



**AMENDMENT 002  
TO THE REQUEST FOR STANDING OFFERS DOCUMENT**

**RFSO Number: 20140081**

**CLOSING DATE: Wednesday, October 29th, 2014**  
**CLOSING TIME AND TIME ZONE: 2:00 PM Eastern Daylight Time**

**TITLE: Services for Quebec Justice Process Servers – Quebec Region**

**To All Bidders:**

The purpose of Amendment 001 of the Request for Standing Offers (RFSO) is to give effect to the following:

**1. PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION**

Bidders are advised to DELETE Section 1.12 – Point Rated Technical Criteria in its entirety and REPLACE with the following:

**1.1.2 Point Rated Technical Criteria**

Offers that meet all the mandatory technical criteria will be evaluated and noted as per the table below.

Offers which fail to obtain the required minimum number of points specified will be declared non-responsive.

Each point-rated technical criterion must be addressed separately.

Technical proposals will be assessed separately against the evaluation criteria identified below. Point rated criteria not addressed in the bidder's proposal will result in a score of zero being assigned against that particular criterion.

POINT RATED TECHNICAL CRITERIA				
Criterions	Description	Maximum Number of Points	Scale Rate	Score
R.1	<p>Firm's Experience</p> <p>The Offeror must have at least five (5) years experience in provision of serving processes issuing from any court or tribunal, executing legally binding decisions and performing any other duty delegated to process services by legislation or by a court, and must have provided such services to at least three (3) clients in the last three years.</p> <p>The following information must be provided to justify such experience:</p> <p>Name of client organization; Name, title and phone number of contact person; Brief description of services provided; and Start and End Date of work performed</p>	50 points	<p>Has 5 to 10 years experience and provided such services to at least three (3) clients in the last three years (25 points);</p> <p>Has 7 to 12 years experience provided such services to at least three (3) clients in the last three years (50 points).</p>	



R.2	<p><b>Experience of Personnel</b></p> <p>The Offeror must demonstrate that he has a minimum of twenty-five (25) Quebec Justice Process Servers with a minimum of two (2) years experience in serving processes issuing from any court or tribunal, executing legally binding decisions and performing any other duty delegated to process services by legislation or by a court.</p> <p>The listing for EACH Proposed Personnel must include the following:</p> <p>the name of the Process Server; the admission date for becoming a Process Server; and his or her knowledge of serving processes issuing from any court or tribunal, executing legally binding decisions and performing any other duty delegated to process services by legislation or by a court.</p>	50 points	<p>Has 26 to 30 Quebec Justice Process Servers having a minimum of 2 years experience (15 points);</p> <p>Has 31 to 35 Quebec Justice Process Servers having a minimum of 2 years experience (30 points);</p> <p>Has 36 to 40 Quebec Justice Process Servers having a minimum of 2 years experience (50 points);</p>	
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## 2. QUESTIONS OR REQUESTS FOR CLARIFICATIONS

### Question 1

Section II – financial offer:

We would like clarification regarding the information to be completed in Appendix C. In fact, we are having difficulty identifying what information the DOJ expects to receive in the Pricing Schedule (Appendix C). Could you provide some examples?

### Answer 1

The offeror must identify any additional professional fees or other costs other than those fixed in the tariff established by regulation of the government.

### Question 2

Section II - financial offer:

Specifically, we understand that we do not need to discuss in Appendix C all the costs that may be charged for the acts set out in the Tariff of fees and transportation expenses of bailiffs (Tariff), for example, the costs of service because they are already set out in the Tariff. Is this correct?

### Answer 2

That is correct. The offeror must identify any additional professional fees or other costs other than those fixed in the tariff established by regulation of the government.

### Question 3

Section II - financial offer:

Similarly, we understand that we do not need to include or itemize in Appendix C all the acts for which costs could be charged and that are set out in the 2014 Tariff of professional fees (TPF) (for example, the costs of issuing or producing proceedings at court), even where the charge is lower than the tariff suggested in the TPF? In other words,



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*we understand that if the charge is higher than the tariff suggested by the TPF we are to report it to you, but where the charge is lower than what is suggested in the TPF, we should not mention it in Appendix C?*

### Answer 3

That is correct.

