

REQUEST FOR STANDING OFFER (RFSO)
FOR
CIVIL-HYDRO-TECHNICAL AND
GEOTECHNICAL ENGINEERING SERVICES

Agriculture & Agri-Food Canada
Saskatchewan

Contracting Authority:
Agriculture and Agri-Food Canada

SUBJECT: Request for Standing Offer: Civil-Hydro-Technical and Geotechnical Services

1. Introduction & Scope

Agriculture and Agri-Food Canada (AAFC) is inviting consulting firms with Civil- Hydro-Technical and Geotechnical Engineering expertise to submit proposals for a Standing Offer. This procurement will follow a one phase submission process. The selected consultant shall provide a range of services as identified in the Generic Terms of Reference section of this document for projects in Saskatchewan.

Bidders shall be licensed or eligible to be licensed to practice in the Province of Saskatchewan. Firms should be able to demonstrate successful delivery of these services for a broad variety of projects over the last three (3) years. In general, the firm and its personnel will be evaluated on the basis of their demonstrated understanding of the scope of services, their approach and methodology to provide those services, the quality of their relevant experience in this area, as well as the cost of the provision of the services.

It is AAFC's intention to authorize one (1) Departmental Individual Standing Offer (DISO) for Saskatchewan for a period of two years from the date of issuing the Standing Offer. The total dollar value of the Standing Offer is estimated to be \$400,000.00 (GST Included). Individual call-ups will vary, up to a maximum of \$400,000.00 (GST Included). Bidders should note that there is no guarantee that the full or any amount of the Standing Offer will be called-up, AAFC will award call-ups only when the specific services to be provided under the Standing Offer are needed. Please refer to the Section B, CALL-UP PROCEDURES.

2. Requests for Explanations

Direct requests for explanations to:

Colby Collinge
A/Material Manager
Agriculture & Agri-Food Canada
Western Service Centre
408 - 1800 Hamilton Street
REGINA SK S4P 4L2
Phone : 306-780-5058
Facsimile : 306-780-6683
e-mail : Colby.collinge@agr.gc.ca

Any request for explanations regarding this Request for Standing Offer (RFSO) must be submitted in writing to the above on or before 2:00 pm local Regina time, April 15, 2014. Oral explanations or instructions given will not be binding.

3. Modifications

Canada reserves the right to revise or amend this RFSO prior to the submission deadline. Such revisions or amendments, if any, will be announced by addendum or addenda. Canada also reserves the right to extend the RFSO deadline by providing public notice of the extension and by notifying all those who have already submitted a proposal, if any have been submitted by that time. If any extension is made, it will apply to all equally.

4. Request for Standing Offer Submission Deadline

Submissions will be received up to 2:00 p.m., local Regina time, April 29, 2014 addressed to the following :

A/Material Manager
Agriculture & Agri-Food Canada
Western Service Centre
408 - 1800 Hamilton Street
REGINA SK S4P 4L2

Late submissions will not be considered and will be returned unopened.

Submissions must be placed in an envelope labelled: "RFSO # 4702-10-7Submission – CIVIL-HYDRO-TECHNICAL AND GEOTECHNICAL ENGINEERING SERVICES

5. Electronic Submissions

Telegraphic, facsimile, computer disc or electronic mail submissions will not be considered.

6. Payment for Submissions

No payment will be made for a submission in response to this Request for Standing Offer.

7. Taxes

The Goods and Services Tax (GST) and Provincial Sales Tax (PST) are not to be considered an applicable tax for the purposes of this Request for Proposal.

8. Rejection of Request for Standing Offer Submissions

Canada reserves the right to reject any and all proposals when such rejection is in the interest of Canada. The determination of what is in the interest of Canada is made in the sole discretion of the Minister of AAFC ("the Minister") or the Proposal Evaluation Panel.

