



**A1. DEPARTMENTAL REPRESENTATIVE**

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**Best Value (Point Rated)  
Request for Proposals (RFP)**

for

Performance of the Work described in  
Appendix “A” – Statement of Work, of the  
Draft Contract.

<b>A2. TITLE</b> Project Management Support Services- Athens Chancery Relocation		
<b>A3. SOLICITATION NUMBER</b> ARP-ATHNS-SRV-13095	<b>A4. PROJECT NUMBER</b> B-ATHNS-101	<b>A5. DATE</b> 2014-03-10 REV 1
<b>A6. RFP DOCUMENTS</b> <ol style="list-style-type: none"><li>1. Request for Proposals (RFP) title page</li><li>2. Submission Requirements and Evaluations (Section “I”)</li><li>3. Price Proposal (Section “II”)</li><li>4. General Instructions (Section “IIP”)</li><li>5. The attached Draft Contract (including Statement of Work (Appendix “A”))</li></ol> <p>In the event of discrepancies, inconsistencies or ambiguities of the wording of these documents, the document that appears first on the above list shall prevail.</p>		
<b>A7. PROPOSAL DELIVERY</b> In order for the proposal to be valid, it must be received no later than 14:00 on April 15, 2014 (Local time, Athens, Greece)] referred to herein as the “Closing Date”.  Four (4) copies of the proposal are to be sent ONLY to the following address:  Embassy of Canada to Greece in Athens 4, Ioannou Genadiou St/4, 115 21 Athens, Greece  Attention: Eleni Efsratoudakis  Telephone: 30-210-727-3400 Solicitation #: ARP-ATHNS-SRV-13095  Contractors should ensure that their name, address, and solicitation number are clearly marked on their envelopes or parcels.  <b>Failure to comply with any of the above will result in the entire proposal being declared non-compliant and rejected from further consideration.</b>		
<b>A8. PRICE PROPOSAL</b> All the information required in section SR3 must appear on Section “II” - Price Proposal ONLY and be submitted in a separate envelope labelled “Price Proposal”. Failure to comply will result in the entire proposal being declared non-compliant and rejected from further consideration.		
<b>A9. ENQUIRIES</b> All enquiries or issues concerning this RFP must be submitted in writing to the Departmental Representative no later than 10 calendar days prior to the Closing Date and Time in order to allow sufficient time to provide a response.		
<b>A10. LANGUAGE</b> Proposals shall be submitted in English or in French.		
<b>A11. CONTRACT DOCUMENTS</b> The draft contract which the selected Proponent will be expected to execute is included with this RFP. Proponents are advised to review it in detail and identify any problematic clauses to the Departmental Representative in accordance with A9. - Enquiries. Her Majesty reserves the right not to make any amendment(s) to the Contract Documents.		
<b>A12. PROPONENT CONFERENCE (IF ANY)</b> No proponent conference will be held prior to bid submittal.		

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SECTION “I” – SUBMISSION REQUIREMENTS AND EVALUATIONS

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**SR1 INTRODUCTION**

The Department of Foreign Affairs, Trade and Development (DFATD) requires Project Management Support Services (PMSS) to assist in the construction contract administration phases of the relocation of the Canadian Chancery in Athens, Greece.

A general description of the project(s) is provided in the attached **Statement of Work - Annex “A” of the attached Draft Contract**.

- 1.1 The purpose this RFP is to select a supplier to enter into a contract with Department of Foreign Affairs, Trade and Development (DFATD) to perform the work described in the **Statement of Work - Annex “A” of the attached Draft Contract**, hereinafter referred to as the "Work."
- 1.2 To qualify, Proponents must meet the **mandatory requirements** set out in the RFP. Mandatory requirements are those that are referred to by the terms “must” and “shall” as well as requirements specifically labelled “Mandatory”. Proposals not meeting the Mandatory Requirements will not be given any further consideration. Submissions meeting the Mandatory Requirements shall be evaluated according to the criteria and point rating set out in SR2 – Technical Proposal and SR3 – Price Proposal. Should Her Majesty elect to proceed with a contract, the Proponent with the highest score, or in the event of a tie, the Proponent with highest score in SR2 Technical Proposal, will be awarded the Contract.
- 1.3 The evaluation of submissions will be based solely on the content of the responses and any correctly submitted amendments. No assumptions should be made that Her Majesty has any previous knowledge of the Proponents’ qualifications other than that supplied pursuant to this RFP.