### Question 4

#### Section II - financial offer:

*According to the answers to questions 4 and 5 of amendment 001 of October 10 of this year, we understand that the DOJ expects offerors to indicate in Appendix C the price that they anticipate charging for Court running (messenger de Cour) for the DOJ, is this correct? Can you describe what the DOJ means by Court running? Does the DOJ expect that other costs will be included in Appendix C? What could the missing 0.01% correspond to (see answer to question #5)?*

### Answer 4

Court running: [TRANSLATION] “services that deliver proceedings to the Court including expertise in dealing with and monitoring legal proceedings.”

May include

- Registry: issuance (opening), judicial stamps, production—for all types of proceedings
- Corporate (REQ): filing documents, research, copies, attestations;
- Files: plumeitif, removing exhibits, ordering copies, consultation, review, verification, correction, deadlines;
- Registry Office: filing acts, research, copies of acts, extract from register (index), title analysis;
- Verification of process: master of the rolls, writing: verifying file status (complete or not), deadlines; and
- Services related to movable real rights (RPMRR): filings, registration research; copies of registrations.

### Question 5

*Page 5 of the RFSO states that DOJ is planning on issuing two standing offers. What does this mean? Are we to understand that DOJ plans to issue another standing offer in the near future for the same type or other types of services to be rendered by court bailiffs?*

### Answer 5

The call-up procedures require that when a requirement is identified, the identified user will contact the highest-ranked offeror to determine if the requirement can be satisfied by that offeror. If the highest-ranked offeror is able to meet the requirement, a call-up is made against its standing offer. If that offeror is unable to meet the requirement, the identified user will contact the next ranked offeror. In other words, call-ups are made based on the "right of first refusal" basis.

### Question 6

#### Part 4, section 1.1.2, criterion C.1:

*There seems to be a typographical error in the rating scale. It states that having 7 to 12 years of experience and providing such services to at least 3 clients in the last 3 years is worth 25 points out of 50. Should that read “50 points” instead of “25 points”? If there is no typographical error, how can we obtain 50 points out of 50? If we have had more than 3 clients in the last 3 years, is it useful to mention that? In other words, will the DOJ take it into account in calculating the points obtained?*

### Answer 6

That is correct. Refer to section 1 of this amendment.



*Question 7*

Part 4, section 1.1.2, criterion C.2:

*Since you mention that a maximum of 50 points may be granted in the rating scale, are we to understand that a firm with 36 bailiffs will obtain fewer points than a firm with 40 bailiffs? Will the points be distributed in proportion to the number of bailiffs?*

**Answer 7**

Refer to section 1 of this amendment.

*Question 8*

Part 4, section 2.8:

*If the overall result between two offerors is the same, how will DOJ determine the highest-ranked offeror?*

**Answer 8**

If there are two (or more) identical bids, a method of tie breaking that is mutually acceptable to Canada and the bidders with identical bids can be used. As an example, a simple coin toss could be agreed upon. The mutually agreed solution should involve legal advice.

*Question 9*

Appendix "A" section 4.2.7 and Appendix "H"

*If we have to use the services of another firm of bailiffs to serve a document outside the Metropolitan area, is that other firm to be considered a subcontractor in Appendix "H"?*

**Answer 9**

Yes, that is correct.

*Question 10*

*Furthermore, regarding to the contents of the technical offer, does the DJ expect to receive offers which describe in an exhaustive way the company. or does the DJ expect to receive concise offers which answers only the mandatory technical criteria?*

**Answer 10**

All offers must be complete and contain all the information requested in the request for proposals to allow the exhaustive evaluation. Offers that do not meet all the mandatory technical criteria will be declared non compliant.

**END OF AMENDMENT 002  
REQUEST N° 20140081**