9. Reference Documents

The following Appendices are enclosed:

- A – Generic Terms of Reference Civil-Hydro-Technical and Geotechnical Engineering Services (Generic Terms of Reference)
- B – Standing Offer Particulars
- C – Proposal Requirements
- D – Submission Requirements and Evaluation
- E – Bid Document
- F – Certification Requirements
- Appendix “A” – General Conditions applicable to the Resulting Standing Offer

The following Annexes are available in electronic format by separate request to AAFC:

- General Procedures and Standards

10. Award Date

Canada intends, but is not bound, to award a Standing Offer on or before May 20, 2014. Notice of disqualification will be provided within 5 days of contract award.

A -GENERIC TERMS OF REFERENCE CIVIL-HYDRO-TECHNICAL AND GEOTECHNICAL ENGINEERING SERVICES (see attachment)

B -STANDING OFFER PARTICULARS

General

1. The Consultant acknowledges that a Standing Offer is not a contract. It is an offer open to acceptance by AAFC.
2. The Consultant offers to provide and deliver to Canada, acting through and represented by the Minister of Agriculture and Agri-Food Canada, the services listed at the price(s) or on the pricing basis set out, as and when the Departmental Representative may request such services, in accordance with the following provisions.
3. It is understood and agreed that:
 - a) a Standing Offer Call-up shall form a contract only for those services which have been called-up, provided always that such call-up is made in accordance with the provisions of the Standing Offer;
 - b) the issue and distribution of the authorization to use this Standing Offer does not oblige Canada to authorize or order all or any of the services described in the Standing Offer;
 - c) Canada's liability shall be limited to that which arises from call-ups against the Standing Offer, made within the period specified;
 - d) Canada reserves the right to procure the specified services by means of contracts, Standing Offer, or by other contracting methods.

Notification of Withdrawal/Revision

1. In the event that the Consultant wishes to withdraw the Standing Offer after authority to call-up against a Standing Offer has been given, the Consultant shall provide no less than thirty (30) days' written notice to the Contracting Authority, unless otherwise indicated in the Standing Offer, in order that the Contracting Authority may inform all identified users. Such withdrawal of the Standing Offer shall now be effective until receipt of such notifications by AAFC and the expiry of such notice period. The Consultant hereby agrees to fulfill any and all call-ups which may be made before the expiry of such notice period. If the period of the Standing Offer is extended, the Contracting Authority will issue a revision to the Standing Offer.

Period of Standing Offer

1. The Period for placing call-ups against the Standing Offer shall be for two (2) years commencing from the date of the Standing Offer.

Call-up Limitation

1. Each call-up against the Standing Offer will have a maximum limitation of expenditure of

\$400,000.00 (GST included). The call-up limitation includes fees and all related disbursements.

Call-up Procedures

1. Services will be called-up as follows:
 - a) The departmental Representative will establish the scope of services to be performed
 - b) The Consultant will submit a proposal to the Departmental Representative in accordance with the fixed hourly rates established under the Standing Offer. The Consultant's proposal shall include the category of personnel, name of personnel and the number of hours estimated/required to perform the services, as well as an estimate of proposed disbursements, if applicable.
 - c) For the preparation of bilingual documents, the Consultant would estimate the required number of hours and multiply by the hourly rates established in the Standing Offer. If the services of a translation firm are required to produce bilingual documents, these costs shall be treated as a disbursement.
 - d) A fixed fee or, where it is not possible or appropriate to agree upon a fixed fee, a time based fee to an upset limit will be established in accordance with the hourly rate(s) established in the Standing Offer.
2. The Consultant will be authorized by the Contracting Authority to proceed with the services by issuance of a Call-up against the Standing Offer.
3. Any proposed changes to the scope of work are to be discussed with the Departmental Representative but any resulting changes can only be authorized by an amendment issued by the Contracting Authority.

