

Solicitation No. - N° de l'invitation

EN578-122325/B

Amd. No. - N° de la modif.

Buyer ID - Id de l'acheteur

029ml

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

20122325

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CCC No./N° CCC - FMS No/ N° VME

See attachment.

**Request for Supply Arrangements (RFSA) for
Services related to the Inspection and Certification Functions of
Classification Societies to the Government of Canada**

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PART 1 - GENERAL INFORMATION

1.1 Introduction

The Request for Supply Arrangements (RFSA) is divided into six parts plus attachments and annexes, as follows:

- Part 1 General Information: provides a general description of the requirement;
- Part 2 Supplier Instructions: provides the instructions applicable to the clauses and conditions of the RFSA;
- Part 3 Arrangement Preparation Instructions: provides suppliers with instructions on how to prepare the arrangement to address the evaluation criteria specified;
- Part 4 Evaluation Procedures and Basis of Selection: indicates how the evaluation will be conducted, the evaluation criteria which must be addressed in the arrangement and the basis of selection;
- Part 5 Certifications: includes the certifications to be provided; and
- Part 6 6A, Supply Arrangement, 6B, Bid Solicitation, and 6C, Resulting Contract Clauses:
 - 6A, includes the Supply Arrangement (SA) with the applicable clauses and conditions;
 - 6B, includes the instructions for the bid solicitation process within the scope of the SA;
 - 6C, includes general information for the conditions which will apply to any contract entered into pursuant to the SA.

The Annexes include the Reporting Requirements and any other annexes.

1.2 Summary

This requirement is to establish a Supply Arrangement (SA) for the services, related to the statutory inspection and certification functions of Classification Societies which are approved by Transport Canada Marine Safety.

In order to promote an efficient marine transportation system and encourage the harmonization of marine practices, Transport Canada has entered into formal agreements with certain Classification Societies, under the authority of the Canada Shipping Act, 2001. These agreements cover the delegation of statutory inspection and certification functions.

When a Classification Society enters into this agreement with Transport Canada, they are known under regulation as a Recognized Organization (RO). There are seven (7) Recognized Organizations for the purposes of vessel inspection and certification in Canada:

American Bureau of Shipping (ABS)
Bureau Veritas
ClassNK
Det Norske Veritas (DNV)
Germanischer Lloyd (GL)
Lloyd's Register
RINA Services, SpA

Classification Societies already perform these functions on vessels around the world and have extensive expertise in the construction and operation of modern ships. Delegating inspection and certification functions to the Recognized Organizations allows Transport Canada to monitor the performance of both vessel operators and the Recognized Organizations through planned and unplanned visits to vessels to increase safety oversight.

Transport Canada has developed a series of documents to govern the implementation and operation of the Delegated Statutory Inspection Program. The Delegated Statutory Inspection Program Policy outlines high-level requirements of the delegation program. Two Procedures explain the process for enrolling vessels in the Delegated Statutory Inspection Program and for monitoring vessels once they are enrolled.

While every effort is made to resolve outstanding issues with vessel operators, violations of Transport Canada Regulations on vessels enrolled in the Delegated Statutory Inspection Program remain subject to the Administrative Monetary Penalties Regulations or other enforcement action.

This proposed Supply Arrangement will be for use by all Government of Canada Departments or Agencies including the Department of National Defence and the Canadian Coast Guard. The Department of National Defence and the Canadian Coast Guard are comprised of government operated ships used for non-commercial purposes and therefore are exempt from Canadian regulations however these organizations will also require similar classification society services.

If any new Classification Society enters into a formal agreement with Transport Canada Marine Safety during the period of this proposed Supply Arrangement, then the new Recognized Organization will be eligible to receive entry into this Supply Arrangement upon their written request.

Existing qualified suppliers, who have been issued a supply arrangement, will not be required to submit a new arrangement.

The period for awarding contracts under the Supply Arrangement will be from date of supply arrangement to 31 March 2016.

