bidder must fax (819-953-8768) a copy of the signed form LAB 1168, Certificate of Commitment to Implement Employment Equity, to the Labour Branch of HRSDC.
3. The Bidder, or, if the Bidder is a joint venture the member of the joint venture, certifies its status with the FCP, as follows:

### The Bidder or the member of the joint venture

- (a) ( ) is not subject to the FCP, having a workforce of less than 100 full-time or part-time permanent employees, and/or temporary employees having worked 12 weeks or more in Canada;
- (b) ( ) is not subject to the FCP, being a regulated employer under the *Employment Equity Act*, S.C. 1995, c. 44;
- (c) ( ) is subject to the requirements of the FCP, having a workforce of 100 or more full-time or part-time permanent employees, and/or temporary employees having worked 12 weeks or more in Canada, but has not previously obtained a certificate number from HRSDC (having not bid on requirements of \$200,000 or more), in which case a duly signed certificate of commitment is attached;
- (d) ( ) is subject to the FCP, and has a valid certificate number as follows: \_\_\_\_\_ (e.g. has not been declared an ineligible contractor by HRSDC.)

Further information on the FCP is available on the HRSDC Web site (<http://www.hrsdc.gc.ca/eng/labour/equality/fcp/index.shtml>).

## 2.2 Former Public Servant Certification

Contracts with former public servants (FPS) in receipt of a pension or of a lump sum payment must bear the closest public scrutiny, and reflect fairness in the spending of public funds. In order to comply with Treasury Board policies and directives on contracts with FPS, bidders must provide the information required below.

### Definitions

For the purposes of this clause, "former public servant" is any former member of a department as defined in the Financial Administration Act, R.S., 1985, c. F-11, a former member of the Canadian Armed Forces or a former member of the Royal Canadian Mounted Police. A former public servant may be:

- a. an individual;
- b. an individual who has incorporated;
- c. a partnership made of former public servants; or
- d. a sole proprietorship or entity where the affected individual has a controlling or major interest in the entity.

"lump sum payment period" means the period measured in weeks of salary, for which payment has been made to facilitate the transition to retirement or to other employment as a result of the implementation of various programs to reduce the size of the Public Service. The lump sum payment period does not include the period of severance pay, which is measured in a like manner.

"pension" means, in the context of the fee abatement formula, a pension or annual allowance paid under the Public Service Superannuation Act (PSSA), R.S., 1985, c. P-36, and any increases paid pursuant to the Supplementary Retirement Benefits Act,

R.S., 1985, c. S-24 as it affects the PSSA. It does not include pensions payable pursuant to the Canadian Forces Superannuation Act, R.S., 1985, c. C-17, the Defence Services Pension Continuation Act, 1970, c. D-3, the Royal Canadian Mounted Police Pension Continuation Act, 1970, c. R-10, and the Royal Canadian Mounted Police Superannuation Act, R.S., 1985, c. R-11, the Members of Parliament Retiring Allowances Act, R.S., 1985, c. M-5, and that portion of pension payable to the Canada Pension Plan Act, R.S., 1985, c. C-8.

#### Former Public Servant in Receipt of a Pension

Is the Bidder a FPS in receipt of a pension as defined above?

**Yes ( ) No ( )**

If so, the Bidder must provide the following information:

- a. name of former public servant;
- b. date of termination of employment or retirement from the Public Service.

#### Work Force Reduction Program

Is the Bidder a FPS who received a lump sum payment pursuant to the terms of a work force reduction program?

**Yes ( ) No ( )**

If so, the Bidder must provide the following information:

- a. name of former public servant;
- b. conditions of the lump sum payment incentive;
- c. date of termination of employment;
- d. amount of lump sum payment;
- e. rate of pay on which lump sum payment is based;
- f. period of lump sum payment including start date, end date and number of weeks;
- g. number and amount (professional fees) of other contracts subject to the restrictions of a work force reduction program.

For all contracts awarded during the lump sum payment period, the total amount of fees that may be paid to a FPS who received a lump sum payment is \$5,000, including the Goods and Services Tax or Harmonized Sales Tax.

#### Certification

By submitting a bid, the Bidder certifies that the information submitted by the Bidder in response to the above requirements is accurate and complete.

### **2.3 Canadian Content Certification**

This procurement is limited to Canadian services.