C – PROPOSAL REQUIREMENTS

Requirements for Proposal Format

1. Technical Proposals format information should be implemented when preparing the proposal.
 - a) Technical Proposal: Submit one (1) bound original plus three (3) copies of the proposal. The Submission should include :
 - Title Page
 - Table of Contents
 - Mandatory Qualifications
 - Rated Requirements
 - Certification Requirements
 - Contact Information - Daytime contact number with voice mail
 - b) Price Proposal: Submit one (1) copy in terms of Canadian Currency, in separate envelopes from the Technical Proposal using the Bid Document provided, Document E. A detail listing of charge out rates for personnel and equipment shall also be included in the envelope containing Document E.

D – SUBMISSION REQUIREMENTS AND EVALUATION

1. Mandatory Requirements

Each bid will be reviewed for compliance with the mandatory requirements of the bid solicitation. All elements of the bid solicitation that are mandatory requirements are identified specifically with the words “must” or “mandatory”. Bids that do not comply with each and every mandatory requirement will be considered non-responsive and be disqualified.

1.1 Certification Requirements

Bidders must complete, sign and submit the following with the Technical Proposal:

- Document F, Certification Requirements

1.2 Licensing, Certification or Authorization

The bidder shall be an Engineering firm, licensed to provide the necessary professional services to the full extent that may be required by provincial law in the province of Saskatchewan. You must indicate the current license.

1.3 Consultant Team Identification

The bidder must identify the name of the Bidders firm to be assigned the project, along with their licensing and/or professional affiliation(s) being proposed in the RFSO

1.4 Insurance Requirements

The Consultant shall obtain and maintain at its own expense for the duration of the Standing Offer, the following insurance coverage:

- Civil liability insurance covering the Contractor’s liability and that of its employees, representatives and agents for injuries, including death and property damage, for an aggregate limit of at least one million dollars (\$1,000,000) per event. This insurance shall indicate Her Majesty the Queen in Right of Canada as an additional named insured and shall provide for reciprocal and contractual liability coverage.

- The insurance stipulated above shall be accompanied by a clause under which Canada shall be given advance written notice of sixty (60) days of any change or cancellation of the insurance coverage.

2. Rated Requirements

Proposals meeting the mandatory requirements will be evaluated in accordance with the following criteria. The clarity of the proposal writing will form part of the evaluation (use of language, document structure, conciseness and completeness of the response):

2.1 Comprehension of the Scope of Services

- What we are looking for:
A demonstration of the understanding of the overall requirements for services, including specific deliverables, expected approaches, technical expectations, and coordination requirements, especially in delivering government projects.

- What the bidder should provide:
 - a) Scope of services – detail list of services;
 - b) Summary of your proposed typical work breakdown structure, ie resources assigned, time schedule, level of effort;
 - c) Broader goals (federal image, sustainable development, sensitivities);
 - d) Risk management strategy;
 - e) Project management approach to working with AAFC.

2.2 Team Approach / Management of Services

- What we are looking for:
How the Team will be organized in its approach and methodology in the delivery of the required services, including any subcontracting or partnership arrangements with others.

- What the bidder should provide:
 - a) Roles and responsibilities of key personnel (including subcontracted or partnership personnel as may be applicable);
 - b) Assignment of the resources and availability of back-up personnel;
 - c) Management and organization (reporting structure);
 - d) Description of the firm's approach to responding to the individual call-ups which will arise as a result of this standing offer;
 - e) Quality control techniques;
 - f) Demonstration of how the team intends to meet the "Project Response Time Requirements";
 - g) Conflict Resolution strategy.

2.3 Past Experience

- What we are looking for:

The bidder must demonstrate that over at least the past three (3) years, it or senior personnel comprising its team has participated in a range of projects requiring a full scope of services in accordance with the section. The participation of the firm's team in these projects must have involved the scope of services listed in the Generic Terms of Reference section.