**1.4 Period of Contract**

The Work is anticipated to be performed over a period of 382 calendar days. However, the contract could be awarded for, and/or completed at, a greater or less number of days. Refer to attached draft Contract -Appendix “A” – Statement of Work (SOW) for detailed list of targeted project milestones.

**1.5 Joint Ventures**

Joint Ventures will not be considered for this Contract.

**1.6 *Refer to GI 8, Incapacity to Contract with Government:***

**ADD** the following:

**GI 8.3: CERTIFICATION OF NO CRIMINAL RECORD IN GREECE**

The Proponent hereby warrants that the Proponent, including its officers as well as the agents and employees required to fulfil its obligations under the proposed Contract have not been convicted of an offence, under the laws of Greece, related directly or indirectly to fraudulent activity.

**SR2 TECHNICAL PROPOSAL (75 POINTS)**

Technical Proposals **should not** exceed **twenty (20) single-sided pages**, minimum type face 10 pts, **plus Annexes A and B** as required. All material shall be printed on 8.5" x 11" or A4 paper with the exception of project schedules which may be printed on 11"x17" or A3 paper (these larger sheets shall count as one sheet). Material exceeding the **20** page maximum will **NOT** be considered. Annexes **A** and **B**, copies of required Certificates and Licences, and Title pages are not included in the **20** page count. For the sake of clarity and comparative evaluation, Proponents should respond using the same subject headings and numbering structure as in this RFP document.

Proponents must obtain, at minimum, a rating of "adequate" on the criteria set out in SR2.1, in SR2.2 and in SR2.3. Note that "adequate" ratings are defined below for each evaluation component. Proposals not meeting this requirement will not be given any further consideration.

## 2.1 Management Plan (20 points)

### Intent:

Evaluate the proponent's strategy for delivering the Service. Adequate response should include a narrative which demonstrates a clear understanding of the requirements of the Statement of Work and a clear description of how the team will be effectively managed.

Note that a single individual may fill more than one role on the team.

### Mandatory Requirements

There are no Mandatory Requirements for the Management Plan.

### Points Rated Requirements

The following information requested will be evaluated on points. For a proposal to receive higher marks, it should elaborate on the perceived challenges of the project and describe in detail how the various components of the Proponent Team support and communicate with each other.

#### Points Rated Information to be submitted:

- 2.1.1 a narrative which demonstrates a clear understanding of the requirements of the Statement of Work and a clear description of how the team will be effectively managed
- 2.1.2 a project organization chart showing names and titles of all Proponent Team resources named for the Project; and
- 2.1.3 a short description of the roles of key team members: Proponent Team, Sub-Consultants and other Specialists; and
- 2.1.4 a description of the particular challenges of this project and how the proposed team will address them, and
- 2.1.5 confirmation that the team can communicate effectively, orally and in writing, as individuals and as a team.
- 2.1.6 a detailed description of the schedule and cost control systems to be implemented, and
- 2.1.7 a description of the project management software tools that the Proponent would utilize for the work.

#### Rating:

Significantly exceeds the requirement 19-20	Exceeds the requirement 5-18	Adequate 4	Does not meet the requirement 0-3
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**2.2 Corporate Experience (20 points)****Intent:**

Evaluate the Proponents recent corporate experience on projects of size and scope similar to the current requirement (such as Embassies, Class A Offices, Banks, Courthouses, etc.).

**Mandatory Requirements****2.2.1 Recent Project Experience Requirement**

To achieve an “adequate” rating Proponents **must** have experience on a minimum of **three (3)** recent projects of size and scope similar to the current requirement, located in Greece. Recent experience is considered to refer to the last 7 years.

**2.2.2 Local Experience Requirements**

Proponents must have had an office established, in Athens, Greece, and have been active in the Greek market, for a minimum of 5 years prior to the Closing Date .