As per the Integrity Provisions under section 01 of Standard Instructions [2008](#), suppliers must provide a list of all owners and/or Directors and other associated information as required. Refer to section [4.21](#) of the Supply Manual for additional information on the Integrity Provisions.

For services requirements, Suppliers must provide the required information as detailed in article 2.3 of Part 2 of the Request for Supply Arrangements (RFSA), in order to comply with Treasury Board policies and directives on contracts awarded to former public servants.

The requirement is subject to the provisions of the World Trade Organization Agreement on Government Procurement (WTO-AGP), the North American Free Trade Agreement (NAFTA), and the Agreement on Internal Trade (AIT).

1.3 Security Requirements

There is no security requirements associated with this Supply Arrangement. However, Canada reserves the right to issue on a case by case basis security requirements associated with individual contracts.

For additional information on security requirements, suppliers should refer to the [Industrial Security Program \(ISP\)](#) of Public Works and Government Services Canada (<http://ssi-iss.tpsgc-pwgsc.gc.ca/index-eng.html>) website.

1.4 Debriefings

Suppliers may request a debriefing on the results of the request for supply arrangements process. Suppliers should make the request to the Supply Arrangement Authority within 15 working days of receipt of the results of the request for supply arrangements process. The debriefing may be in writing, by telephone or in person.

1.5 Referenced Documents

1.5.1 Canada Shipping Act, 2001 (2001, c. 26)

<http://laws.justice.gc.ca/eng/acts/C-10.15/>

1.5.2 Authorization and Agreement Governing the Delegation of Statutory Functions for Vessels Registered In Canada

<http://www.tc.gc.ca/eng/marinesafety/tp-tp13585-policy-menu-4145.htm>

1.5.3 Publication - TP 13585 - Procedure - Delegated Statutory Inspection Program (DSIP) Enrolment Procedure

<http://www.tc.gc.ca/eng/marinesafety/tp-tp13585-procedures-menu-3502.htm>

1.5.4 Publication – TP 13585 – Procedure – Delegated Statutory Inspection Program (DSIP) Monitoring Procedure

<http://www.tc.gc.ca/eng/marinesafety/tp-tp13585-procedures-menu-3504.htm>

1.5.5 Tier III Work Instruction – DSIP Work Instructions

1.6 Key Terms

1.6.1 Recognized Organization (RO)

Recognized Organization (RO) is a classification society that has been delegated authority by the Minister of Transport to perform inspections or issue certificates on behalf of the Minister and under the authority of formal legal agreements.

1.6.2 Delegated Statutory Inspection Program

In order to promote an efficient marine transportation system and encourage the harmonization of marine practices, Transport Canada has entered into formal agreements with certain Classification Societies, under the authority of the Canada Shipping Act, 2001. These agreements cover the delegation of statutory inspection and certification functions.

1.6.3 Canada Shipping Act, 2001 and Regulations

On July 1, 2007, the Canada Shipping Act, 2001 (CSA 2001) replaced the Canada Shipping Act (CSA) as the principal legislation governing safety in marine transportation and recreational boating, as well as protection of the marine environment. It applies to Canadian vessels operating in all waters and to all vessels operating in Canadian waters (from canoes and kayaks to cruise ships and tankers). The CSA 2001 promotes the sustainable growth of the marine shipping industry without compromising safety.

1.6.4 Government Vessel

“government vessel” means a vessel that is owned by and is in the service of Her Majesty in right of Canada or a province or that is in the exclusive possession of Her Majesty in that right.

1.6.5 Delegation of statutory inspection and certification functions

Transport Canada signed a number of formal agreements with certain classification societies covering the delegation of statutory inspection and certification functions under the Canada Shipping Act 2001. These agreements are applicable to vessels in class with one of these recognized societies and cover existing Canadian-registered vessels, new vessels under construction and vessels being transferred to Canadian registry. These delegation agreements encompass most of the surveys and certification required under the Canada Shipping Act 2001 and its regulations, as well as under the international Conventions to which Canada is signatory.