- What the bidder should provide (approximately two (2) pages per senior personnel):
 - a) A brief description of a maximum of three (3) significant projects completed, in a Canadian prairie context over the last three (3) years by the firm, or senior personnel comprising the team;
 - b) For the above projects, include the names of senior personnel and project personnel who were involved as part of the project team and their respective responsibilities, as well as the scope, budget per discipline;
 - c) Indicate the dates the services were provided for the listed projects;
 - d) Scope of services rendered, project objectives, constraints and deliverables; and
 - e) Client references – name, address, phone, fax of client contact at working level.

2.4 Senior Personnel Expertise and Experience

- What we are looking for:

A demonstration that the bidder has senior team personnel with the capability, capacity and expertise in each area listed in the Generic Terms of Reference section, including any experience in a Canadian prairie setting.

- What the bidder should provide (approximately) two (2) pages per senior personnel):
 - a) Submit c.v.'s of project personnel which will perform the majority of the work resulting from the individual Call-ups. Each c.v. must clearly indicate the years of experience the project personnel has in the provision of the services specified in the Generic Terms of Reference section;
 - b) Identify the personnel's years of experience, and the number of years experience with the firm;
 - c) Professional accreditation; and
 - d) Accomplishments/achievements/awards.

2.5 Project Personnel Expertise and Experience

- What we are looking for:

A demonstration that the bidder has project personnel with the capability, capacity and expertise to provide the required services and deliverables listed in the Generic Terms of Reference section, including any experience in a Canadian prairie setting.

- What the bidder should provide:

- a) Submit c.v.'s of project personnel which will perform the majority of the work resulting from the individual Call-ups. Each c.v. must clearly indicate the years of experience the project personnel has in the provision of the services specified in the Generic Terms of Reference section;
- b) Identify the personnel's years of experience, and the number of years experience with the firm;
- c) Professional accreditation; and
- d) Accomplishments/achievements/awards.

3. Evaluation and Rating

Criteria	Weight Factor	Rating	Weighted Rating
2.1 Comprehension of the Scope of Services	1.0	0-10	0-10
2.2 Team Approach / Management of Services	1.5	0-10	0-15
2.3 Past Experience	2.5	0-10	0-25
2.4 Senior Personnel Expertise and Experience	2.5	0-10	0-25
2.5 Project Personnel Expertise and Experience	2.5	0-10	0-25
Total	10.0		0-100

To be considered further, bidders must achieve a minimum weighted rating of seventy (70) out of the hundred (100) points available for the rated technical criteria as specified above.

No further consideration will be given to bidders not achieving the pass mark of seventy (70) points.

4. Final Evaluation Technical Merit and Price

Basis of Selection

A bid must comply with the requirements of the bid solicitation and meet all mandatory criteria to be declared responsive.

The Technical and Financial proposals will initially be scored separately. The Overall Proposal Score will be determined by combining the Bidder’s Technical Proposal Score and Financial Proposal Score in accordance with the following weights:

- Technical Proposal = 80%
- Financial Proposal = 20%
- Overall Proposal = 100%

The Bidder with the highest combined technical and financial score will be recommended for award of Standing Offer.

Technical Evaluation:

A Technical Proposal Score (out of 80 points), will be computed for each technically responsive Bidder using the following formula:

Actual Score			Final Score
Maximum Score Attainable	X 80=	Bidders Score	80% of Bidders Calculated Score

Example: Given the Technical Evaluation have met the minimum threshold

82			Final Score
100	X 80=	65.6	65.6 out of 80

Financial Proposal Score:

The Financial Proposal Score (out of 20 point) will be computed for each technically responsive resource using the following formula:

$$\frac{\text{Lowest Total Evaluated Cost}}{\text{Bidder's Total Evaluated Cost}} \times 20 = \text{Financial Proposal Score (maximum 20 point)}$$

The following example is calculated based on the financial component being valued at 20.

EXAMPLE

$$\frac{\$115,000.00}{\$135,000.00} \times 20 = 17.04 \text{ out of } 20$$

E - BID DOCUMENT

EACH PROPOSAL SHALL BE ACCOMPANIED BY A LISTING OF THE CHARGE OUT RATES FOR PERSONNEL AND EQUIPMENT TO BE ASSIGNED TO THE CALL UP. THE FOLLOWING TABLES ARE EXTRACTIONS FROM THE LISTINGS AND WILL BE USED FOR PRICE SCORING PURPOSES.