**Points Rated Requirements**

The following information requested will be evaluated on points. For a proposal to receive higher marks, it should demonstrate a proven expertise in the interpretation of construction contract requirements and determination of claims and variations, elaborate on the relevance of the individual projects/experience presented to this project, as well as describe specific challenges that were overcome on similar projects, highlighting lessons learned, etc.

**Points Rated Information to be submitted:**

**2.2.3** To facilitate points rated evaluation, information on specific projects should be submitted on the attached form attached as **Annex ‘A’** and include:

- title of project(s), location (city, country);
- brief description of project scope, cost and schedule;
- dates of participation in the project; and
- a detailed description of the corporate role in the project.
- names, with current telephone and email contact information, of the Client representatives of the project;
- other information of relevance and merit

**2.2.4** Additional Project Experience, beyond the minimum requirement, representing specific and/or significant relevant expertise will be considered an asset. Such projects should be included in **Annex ‘A’**. The significance of the experience should be explained for evaluation.

**2.2.5** Awards, photographs and brochure material, where appropriate (within the 20 page limit).

**Rating:**

Significantly exceeds the requirement 19-20	Exceeds the requirement 5-18	Adequate 4	Does not meet the requirement 0-3
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**2.3 Experience of Personnel (35 points)**

**Intent:**

Evaluate the recent experience of the proposed personnel on projects of similar size and scope (such as Embassies, Class A Offices, Banks, Courthouses, etc.) on which they held similar responsibilities.

**Mandatory Requirements**

The submission **must** include information on the following Team Resources.

To achieve an “adequate” rating these team members must have the following noted Certifications and minimum number of recent years of experience indicated, in a similar role on projects located in Greece. Recent experience is considered to refer to the last 15 years, except for the resident site liaison where it refers to the last 10 years, and the move co-ordinator where it refers to the last 5 years.

- |                          |   |
|--------------------------|---|
| - Senior Project Manager | - <b>ten (10)</b> years of recent experience<br>- Valid Certification as Architect or Engineer from the Technical Chamber of Greece (TEE) or;<br>- Valid Certification from the Royal Institution of Chartered Surveyors (RICS) |
| - Resident Site Liaison  | - <b>five (5)</b> years of recent experience<br>- Valid Certification as Architect or Engineer from the Technical Chamber of Greece (TEE)   |
| - Move Co-ordinator      | - <b>three (3)</b> years recent experience.   |
| - Structural Engineer    | - <b>ten (10)</b> years of recent experience<br>- Valid certification from the Technical Chamber of Greece (TEE)  |
| - Mechanical Engineer    | - <b>ten (10)</b> years of recent experience<br>- Valid certification from the Technical Chamber of Greece (TEE)  |
| - Electrical Engineer    | - <b>ten (10)</b> years of recent experience<br>- Valid certification from the Technical Chamber of Greece (TEE)  |

**Note** that a single individual may fill more than one role on the team.

**Points Rated Requirements**

The following information requested will be evaluated on points. For a proposal to receive higher marks, it should elaborate on the relevance to this project of the experience presented, describe specific challenges that were overcome on projects, highlight individual strengths, etc.

**Points Rated Information be submitted:**

Experience information may be submitted for any additional resources that the Proponent may consider important for the delivery of the required services.

To facilitate point rated evaluation, information on individuals should be submitted on the attached form attached as **Annex ‘B’** and include:

- 2.3.1 area(s) of expertise of individual being proposed for the project and the role for which they will be responsible;
- 2.3.2 individuals' years of experience;
- 2.3.3 individuals' years with the Proponent entity;
- 2.3.4 detailed resume of projects and associated responsibilities for the mandatory period required; and

- 2.3.5 level of familiarity with the Canadian Building code (would be considered an asset)
- 2.3.6 proof of Certification and Licensing of personnel, as appropriate.
- 2.3.7 Additional Experience, beyond the minimum requirement, representing specific and/or significant relevant expertise (for example; previous experience with FIDIC construction documents) will be considered an asset. Such projects should be included in Annex 'A'. The significance of the experience should be explained for evaluation.
- 2.3.8 Detailed profiles of select individuals may be included in the 20 page submission. Such profiles should include details of the individual's particular strengths, or particular project experience that could be considered as assets for this project.