The Bidder certifies that:

- ( ) the service(s) offered is(are) a Canadian service as defined in paragraph 2 of clause A3050T.

### **2.3.1 SACC Manual clause A3050T (2010-01-11), Canadian Content Definition**

## **2.4 Status and Availability of Resources**

The Bidder certifies that, should it be awarded a contract as a result of the bid solicitation, every individual proposed in its bid will be available to perform the Work as required by Canada's representatives and at the time specified in the bid solicitation or agreed to with Canada's representatives. If for reasons beyond its control, the Bidder is unable to provide the services of an individual named in its bid, the Bidder may propose a substitute with similar qualifications and experience. The Bidder must advise the Contracting Authority of the reason for the substitution and provide the name, qualifications and experience of the proposed replacement. For the purposes of this clause, only the following reasons will be considered as beyond the control of the Bidder: death, sickness, maternity and parental leave, retirement, resignation, dismissal for cause or termination of an agreement for default.

If the Bidder has proposed any individual who is not an employee of the Bidder, the Bidder certifies that it has the permission from that individual to propose his/her services in relation to the Work to be performed and to submit his/her résumé to Canada. The Bidder must, upon request from the Contracting Authority, provide a written confirmation, signed by the individual, of the permission given to the Bidder and of his/her availability. Failure to comply with the request may result in the bid being declared non-responsive.

## **2.5 Education and Experience**

The Bidder certifies that all the information provided in the résumés and supporting material submitted with its bid, particularly the information pertaining to education, achievements, experience and work history, has been verified by the Bidder to be true and accurate. Furthermore, the Bidder warrants that every individual proposed by the Bidder for the requirement is capable of performing the Work described in the resulting contract.

## **2.6 Language Capability**

The Bidder certifies that it has the language capability required to perform the Work, as stipulated in the Statement of Work..”

## **PART 7 - RESULTING CONTRACT CLAUSES**

### **2.1 General Conditions**

#### **DELETE :**

“2040 (2012-03-02), General Conditions - Research & Development, apply to and form part of the Contract;”

#### **INSERT :**

"2040 (2012-07-16), General Conditions - Research & Development, apply to and form part of the Contract;"

## PART 7 - RESULTING CONTRACT CLAUSES

### 10. Priority of Documents

**DELETE :**

"c) the general conditions 2040 (2012-03-02), General Conditions - Research & Development;"

**INSERT :**

"c) the general conditions 2040 (2012-07-16), General Conditions - Research & Development;"

## ATTACHMENT 3

### CERTIFICATIONS PRECEDENT TO CONTRACT AWARD

**DELETE :**

"Attachment 3 in its entirety."

## Modification 2.2

### ATTACHMENT 2 - MANDATORY AND POINT RATED TECHNICAL CRITERIA

#### SECTION 2 - QUALIFICATIONS OF THE PROPOSED RESOURCES (EDUCATION AND EXPERIENCE),

#### CRITERION "EXPERIENCE AND TRAINING RELATING TO TASKS 3E AND 3F"

**DELETE :**

"5. Experience with the MRscan-300."

**INSERT :**

"5. Experience in designing and implementing control software for a spectrometer MR-304."

### Question 2.1 :

*(Ref. : Attachment 2 - Mandatory and Point Rated Technical Criteria, Section 2 - Qualifications of the Proposed Resources (Education and Experience), criterion "Experience and training relating to tasks 3e and 3f" and criterion "Experience and training relating to task 3h")*

Can additional information regarding the Government Furnished Equipment MRscan-300 and Heytronics radiometer please be provided? Neither appear to be commercially available, so it is difficult to assess skills required for Task 3 activities associated with this equipment.

Solicitation No. - N° de l'invitation

W7701-125216/A

Amd. No. - N° de la modif.

002

Buyer ID - Id de l'acheteur

qcl018

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

W7701-12-5216

File No. - N° du dossier

QCL-1-34731

CCC No./N° CCC - FMS No/ N° VME

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**Answer :** MRSCAN-300 is a proprietary equipment of DRDC. It is based on a MR-304 spectrometer built by ABB-Bomem. The website is [www.ABB.ca](http://www.ABB.ca).

The web site for heitronics is <http://www.heitronics.com/>. There has been a mistake on the name. Please replace the Y by a I in the name.

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***ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.***