For: CIVIL-HYDRO-TECHNICAL and GEOTECHICAL SERVICES FOR AAFC SASKATCHEWAN
Tender Notice # 4702-10-7

1) Pricing for Civil-Hydro-Technical Engineering- Year One:

T1 - Hourly Rate for Work performed at the Consultant's Office

Item	Description	Unit	Number of Units (A)	Unit Price Offered (B)	Extended Cost = (AxB)
1	Project Management	Hour	10		C
2	Senior Engineer	Hour	30		D
3	Junior Engineer	Hour	25		E
4	Senior Technologist	Hour	20		F
5	Junior Technologist	Hour	10		G
6	Administrative (Clerical/Secretarial)	Hour	5		H
(T1 = C + D + E + F + G +H)					T1=

T2 - Hourly Rate to include all travel costs to and for Work performed on AAFC Work Site. AAFC Work site is defined as an area within a 300 km radius of the City of Swift Current, Sask. The hourly rate shall accommodate all time and travel costs to travel to the AAFC Work Site.

Item	Description	Unit	Number of Units (A)	Unit Price Offered (B)	Extended Cost = (AxB)
1	Project Management	Hour	10		C
2	Senior Engineer	Hour	30		D
3	Junior Engineer	Hour	25		E
4	Senior Technologist	Hour	20		F
5	Junior Technologist	Hour	10		G
(T1 = C + D + E + F + G)					T2=

2) Pricing for Civil-Hydro-Technical Engineering- Year Two:

T3 - Hourly Rate for Work performed at the Consultant's Office

Item	Description	Unit	Number of Units (A)	Unit Price Offered (B)	Extended Cost = (AxB)
1	Project Management	Hour	10		C
2	Senior Engineer	Hour	30		D
3	Junior Engineer	Hour	25		E
4	Senior Technologist	Hour	20		F
5	Junior Technologist	Hour	10		G
6	Administrative (Clerical/Secretarial)	Hour	5		H
$(T1 = C + D + E + F + G + H)$					T3=

T4 - Hourly Rate to include all travel costs to and for Work performed on AAFC Work Site. AAFC Work site is defined as an area within a 300 km radius of the City of Swift Current, Sask. The hourly rate shall accommodate all time and travel costs to travel to the AAFC Work Site.

Item	Description	Unit	Number of Units (A)	Unit Price Offered (B)	Extended Cost = (AxB)
1	Project Management	Hour	10		C
2	Senior Engineer	Hour	30		D
3	Junior Engineer	Hour	25		E
4	Senior Technologist	Hour	20		F
5	Junior Technologist	Hour	10		G
$(T1 = C + D + E + F + G)$					T4=

Total Evaluated Cost for Engineering Services: $(T1 + T2 + T3 + T4) =$ _____

These Tables will be used for scoring purposes. The Consultant agrees to provide Engineering services, as required for each call-up, in accordance with the prices quoted in the listing of charge out prices submitted.

Vendor / Firm Name and Address	
Telephone No. :	Facsimile No. :

Name and Title of Person authorized to sign on Behalf of the Vendor / Firm	
Signature	Date :

F - CERTIFICATION REQUIREMENT

In order to be considered for Standing Offer award, a proposer whose proposal is technically and financially responsive must meet the following conditions:

The following certification requirements apply to this RFSO. Proposers are to submit the Certification Requirements in accordance with the instruction provided in Document C, Proposal Requirements.

A) LEGAL ENTITY AND CORPORATE NAME

Please certify that the Bidder is a legal entity that can be bound by the contract and sued in court and indicate i) whether the Bidder is a corporation, partnership or sole proprietorship, ii) the laws under which the Bidder was registered or formed, iii) together with the registered or corporate name. Also identify iv) the country where the controlling interest/ownership (name if applicable) of the Bidder is located.