**Rating:**

Significantly exceeds the requirement 32-35	Exceeds the requirement 7-31	Adequate 6	Does not meet the requirement 0-5
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**2.4 Presentations**

Proponents will make presentations to the Evaluation Committee during the week following the Closing date of this RFP. The order of the schedule of presentations will be based on a blind selection.

**Intent:**

To review the Management Plan, the experience of the Firm and the experience of Individuals in a presentation setting.

To review the ability of the project team to communicate effectively as individuals and as a team. Note that the working language of the project is English. Fluency in written and oral communication in English is important. The presentation is ONLY to present the technical proposal.

**Mandatory Requirements**

The Proponent must:

- 2.4.1 Make a Presentation, at the invitation of the Departmental Representative, following the closing date; and
- 2.4.2 Present the Technical Proposal to the RFP Evaluation Committee.

**The Proponent should bring to the presentation:**

(Refer to the Statement of Work- Appendix 'A' of the attached Draft Contract- for clarification of the roles of the team members)

- Principal/Corporate Director- a representative that can place the delivery of this project in the context of the firm's corporate goals, objectives and principles
- Senior Project Manager
- Resident Site Liaison
- Structural, Mechanical and Electrical Engineers (Commissioning Resources)

**SR3 PRICE PROPOSAL (25 POINTS)**

**All the information required in section SR3 must appear on Section “II” - Price Proposal ONLY and be sealed in a separate envelope marked “Price Proposal”.** Failure to comply will result in the proposal being declared non-compliant and rejected from further consideration. Price Proposals will only be opened after the evaluation of the Technical Proposal is completed.

**3.1 Fixed Price**

- 3.1.1** Proponents shall quote an all inclusive Fixed Price on the form attached as Section “II” - Price Proposal. The Fixed Price must include all costs resulting from the performance of the Work as described in this RFP, including but not necessarily limited to all costs resulting from the performance of any additional Work described in the Proponent’s proposal (unless clearly described as an option), all applicable taxes (except VAT), all travel, all living costs, all insurances, all overhead costs, and all administrative support staff requirements;
- 3.1.2** The Fixed Price shall cover the number of calendar days indicated in the proposed period of contract.
- 3.1.3** In addition to the Fixed Price the Proponents shall also quote Fixed Per Diem Rates for “Working Days” for each category of team member. All Per Diem rates shall be applicable for the full period of the contract and shall be applied to changes to the services required and/or schedule only as may be requested in writing by the Departmental Representative.
- 3.1.4** In the event that the project is completed earlier or later than the anticipated dates the contract value will be amended accordingly by the Fixed Per Diem rates.
- 3.1.5** Hourly Rates, as may be required, will be calculated as the Per Diem rate divided by 8.
- 3.1.6** Per Diem Rates shall include all costs as described in article 3.1.1 above.
- 3.1.7** Price Proposals not meeting above requirements will not be given any further consideration.
- 3.1.8** Proponents shall estimate the value of VAT expected to be payable by Her Majesty as a result of entering into a contract with the Proponent;
- 3.1.9** All payments shall be made according to the terms of payment set out in the attached Contract;
- 3.1.10** Exchange rate fluctuation protection is not offered
- 3.1.11** Office Costs  
The Fixed Price proposal includes the cost of providing office space, all furnishings, equipment, telephone, computers and printers, and all other tools for performance of the works including consumable supplies for all staff. This applies to any site office requirements as well as the Proponent’s other office locations. For this project DFATD will provide the Contractor ( at no cost) an office at the construction site, unfurnished, equipped with connections for power, telephone and high speed internet, and washroom facilities.

**3.2 Cash Allowances****3.2.1 Special Disbursements**

- 3.2.1.1** All standard office expenses including but not limited to: photocopying of correspondence, reports and contract administration documents, computer hardware/software/ maintenance, internet, local and long distance telephone and fax charges including that between the Contractor and sub consultant offices, vehicle expenses and mileage, parking, taxis,

and the normal expenses related to operation of the consultant’s business; are to be included in the fixed Price Proposal and in the additional Per Diem rates submitted with the Price Proposal.