PART 2 - SUPPLIER INSTRUCTIONS

2.1 Standard Instructions, Clauses and Conditions

All instructions, clauses and conditions identified in the Request for Supply Arrangements (RFSA) by number, date and title are set out in the [Standard Acquisition Clauses and Conditions Manual](https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual) <https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual> issued by Public Works and Government Services Canada.

Suppliers who submit an arrangement agree to be bound by the instructions, clauses and conditions of the RFSA and accept the clauses and conditions of the Supply Arrangement and resulting contract(s).

The [2008](#) (2014-09-25) Standard Instructions - Request for Supply Arrangements - Goods or Services, are incorporated by reference into and form part of the RFSA.

2.2 Submission of Arrangements

Arrangements must be submitted only to Public Works and Government Services Canada (PWGSC) Bid Receiving Unit by the date, time and place indicated on page 1 of the Request for Supply Arrangements.

2.3 Former Public Servant - Notification

Service contracts awarded to former public servants in receipt of a pension or a lump sum payment must bear the closest public scrutiny and reflect fairness in the spending of public funds. Therefore, the bid solicitation will require that you provide information that, were you to be the successful bidder, your status with respect to being a former public servant in receipt of a pension or a lump sum payment, will be required to report this information on the departmental websites as part of the published proactive disclosure reports generated in accordance with Treasury Board policies and directives on contracts with former public servants, [Contracting Policy Notice 2012-2](#) and the [Guidelines on the Proactive Disclosure of Contracts](#).

2.4 Federal Contractors Program for Employment Equity - Notification

The Federal Contractors Program (FCP) for employment equity requires that some contractors make a formal commitment to Employment and Social Development Canada (ESDC) - Labour to implement employment equity. In the event that this Supply Arrangement would lead to a contract subject to the Federal Contractors Program (FCP) for employment equity, the bid solicitation and resulting contract templates would include such specific requirements. Further information on the Federal Contractors

Program (FCP) for employment equity can be found on [Employment and Social Development Canada \(ESDC\) - Labour's](#) website.

2.5 Enquiries - Request for Supply Arrangements

All enquiries must be submitted in writing to the Supply Arrangement Authority no later than five (5) calendar days before the Request for Supply Arrangements (RFSA) closing date. Enquiries received after that time may not be answered.

Suppliers should reference as accurately as possible the numbered item of the RFSA to which the enquiry relates. Care should be taken by suppliers to explain each question in sufficient detail in order to enable Canada to provide an accurate answer. Technical enquiries that are of a proprietary nature must be clearly marked "proprietary" at each relevant item. Items identified as "proprietary" will be treated as such except where Canada determines that the enquiry is not of a proprietary nature. Canada may edit the question(s) or may request that suppliers do so, so that the proprietary nature of the question(s) is eliminated, and the enquiry can be answered to all suppliers. Enquiries not submitted in a form that can be distributed to all suppliers may not be answered by Canada.

2.6 Applicable Laws

The Supply Arrangement (SA) and any contract awarded under the SA must be interpreted and governed, and the relations between the parties determined, by the laws in force in Ontario.

Suppliers may, at their discretion, substitute the applicable laws of a Canadian province or territory of their choice without affecting the validity of the arrangement, by deleting the name of the Canadian province or territory specified and inserting the name of the Canadian province or territory of their choice. If no change is made, it acknowledges that the applicable laws specified are acceptable to the suppliers.

2.7 Supplier Advisory Board

PWGSC is suggesting that a Supplier Advisory Board (SAB) be established with a representative of each Classification Society being appointed to the SAB. The purpose of the SAB is to obtain input and direction on issues affecting the Supply Arrangement in general and the working issues which directly affect the Classification Society. The issues would be put forward by the SAB to be discussed at an Industry Day once a year or as otherwise suggested by the SAB with Canadian Government departments and agencies.

PART 3 - ARRANGEMENT PREPARATION INSTRUCTIONS

3.1 Arrangement Preparation Instructions

Canada requests that suppliers provide the arrangement in separately bound sections as follows:

Section I: Technical Arrangement, three (3) hard copies and one (1) soft copy.