- i) _____
- ii) _____
- iii) _____
- iv) _____

Any resulting Contract may be executed under the following i) corporate full legal name and ii) at the following place of business (complete address) iii) telephone and fax number and email:

- i) _____
- ii) _____
- iii) _____

Name

Signature

Date

B) EDUCATION/EXPERIENCE CERTIFICATION

We certify that all statements made with regard to the education and the experience of individuals proposed for completing the subject Work are accurate and factual, and we are aware that the Minister reserves the right to verify any information provided in this regard and that untrue statements may result in the proposal being declared non-responsive or in other action which the Minister may consider appropriate.

Name

Signature

Date

C) PRICE/RATE CERTIFICATION

"We hereby certify that the price quoted have been computed in accordance with generally accepted accounting principles applicable to all like services rendered and sold by us, that such prices are not in excess of the lowest prices charged anyone else, including our most favoured customer for like quality and quantity so the services, does not include an element of profit on the sale in excess of that normally obtained by us on the sale of services of like quality and quantity, and does not include any provision for discounts or commissions to selling agents".

Name

Signature

Date

D) VALIDITY OF PROPOSAL

It is requested that proposals submitted in response to this Request for Proposal be:

- valid in all aspects, including price, for not less than one hundred and twenty (120) days from the closing date of this RFSO; and,
- signed by an authorized representative of the Bidder in the space provided on the RFSO; and,
- provide the name and telephone number of a representative who may be contacted for clarification or other matters relating to the Bidder's proposal.

Name

Signature

Date

E) AVAILABILITY AND STATUS OF PERSONNEL

The Bidder certifies that, should it be authorized to provide services under any contract resulting from this RFSO, the employees proposed in its proposal will be available to commence performance of the work within a reasonable time from contract award, or within the time specified herein.

If the Bidder has proposed any person in fulfillment of this requirement who is not an employee of the Bidder, the Bidder hereby certifies that it has written permission from such person to propose the services of such person in relation to the work to be performed in fulfillment of this requirement and to submit such person's résumé to the Contracting Authority.

During the proposal evaluation, the Bidder MUST upon the request of the Contracting Authority provide a copy of such written permission, in relation to any or all non-employees proposed. The Bidder agrees that failure to comply with such a request may lead to disqualification of the Bidder's proposal from further consideration.

Name

Signature

Date

F) FORMER PUBLIC SERVANT – STATUS AND DISLCOSURE

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, 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

As per the above definitions, is the Bidder a FPS in receipt of a pension? Yes () No ()

If so, the Bidder must provide the following information, for all FPS in receipt of a pension, as applicable:

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

By providing this information, Bidders agree that the successful Bidder's status, with respect to being a former public servant in receipt of a pension, will be reported on departmental websites as part of the published proactive disclosure report.

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.

Name

Signature

Date

G) JOINT VENTURES

1.0 In the event of a proposal submitted by a contractual joint venture, the proposal shall be signed by either all members of the joint venture or a statement shall be provided to the effect that the signatory represents all parties of the joint venture. The following will be completed if applicable:

1. The Bidder represents that the bidding entity is/is not (delete as applicable) a joint venture in accordance with the definition in paragraph 3.
2. A Bidder that is a joint venture represents the following additional information:

(a) Type of joint venture (mark applicable choice):

- _____ Incorporated joint venture
- _____ Limited partnership joint venture
- _____ Partnership joint venture
- _____ Contractual joint venture
- _____ Other

(b) Composition (names and addresses of all members of the joint venture)

3. Definition of joint venture

A joint venture is an association of two or more parties who combine their money, property, knowledge, skills, time or other resources in a joint business enterprise agreeing to share the profits and the losses and each having some degree of control over the enterprise. Joint ventures may be carried on in a variety of legal forms divided into three categories:

- (a) The incorporated joint venture;
- (b) The partnership venture;
- (c) The contractual joint venture where the parties combine their resources in the furtherance of a single business enterprise without actual partnership or corporate designation.