- 3.2.1.2** The Price Proposal is to include a Cash Allowance of 2, 000 Euros to cover Special Disbursements, (such as large scale copying and distribution of tender documents) over and above the standard requirements, and only as identified and pre-approved in writing by the Departmental Representative. Refer to Draft Contract- Appendix ‘A’ Section F.

**3.2.2 Special Travel Requirements**

- 3.2.2.1** All travel required for the provision of the services requirements described in the Statement of Work (Appendix ‘A’ of the attached Draft Contract) is to be included in the Fixed Price Proposal.

- 3.2.2.2** There is no requirement for non-local travel.

**3.2.3 Engineering and Technical Support**

- 3.2.3.1** The Contractor shall provide Structural, Mechanical and Electrical Engineering and Technical Support to the Resident Site Liaison (RSL) to assist in the review and monitoring of:

- the quality control activities of the Contractor and A&E Consultant.
- the interim and final commissioning requirements of the project.

Refer to SOW Article E6 Engineering and Technical Support for detailed requirements.

- 3.2.3.2** The Price Proposal is to include a Cash Allowance of 10,000 Euros to cover Engineering and Technical Support referred to in 3.2.3.1 above which is pre-approved in writing by the Departmental Representative subject to Appendix A, Section E6, of the Draft Contract.

**3.3 Taxes & Duties**

- 3.3.1** Her Majesty will pay the applicable VAT estimated in the Price Proposal provided:

- 3.3.1.1** that amount is applicable to the Work provided by the Proponent to Her Majesty under the Contract. Her Majesty will not be responsible for the payment of any VAT payable by the Proponent to any third party (including subcontractors);

- 3.3.1.2** Her Majesty is unable to procure an exemption from VAT in respect of the Work;

- 3.3.2** The Proponent agrees to render every reasonable assistance to Her Majesty in obtaining reimbursement of all VAT paid in respect of the Work from the appropriate Government Agency;

- 3.3.3** VAT is to be shown separately on all of the Proponent’s invoices and progress claims;

- 3.3.4** The Proponent agrees to remit to the appropriate Government Agency any amounts of VAT legally required to be remitted by the Contractor pursuant to applicable tax laws.

**3.4 Rating**

The lowest Fixed Price will score twenty-five (25) points. Price Proposals costing 200% or more of the lowest Price Proposal will score zero (0) points. Other prices will be scored in arithmetic proportion as per the following formula:

$$\text{Score} = 25 - [(\text{Price Proposal} - \text{lowest Price Proposal}) \times 25 / (\text{lowest Price Proposal})]$$

Example:

(In this example, Proposal 1 is the lowest priced proposal)

Proposal 1 = 100	Score = 25pts
Proposal 2 = 110	Score = $25 - [(110 - 100) \times 25 / (100)] = 25 - 2.5 = 22.5$ pts
Proposal 3 = 150	Score = $25 - [(150 - 100) \times 25 / (100)] = 25 - 12.5 = 12.5$ pts
Proposal 4 = 180	Score = $25 - [(180 - 100) \times 25 / (100)] = 25 - 20 = 5$ pts
Proposal 5 = 200	Score = 0 pts
Proposal 6 = 210	Score = 0 pts

### 3.5 Price Breakdown

Her Majesty reserves the right to request a breakdown of the components of the Price Proposal should it believe that the price is unreasonable. Failure to provide an adequate breakdown, describing the rationale and expectation used to determine the cost of each component of the Work, may lead to disqualification.

