

ADVANCE CONTRACT AWARD NOTICE

TITLE: Data on DVD, VHS & Blu-Ray Sales Market in Canada

INTRODUCTION:

The Department of Canadian Heritage has a requirement to acquire data on DVD, VHS and Blu-Ray sales in Canada including publication rights to use the data for Departmental publications through a Data License Agreement with Nielsen VideoScan, a division of Nielsen Media Research Canada Ltd. The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to **Nielsen Media Research Ltd., 160 McNabb Street, Markham, Ontario, L3R 4B8**. Before awarding a contract, however, the government would like to provide suppliers with the opportunity to demonstrate that they are capable of satisfying the requirements set out in this notice, by submitting a statement of capabilities during the 15 calendar day posting period.

If other potential suppliers submit a statement of capabilities during the 15 calendar day posting period that meet the requirements set out in the ACAN, the government will proceed to a full tendering process on either the government's electronic tendering service or through traditional means, in order to award the contract.

If no other supplier submits, on or before the closing date, a statement of capabilities meeting the requirements set out in the ACAN, a contract will be awarded to the pre-selected supplier.

BACKGROUND:

Launched in 2000, the Canadian Feature Film Policy (CFFP) defines the support structure for Canada's feature film industry and outlines an audience-building strategy. At the time of its inception, box office revenues were the key performance indicator for Canadian feature films. This is no longer the case. For a number of years, there has been a growing fragmentation of the feature film market and a steady shift in Canadians' consumption patterns of audiovisual materials. In the document *Enhancing the Canadian Feature Film Policy*, the Government of Canada's response to the report of Standing Committee on Canadian Heritage on feature film, the Government set out to improve performance measurement of Canadian feature films in all platforms, especially those other than cinemas. This includes the broadcast, DVD/VHS and Blu-Ray sales and rentals and online content markets. The Department of Canadian Heritage requires access to performance data for the DVD/VHS and Blu-Ray market. Effective performance measurement will allow the Government to measure the performance of public funds used to support the Canadian feature film industry.

The proposed contract is for a period of one year, from when the contract is awarded to March 31, 2015. The contract will have two one-year option years that will extend it first until March 31, 2016 and then to March 31, 2017.

The estimated value of the contract, **including the option periods**, is **\$132,032.00** (applicable taxes are extra).

MINIMUM ESSENTIAL REQUIREMENTS:

Any interested supplier must demonstrate by way of a statement of capabilities that it meets the following requirements

- Extensive knowledge and understanding of the DVD, VHS and Blu-Ray sales in Canada.
- Over five (5) years of experience in the audiovisual research sector and specifically in collecting data in the DVD/VHS and Blu-Ray sales market in Canada.
- Ability to provide industry data through a comprehensive database of an extensive collection of VHS, DVD and Blu-Ray titles, including virtually all sell-through titles that have been released since 1993 and complete sales data in all retail channels from 1999 onward. Ability to continue those standards of data collection through the period of the contract.
- Ability to collect necessary statistics on a timely basis.
- Ability to ensure consistency in the methodology used in the analysis and presentation of data from year to year resulting in statistics that can be easily analyzed.
- Ability to provide a data retrieval software interface that is well designed, easy to use, and has filters for each variable to conduct searches based on a film's country of origin, language, genre, province, year, etc.

JUSTIFICATION FOR THE PRE-SELECTED SUPPLIER:

Nielsen VideoScan, division of Nielsen Media Research Canada Ltd., operates in the audiovisual research sector. The company is in the business of gathering, compiling and evaluating weekly sales data with respect to prerecorded video, DVDs and Blu-Rays targeted to the sell-through market, and licensing such data to video companies, video distribution companies, trade publications and other customers. The company collects DVD, VHS and Blu-Ray industry data from the point of sale. Nielsen VideoScan is considered a leader in its field in both Canada and the United States.

Data are collected weekly and the database is updated each week. The database is accessible online by subscription. Users go to the Nielsen VideoScan website and enter a user name and password to obtain access to the data. The data retrieval software interface is well designed, easy to use, and has filters for each variable. Data may be displayed on screen or retrieved in Excel format. Aside from providing raw data on sales, the Nielsen VideoScan database is used to measure the market share of a film or a distributor. It is also possible to conduct searches based on a film's country of origin, language, genre, and Universal Product Code. Data are also listed by year and by province.

Ownership of any Foreground Intellectual Property arising out of the proposed contract will vest in the Contractor.

RESPONSE:

Suppliers who consider themselves fully qualified and available to meet the specified requirements may submit a statement of capabilities in writing to the Contracting Authority

identified in this Notice on or before the closing date of this Notice. The statement of capabilities must clearly demonstrate how the supplier meets the advertised requirements.

The closing date and time for accepting statements of capabilities is **Friday April 18, 2014 at 2PM EDT.**

Inquiries are to be directed to:

Patrick Ritchie
Procurement and Contract Specialist
Contracting and Materiel Management Directorate
Department of Canadian Heritage
Telephone: 819-994-5109
Facsimile: 819-953-4133
E-mail: patrick.ritchie@pch.gc.ca

Statements of capabilities are to be sent to:

MAIL ROOM/BID RECEIVING
REQUEST NO: 10131487
Canadian Heritage
15 Eddy Street, 2nd Floor (15.2.C)
Gatineau, Quebec
K1A 0M5
Attention: Patrick Ritchie

POLICY INFORMATION:

GCR exception and Limited Tendering Reason:

1. Article 10. 2.1 (d) of the Government Contract Regulations where only one person or firm is capable of performing the contract.
2. This requirement is not subject to the following trade agreements: the North American Free Trade Agreement (NAFTA), Canada-Columbia FreeTrade Agreement and Canada-Panama under the exclusion D317 Automated News Services, Data Services or Other Information Services (including Buying Data, the Electronic Equivalent of Books, Periodicals, and Newspapers, etc) and, the Agreement on Internal Trade under Article 1803.