



**RETURN BIDS TO:**  
**RETOURNER LES SOUMISSIONS À:**  
Bid Receiving - PWGSC / Réception des soumissions -  
TPSGC  
11 Laurier St., / 11, rue Laurier  
Place du Portage, Phase III  
Core 0A1/Noyau 0A1  
Gatineau  
Québec  
K1A 0S5  
Bid Fax: (819) 997-9776

**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**  
Informatics Professional Services - EL  
Division/Services professionnels en informatique -  
division EL  
4C2, Place du Portage  
Gatineau  
Québec  
K1A 0S5

<b>Title - Sujet</b> TBIPS - MPMCT PROJECT	
<b>Solicitation No. - N° de l'invitation</b> W8474-12MP11/A	<b>Amendment No. - N° modif.</b> 004
<b>Client Reference No. - N° de référence du client</b> W8474-12MP11	<b>Date</b> 2013-06-28
<b>GETS Reference No. - N° de référence de SEAG</b> PW-\$\$EL-626-26129	
<b>File No. - N° de dossier</b> 626el.W8474-12MP11	<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 2013-07-19</b>	
<b>F.O.B. - F.A.B.</b> <b>Plant-Usine:</b> <input type="checkbox"/> <b>Destination:</b> <input type="checkbox"/> <b>Other-Autre:</b> <input type="checkbox"/>	
<b>Address Enquiries to: - Adresser toutes questions à:</b> Dubé, Jonah	<b>Buyer Id - Id de l'acheteur</b> 626el
<b>Telephone No. - N° de téléphone</b> (819) 956-0712 ( )	<b>FAX No. - N° de FAX</b> ( ) -
<b>Destination - of Goods, Services, and Construction:</b> <b>Destination - des biens, services et construction:</b>	

**Instructions: See Herein**

**Instructions: Voir aux présentes**

<b>Delivery Required - Livraison exigée</b>	<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>

---

The Request for Proposal (RFP) Amendment 004 is raised to answer questions from industry and to modify the RFP.

---

## **QUESTIONS AND ANSWERS**

### **Question #11:**

From our review of the RFP, we note that sections “7.2 Task Authorizations”, and “7.8 Payment” and “Appendix A to Annex B” impose some very strict provisions for the delivery of services upon the contractor and include ‘credits/penalties’ should these timelines not be met. We also note that the proposed contract lacks any similar timeline commitments imposed upon the Crown for prompt action. Given this dynamic, and the presence of a ‘Credits’ clause (which operates as a penalty clause in practice), we wish to clarify the timeline obligations structured in this contract.

A. Can the Crown please confirm the timeline for submitting the resume of the proposed candidate that is outlined in the Contractor’s Quotation in response to a Draft Task Authorization. It is noted that the Quotation is required within 2 business days of the request from the Contracting Authority, however this is not a commercially reasonable timeframe, due to the highly specialized nature of the desired resources in this procurement. For such resources, the identification and gridding process typically takes a minimum of 10 business days to process, absent any abnormal challenges. Therefore we request that the Crown allow a minimum of 15 business days for the Contractor to supply the Crown with a Quotation in response to a Draft Task Authorization under the premise that the resume is needed as part of the Contractor’s Quotation. If a resume is not needed as part of the Contractor’s Quotation, then can the Crown please confirm what is the allowable timeframe to submit the resume of the resource being proposed for the Draft Task Authorization.

**Answer:** Canada disagrees with the characterization of Article 7.8(e) as a penalty. Bidders should note that if they are awarded this contract their signature will evidence agreement with Article 7.8(e), and in particular with its subarticle 8(e) (iii). In accordance with Article 7.2 and Appendix A to Annex B, the Contractor will be given a minimum of 48 hours turnaround time to submit a quotation - a longer time period may be specified in the draft TA.

B. We respectfully request confirmation of the Crown’s timeline obligations for responding to the suppliers Quotation in response to a Draft Task Authorizations, as well as the approval timeline of a Draft Task Authorization. Both of these items are not identified within the RFP.

**Answer:** The Crown does not accept such timeline obligations.

C. We respectfully request that the Crown acknowledge the market for PeopleSoft consulting resources is highly competitive and that any delays on the Crown's behalf will have a detrimental effect on the Contractor's ability to supply resources under the terms of the contract. In such cases, where any delays are caused by the Crown's performance and this results in a disruption of services, no Credits/Penalties should be applied.

**Answer:** The Payment Credit Article (7.8 (e)) applies to validly issued Task Authorizations (TA), not to Draft TAs. Once the Crown and the Contractor sign a TA, the Contractor's proposed resource(s) must start on the agreed upon service start date. If the Contractor does not provide the required resource(s) within the time prescribed by the TA, the Contractor must credit to Canada an amount equal to the per diem rate (based on a 7.5-hour workday) of the required resource for each day (or partial day) of delay in providing the resource, up to a maximum of 10 days. Please see Modification #5 below.

D. In respect to the target Start Date on the Task Authorization we request that the Crown clarify how the Contractor is expected to abide by the specific date on the TA when these dates are heavily influenced by the Crown's response timelines? How can a contractor commit to a Start Date when multiple aspects of the conditions of the Task Authorization such as VCR, Resource Evaluation, Task Authorization Approval, etc. are outside the Contractor's control. Therefore can the Crown confirm that the timelines applicable to Credits/Penalties are not applicable (I.e. the clock stops) once the Contractor has submitted information to the Crown and is awaiting action from the Crown.