## SECTION "II" – PRICE PROPOSAL

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone number: (\_\_\_\_) \_\_\_\_-\_\_\_\_ Fax number: (\_\_\_\_) \_\_\_\_-\_\_\_\_

Email: \_\_\_\_\_@\_\_\_\_\_

**Fixed Price Proposal***(in accordance with SR3.1)* \_\_\_\_\_ (A)**Cash Allowances***(in accordance with SR3.2)*

Special Disbursements \_\_\_\_ 2,000 \_\_\_\_ (B)

Engineering and Technical Support \_\_\_\_ 10,000 \_\_\_\_ (C)

**Total Fixed Price Proposal** \_\_\_\_\_ (A+B+C)

Estimate of Applicable Taxes

*(in accordance with SR3.1.8):* \_\_\_\_\_**Per Diem Rates***(in accordance with SR 3.1.3):*CategoryPer Diem Rate

Senior Project Manager

\$ \_\_\_\_\_

Resident Site Liaison

\$ \_\_\_\_\_

Move Co-ordinator

\$ \_\_\_\_\_

Structural Engineer

\$ \_\_\_\_\_

Mechanical Engineer

\$ \_\_\_\_\_

Electrical Engineer

\$ \_\_\_\_\_

Others (Proponent to Specify)

\$ \_\_\_\_\_

*All amounts are in the currency specified in the Contract*\_\_\_\_\_  
*Signature*\_\_\_\_\_  
*Date*\_\_\_\_\_  
*Print Name and Capacity*

## SECTION "III" - GENERAL INSTRUCTIONS

**GI1 RESPONSIVENESS**

- 1.1 For a proposal to be considered valid, it must comply with all of the requirements of this RFP identified as mandatory. Mandatory criteria are also expressed by using imperative verbs such as "shall", "must" and "will".

**GI2 ENQUIRIES - SOLICITATION STAGE**

- 2.1 All enquiries or issues concerning this RFP must be submitted in writing to the Departmental Representative as early as possible within the solicitation period. Enquiries and issues must be received within the timeframe described in A9 to allow sufficient time to provide a response. Enquiries received after that time will not be answered prior to the Closing Date.
- 2.2 To ensure consistency and quality of information provided to Proponents, the Departmental Representative will give notice, in the same manner as this RFP, of any additional information in response to significant enquiries received without revealing the sources of the enquiries.
- 2.3 All enquiries and other communications with government officials throughout the solicitation period shall be directed ONLY to the Departmental Representative named herein. Non-compliance with this condition during the solicitation period will (for that reason alone) result in the disqualification of your proposal.

**GI3 PROPONENT'S SUGGESTED IMPROVEMENTS DURING SOLICITATION PERIOD**

- 3.1 Should any Proponent consider that the specifications or Statement of Work contained in this RFP can be improved technically or technologically, the Proponent is invited to make suggestions, in writing, to the Departmental Representative named herein. The Proponent must clearly outline the suggested improvements as well as the reason for the suggestion. Suggestions which do not restrict the level of competition nor favour a particular Proponent will be given consideration provided they are received by the Departmental Representative within the

timeframe described in article A9 to allow sufficient time to provide a response. Her Majesty reserves the right to accept or reject any or all suggestions.

**GI4 PROPOSAL PREPARATION COST**

- 4.1 The costs, including travel incurred by the Proponent in the preparation of its proposal and/or the negotiation (if applicable) of any resulting contract will be the sole responsibility of the Proponent and will not be reimbursed by Her Majesty.

**GI5 PROPOSAL DELIVERY**

- 5.1 Proposals and/or amendments thereto, will only be accepted by the Minister if they are received at the address indicated in A6, on or before the Closing Date and Time specified in A6.
- 5.2 Responsibility for proposal delivery: The Proponent has sole responsibility for the timely receipt of a proposal by Her Majesty and cannot transfer this responsibility to the Government of Canada. Her Majesty will not assume responsibility for proposals that are directed to a location other than the one stipulated in A6.
- 5.3 Late Proposals: The Minister will return unopened proposals received after the Closing Date and Time specified in A6.

**GI6 VALIDITY OF PROPOSAL**

- 6.1 Any proposal must remain open for acceptance for a period of not less than ninety (90) days after the Closing Date.