Section II: Financial Arrangement, one (1) hard copy and one (1) soft copy.

Section III: Certifications, one (1) hard copy

If there is a discrepancy between the wording of the soft copy and the hard copy, the wording of the hard copy will have priority over the wording of the soft copy.

Prices must appear in the financial arrangement only. No prices must be indicated in any other section of the arrangement.

Canada requests that suppliers follow the format instructions described below in the preparation of the arrangement.

- (a) use 8.5 x 11 inch (216 mm x 279 mm) paper;
- (b) use a numbering system that corresponds to that of the Request for Supply Arrangements.

In April 2006, Canada issued a policy directing federal departments and agencies to take the necessary steps to incorporate environmental considerations into the procurement process [Policy on Green Procurement](http://www.tpsgc-pwgsc.gc.ca/ecologisation-greening/achats-procurement/politique-policy-eng.html) (<http://www.tpsgc-pwgsc.gc.ca/ecologisation-greening/achats-procurement/politique-policy-eng.html>). To assist Canada in reaching its objectives, suppliers should:

- 1) use 8.5 x 11 inch (216 mm x 279 mm) paper containing fibre certified as originating from a sustainably-managed forest and containing minimum 30% recycled content; and
- 2) use an environmentally-preferable format including black and white printing instead of colour printing, printing double sided/duplex, using staples or clips instead of cerlox, duotangs or binders.

Section I: Technical Arrangement

In the technical arrangement, suppliers should explain and demonstrate how they propose to meet the requirements and how they will carry out the Work. The expected explanation can be limited to the submittal of a copy of their formal agreement with Transport Canada.

Section II: Financial Arrangement

Suppliers must submit the financial arrangement in accordance with the part 4, clause 4.1.2 Financial Evaluation. The total amount of Applicable Taxes must be shown separately.

Section III: Certifications

Suppliers must submit the certifications required under Part 5.

PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION

4.1 Evaluation Procedures

- (a) Arrangements will be assessed in accordance with the entire requirement of the Request for Supply Arrangements including the technical and financial evaluation criteria.
- (b) An evaluation team composed of representatives of Canada will evaluate the arrangements.

4.1.1 Technical Evaluation

4.1.1.1 Mandatory Technical Criteria

The Classification Society must have signed a formal agreement establishing the Authorization and Agreement Governing the Delegation of Statutory Functions for Vessels Registered in Canada between the Minister of Transport and the Recognized Organization. A copy of the formal agreement may be submitted as the proof of technical compliance.

4.1.2 Financial Evaluation

4.1.2.1 Ceiling Prices

Bidders are to submit ceiling prices for all proposed resource categories that they intend to provide to the Government of Canada. These ceiling prices will be at the top range of daily rates (8 hours/ day) for each "Resource Category" based on rates from date of issuance to March 31st 2015 and from April 1st 2015 to March 31st 2016.

The ceiling rates will be refreshed every year by the Supply Arrangement Holder a month before the end of a particular fiscal period ending March 31st.

4.2 Basis of Selection

4.2.1 Basis of Selection - Mandatory Technical and Financial Evaluation Criteria

SACC Manual Clause S1001T (2008-12-12) Basis of Selection - Mandatory Technical and Financial Evaluation Criteria

PART 5 - CERTIFICATIONS

Suppliers must provide the required certifications and associated information to be issued a supply arrangement (SA).

The certifications provided by suppliers to Canada are subject to verification by Canada at all times. Canada will declare an arrangement non-responsive, or will declare a contractor in default in carrying out any of its obligations under any resulting contracts, if any certification made by the Supplier is found to be untrue whether made knowingly or unknowingly during the arrangement evaluation period, or during the period of any supply arrangement arising from this RFSA and any resulting contracts.

The Supply Arrangement Authority will have the right to ask for additional information to verify the Supplier's certifications. Failure to comply and to cooperate with any request or requirement imposed by the Supply Arrangement Authority may render the arrangement non-responsive, or constitute a default under the Contract.