4. The joint venture team arrangement is to be distinguished from other types of Contractor arrangements, such as:

- (a) Prime Contractor, in which, for example, the purchasing agency contracts directly with a Contractor (prime) who acts as the system assembler and integrator, with major components, assemblies and subsystems normally subcontracted;
- (b) Associated Contractor, in which for example, the purchasing agency contracts directly with each of the major component suppliers and performs the integration tasks or awards a separate contract for this purpose.

5. If the Contract is awarded to an unincorporated joint venture, all members of the joint venture shall be jointly and severally responsible for the performance of the Contract.

Name

Signature

Date

H) FEDERAL CONTRACTORS PROGRAM

Federal Contractors Program for Employment Equity - Bid Certification

By submitting a bid, the Bidder certifies that the Bidder, and any of the Bidder's members if the Bidder is a Joint Venture, is not named on the Federal Contractors Program (FCP) for employment equity "FCP Limited Eligibility to Bid" list (http://www.labour.gc.ca/eng/standards_equity/eq/emp/fcp/list/inelig.shtml) available from Human Resources and Skills Development Canada - Labour's website.

Canada will have the right to declare a bid non-responsive if the Bidder, or any member of the Bidder if the Bidder is a Joint Venture, appears on the "FCP Limited Eligibility to Bid" list at the time of contract award.

The Bidder must provide the Contracting Authority with a completed Federal Contractors Program for Employment Equity – Certification (below), before contract award. If the Bidder is a Joint Venture, the Bidder must provide the Contracting Authority with a completed annex Federal Contractors Program for Employment Equity-Certification, for each member of the Joint Venture.

PROGRAM FOR EMPLOYMENT EQUITY - CERTIFICATION

I, the Bidder, by submitting the present information to the Contracting Authority, certify that the information provided is true as of the date indicated below. The certifications provided to Canada are subject to verification at all times. I understand that Canada will declare a bid non-responsive, or will declare a contractor in default, if a certification is found to be untrue, whether during the bid evaluation period or during the contract period. Canada will have the right to ask for additional information to verify the Bidder's certifications. Failure to comply with such request by Canada will also render the bid non-responsive or will constitute a default under the Contract.

For further information on the Federal Contractors Program for Employment Equity visit HRSDC-Labour's website.

Date: _____(YYYY/MM/DD) (If left blank, the date will be deemed to be the bid solicitation closing date.)

Complete both A and B.

A. Check only one of the following:

- A1. The Bidder certifies having no work force in Canada.
- A2. The Bidder certifies being a public sector employer.
- A3. The Bidder certifies being a federally regulated employer being subject to the Employment Equity Act.
- A4. The Bidder certifies having a combined work force in Canada of less than 100 employees (combined work force includes: permanent full-time, permanent part-time and temporary employees [temporary employees only includes those who have worked 12 weeks or more during a calendar year and who are not full-time students]).
- A5. The Bidder has a combined workforce in Canada of 100 or more employees; and

A5.1. The Bidder certifies already having a valid and current Agreement to Implement Employment Equity (AIEE) in place with HRSDC-Labour.

OR

A5.2. The Bidder certifies having submitted the Agreement to Implement Employment Equity (LAB1168) to HRSDC-Labour. As this is a condition to contract award, proceed to completing the form Agreement to Implement Employment Equity (LAB1168), duly signing it, and transmit it to HRSDC-Labour.

B. Check only one of the following:

B1. The Bidder is not a Joint Venture.

OR

B2. The Bidder is a Joint Venture and each member of the Joint Venture must provide the Contracting Authority with a completed annex Federal Contractors Program for Employment Equity - Certification. (Refer to the Joint Venture section of the Standard Instructions)

Name

Signature

Date

APPENDIX “A” – RESULTING STANDING OFFER CONDITIONS (attached)