**GI7 RIGHTS OF CANADA**

- 7.1 Her Majesty reserves the right:
- 7.1.1 during the evaluation, to submit questions to or conduct interviews with Proponents, at Proponents cost, upon twenty-four (24) hours notice, to seek clarification or to verify any or all information provided by the Proponent with respect to this RFP;
- 7.1.2 to reject all proposals received in response to this RFP if it/they fail to meet the objectives of the requirement within the boundaries imposed by Her different stakeholders;

- 7.1.3 to accept any proposal in whole or in part without prior negotiation;
- 7.1.4 to cancel and/or re-issue this RFP at any time;
- 7.1.5 to award one or more contracts, if applicable;
- 7.1.6 to retain all proposals submitted in response to this RFP;
- 7.1.7 not to accept any deviations from the stated terms and conditions;
- 7.1.8 to incorporate all, or any portion of the Statement of Work, Request for Proposals and the successful proposal in any resulting contract; and
- 7.1.9 not to contract at all.

**GI8 INCAPACITY TO CONTRACT WITH GOVERNMENT**

- 8.1 Canada may reject a proposal where the Proponent, including the Proponent's officers, agents and employees, has been convicted of an offence under the following provisions of the Criminal Code:
  - 8.1.1 Section 121, Frauds upon the Government;
  - 8.1.2 Section 124, Selling or Purchasing Office; or
  - 8.1.3 Section 418, Selling Defective Stores to Her Majesty.  
(Subsection 750 (3) of the Criminal Code prohibits anyone who has been so convicted from holding public office, contracting with the government or benefiting from a government contract.)
- 8.2 Where Canada intends to reject a proposal pursuant to a provision of paragraph 8.1, the Departmental Representative will so inform the Proponent and provide the Proponent the ten (10) calendar days within which to make representations, prior to making a final decision on the proposal rejection.

**GI9 INCURRING OF COST**

- 9.1 No costs incurred before receipt of a signed Contract or specified written authorization from the Departmental Representative can be charged to any resulting contract. In addition, the Contractor is not to perform Work in excess of or outside the scope of

any resulting contract based on verbal or written requests or instructions from any government personnel other than the Departmental Representative. The Proponent's attention is drawn to the fact that the Departmental Representative is the only authority which can commit Her Majesty to the expenditure of the funds for this requirement.

**GI10 PROPONENTS NOT TO PROMOTE THEIR INTEREST IN THE PROJECT**

- 10.1 Proponents must not make any public comment, respond to questions in a public forum or carry out any activities to publicly promote or advertise their interest in this Project.

**GI11 PROPERTY OF HER MAJESTY**

- 11.1 All correspondence, documents and information provided to the Minister by any Proponent in connection with this RFP will become the property of Her Majesty and may be released pursuant to the Canadian Federal Access to Information Act and the Privacy Act.

**GI12 RIGHTS OF UNSUCCESSFUL PROPONENTS**

- 12.1 Proponents are reminded that all materials submitted by them in either paper or electronic form, including architectural and engineering design drawings, specifications, photographs, etc. shall, upon opening of the envelope by Canadian officials at the local embassy or in Ottawa, become the property of the Canadian government. In consequence, they will not be returned to the unsuccessful Proponents of this tender competition. The keeping of such information by Canada is necessary to ensure that, in the event of a future internal audit of the tender process, or in the event of a challenge by one of the unsuccessful Proponents to this tender process, all the documents submitted by competing Proponents are available and not tampered with. Nevertheless, complete copyright in those materials will of course remain with the copyright owners of the materials submitted; Canada assures Proponents that

it will at no time use those materials for any commercial purposes without the written consent of the authors.

**GI13 PRICE SUPPORT**

**13.1** In the event that the Proponent's bid is the sole responsive proposal received, the Proponent must provide, on the Minister's request, one or more of the following price support if applicable:

- 13.1.1** a current published price list indicating the percentage discount available to the Minister;
- 13.1.2** copies of paid invoices for like services performed for other customers or for like items (same quantity and quality) sold to other customers;

**13.1.3** a price breakdown showing the cost of direct labour, direct materials, purchased items, engineering and plant overheads, general and administrative overhead, transportation, etc., profit;

**13.1.4** price or rate certification;

**13.1.5** any other supporting documentation as requested by the Minister.

**GI14 INTERPRETATION**

**14.1** In this RFP, "Her Majesty", "the Minister" or "Canada" means Her Majesty the Queen in right of Canada, as represented by the Minister of Foreign Affairs.