5.1 Certifications Precedent to Issuance of a Supply Arrangement

The certifications listed below should be completed and submitted with the arrangement, but may be submitted afterwards. If any of these required certifications is not completed and submitted as requested, the Supply Arrangement Authority will inform the Supplier of a time frame within which to provide the information. Failure to comply with the request of the Supply Arrangement Authority and to provide the certifications within the time frame provided will render the arrangement non-responsive.

5.1.1 Integrity Provisions - Associated Information

By submitting an arrangement, the Supplier certifies that the Supplier and its Affiliates are in compliance with the provisions as stated in Section 01 Integrity Provisions - Arrangement of Standard Instructions [2008](#). The associated information required within the Integrity Provisions will assist Canada in confirming that the certifications are true.

PART 6 - SUPPLY ARRANGEMENT AND RESULTING CONTRACT CLAUSES

A. SUPPLY ARRANGEMENT

6.1 Arrangement

The Supply Arrangement covers the Work described herein.

In order to promote an efficient marine transportation system and encourage the harmonization of marine practices, Transport Canada has entered into formal agreements with certain Classification Societies, under the authority of the Canada Shipping Act, 2001. These agreements cover the delegation of statutory inspection and certification functions.

When a Classification Society enters into this agreement with Transport Canada, they are known under regulation as a Recognized Organization (RO). There are seven (7) Recognized Organizations for the purposes of vessel inspection and certification in Canada:

American Bureau of Shipping (ABS)
Bureau Veritas
ClassNK
Det Norske Veritas (DNV)
Germanischer Lloyd (GL)
Lloyd's Register
RINA Services, SpA

Classification Societies already perform these functions on vessels around the world and have extensive expertise in the construction and operation of modern ships. This Program therefore reduces duplication of effort. Delegating inspection and certification functions to the Recognized Organizations allows Transport Canada to monitor the performance of both vessel operators and the Recognized Organizations through planned and unplanned visits to vessels. The result of the delegation program is that vessels will be subject to increased safety oversight.

Transport Canada has developed a series of documents to govern the implementation and operation of the Delegated Statutory Inspection Program. The Delegated Statutory Inspection Program Policy outlines high-level requirements of the delegation program. Two Procedures explain the process for enrolling vessels in the Delegated Statutory Inspection Program and for monitoring vessels once they are enrolled.

While every effort is made to resolve outstanding issues with vessel operators, violations of Transport Canada Regulations on vessels enrolled in the Delegated Statutory Inspection Program remain subject to the Administrative Monetary Penalties Regulations or other enforcement action.

This Supply Arrangement will be for use by all Government of Canada Departments or Agencies including the Department of National Defence and the Canadian Coast Guard. The Department of National Defence and the Canadian Coast Guard are comprised of government operated ships used for non-commercial purposes and therefore are exempt from Canadian regulations however these organizations will also require similar classification society services.

If any new Classification Society enters into a formal agreement with Transport Canada Marine Safety during the period of this proposed Supply Arrangement, then the new Recognized Organization will be eligible to receive entry into this Supply Arrangement upon their written request.

6.2 Security Requirements

- 6.2.1** There is no security requirement applicable to this Supply Arrangement. . However, Canada reserves the right to issue on a case by case basis security requirements associated with individual contract under the Supply Arrangement.

6.3 Standard Clauses and Conditions

All clauses and conditions identified in the Supply Arrangement and resulting contract(s) by number, date and title are set out in the [Standard Acquisition Clauses and Conditions Manual](https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual) (<https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual>) issued by Public Works and Government Services Canada.

6.3.1 General Conditions

2020 (2014-09-25) General Conditions - Supply Arrangement - Goods or Services, apply to and form part of the Supply Arrangement.

6.3.2 Limitation of Contractor's Liability for Damages to Canada

1. This section applies despite any other provision of the Contract and replaces the section of the general conditions entitled "Liability". Any reference in this section to damages caused by the Contractor also includes damages caused by its employees, as well as its subcontractors, agents, and representatives, and any of their employees.