**Answer:** Resource evaluation and TA approval occur during the assessment of the Contractor's TA Quotation; please refer to the Crown's answer to sub-question C of Question #11. Please refer to the Crown's answer to sub-question E (e) of Question #11 below regarding the VCR process.

E. We further request that the Crown commit to the following SLA targets in order to have a mutually accountable contract delivery process.

a. Provide written confirmation of acceptance or refusal of a Quotation in response to a Draft Task Authorization within 72 hours.

**Answer:** The Crown does not accept.

b. Provide written confirmation of acceptance or refusal of the Contractor's proposed resource by the Crown within 72 hours. (Due to the specialized nature of the resources sought under this contract and their limited availability in the market place).

**Answer:** The Crown does not accept.

c. Should a resource be rejected by the Crown, the resource delivery clock restarts, for the purpose of Credits/Penalties.

**Answer:** A resource would be rejected during the assessment of the Contractor's TA Quotation; please refer to the Crown's answer to sub-question C of Question #11.

d. If the Crown is unable to abide by the above timelines, then we request that the Crown clearly outline what timelines they will be required to abide by in order to ensure a smooth process. The Contractors are being asked to work within stringent timelines subject to adverse financial consequences (credits/penalties), it is therefore reciprocal that the Crown adheres to comparable timelines.

**Answer:** The Crown does not accept; please refer to the Crown's answer to sub-question B of Question #11.

e. It is our understanding that each of the contracts will be subject to a Visitors Clearance Request (VCR) requirement. Can the Crown please clarify how it intends to accommodate the VCR process given the timelines identified in the proposed contract?

**Answer:** Resources can start prior to the VCR being processed for this requirement.

f. Could the Crown confirm that time required for the VCR process does not apply to the Credit/Penalty provisions?

**Answer:** Please refer to the Crown's answer to sub-question E (e) of Question #11 above.

g. Could the Crown confirm that the Credit/Penalty clock resets should delays in the VCR process cause a consultant to no longer be available?

**Answer:** Please refer to the Crown's answer to sub-question E (e) of Question #11 above.

h. We further request that due to the fact that the VCR process in itself can take an unknown period of time that can be between 3-6 weeks to complete, that the Crown allow for a minimum 2 week timeframe thereafter for the resource to start once a valid VCR has been issued. There is a strong possibility that the identified resource will need to give notice on their current assignment in order to move onto the MPMCT project. The most desirable/qualified candidates are typically fully engaged on other projects and therefore this situation would most likely apply to the majority of qualified candidates.

**Answer:** Please refer to the Crown's answer to sub-question E (e) of Question #11 above.

**Question #12:**

Solicitation No. - N° de l'invitation

W8474-12MP11/A

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

W8474-12MP11

Amd. No. - N° de la modif.

004

File No. - N° du dossier

626e1W8474-12MP11

Buyer ID - Id de l'acheteur

626e1

CCC No./N° CCC - FMS No/ N° VME

---

Given the complexity, number of resources of this requirement and the difficulty of contacting individuals due to summer vacations, would the Crown please grant a 2 week extension to the closing date of this RFP?

**Answer:** The Crown has accepted to extend the closing date to July 19, 2013; see Modification #6 below.

### **RFP MODIFICATIONS**

#### **Modification #4:**

At the header of pages 6 to 98 of the bid solicitation,

#### **DELETE:**

Solicitation No. - N° de l'invitation

***TBIPS COMPLEX TEMPLATE - ZM -EL DIVISIONS (MARCH 7, 2013)***

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

Amd. No. - N° de la modif.

File No. - N° du dossier

Buyer ID - Id de l'acheteur

CCC No./N° CCC - FMS No./N° VME

#### **INSERT:**

Solicitation No. - N° de l'invitation

W8474-12MP11/A

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

W8474-12MP11

Amd. No. - N° de la modif.

File No. - N° du dossier

626e1W8474-12MP11

Buyer ID - Id de l'acheteur

626e1

CCC No./N° CCC - FMS No/ N° VME

#### **Modification #5:**

At Article 7.8 of the bid solicitation,

#### **DELETE:**

(a) **Payment Credits**

(i) **Failure to Provide Resource:**

- (A) If the Contractor does not provide a required professional services resource that has all the required qualifications within the time prescribed by the Contract or TA, the Contractor must credit to Canada an amount equal to the per diem rate (based on a 7.5-hour workday) of the required resource for each day (or partial day) of delay in providing the resource, up to a maximum of 10 days.

#### **INSERT:**

**(a) Payment Credits**

**(i) Failure to Provide Resource:**

- (A) If the Contractor does not provide a required professional services resource that has all the required qualifications within the time prescribed by the Contract or a validly issued TA, the Contractor must credit to Canada an amount equal to the per diem rate (based on a 7.5-hour workday) of the required resource for each day (or partial day) of delay in providing the resource, up to a maximum of 10 days.

**Modification #6:**

At the coverage of the bid solicitation,

**DELETE:** Solicitation closes at 2:00PM on 2013-07-08

**INSERT:** Solicitation closes at 2:00PM on 2013-07-19

**ALL OTHER TERMS AND CONDITIONS OF THE RFP REMAIN UNCHANGED**