2. Whether the claim is based in contract, tort, or another cause of action, the Contractor's liability for all damages suffered by Canada caused by the Contractor's performance of or failure to perform the Contract is limited to value of the contract against the Supply Arrangement. This limitation of the Contractor's liability does not apply to:

- a. any infringement of intellectual property rights; or
- b. any breach of warranty obligations.

3. Each Party agrees that it is fully liable for any damages that it causes to any third party in connection with the Contract, regardless of whether the third party makes its claim against Canada or the Contractor. If Canada is required, as a result of joint and several liability, to pay a third party in respect of damages caused by the Contractor, the Contractor must reimburse Canada for that amount.

6.3.3 Supply Arrangement Reporting

Periodic Usage Report – Supply Arrangement

The Supplier must compile and maintain records on its provision of goods, services or both to the federal government under contracts resulting from the Supply Arrangement. This data must include all purchases, including those paid for by a Government of Canada Acquisition Card.

The Supplier must provide this data in accordance with the reporting requirements detailed in Annex "A". If some data is not available, the reason must be indicated. If no goods or services are provided during a given period, the Supplier must still provide a "NIL" report.

The data must be submitted on a quarterly basis to the Supply Arrangement Authority.

The quarterly reporting periods are defined as follows:

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1st quarter: April 1 to June 30;
2nd quarter: July 1 to September 30;
3rd quarter: October 1 to December 31;
4th quarter: January 1 to March 31.

The data must be submitted to the Supply Arrangement Authority no later than 15 calendar days after the end of the reporting period.

6.4 Term of Supply Arrangement

6.4.1 Period of the Supply Arrangement

The period for awarding contracts under the Supply Arrangement is from date of supply arrangement to March 31st 2016.

6.5 Authorities

6.5.1 Supply Arrangement Authority

The Supply Arrangement Authority is:

Yvan Guay
Supply Team Leader
Public Works and Government Services Canada
Acquisitions Branch
Marine Systems Directorate
Place du Portage, Phase III, 6C2
11 Laurier Street
Gatineau, Quebec
K1A 0S5

Telephone: 819 956-0678
Facsimile: 819 956-0897
E-mail address: Yvan.Guay@tpsgc-pwgsc.gc.ca

The Supply Arrangement Authority is responsible for the issuance of the Supply Arrangement, its administration and its revision, if applicable.

6.5.2 Supplier's Representative

Name: _____

Title: _____

Telephone: _____

E-mail address: _____

6.6 Identified Users

The Identified Users include any government department, agency or Crown Corporation listed in Schedules I, I.1, II, III, of the [Financial Administration Act](#), R.S., 1985, c. F-11.

6.7 On-going Opportunity for Qualification

A Request for Supply Arrangements will be issued to any new Classification society that signs an agreement with Transport Canada Marine Safety under the Delegated Statutory Inspection Program to allow new suppliers to become qualified. Existing qualified suppliers, who have been issued a supply arrangement, will not be required to submit a new arrangement.

6.8 Priority of Documents

If there is a discrepancy between the wording of any documents that appear on the list, the wording of the document that first appears on the list has priority over the wording of any document that subsequently appears on the list.

- (a) the articles of the Supply Arrangement;
- (b) the general conditions 2020 (2014-09-25), General Conditions - Supply Arrangement - Goods or Services;
- (c) the Annex "A" – Reporting Requirements; and
- (d) the Supplier's arrangement dated _____.

6.9 Certifications

6.9.1 Compliance

The continuous compliance with the certifications provided by the Supplier in its arrangement and the ongoing cooperation in providing associated information are conditions of issuance of the Supply Arrangement (SA). Certifications are subject to verification by Canada during the entire period of the SA and of any resulting contract that would continue beyond the period of the SA. If the Supplier does not comply with any certification, fails to provide the associated information, or if it is determined that any certification made by the Supplier in the arrangement is untrue, whether made knowingly or unknowingly, Canada has the right to terminate any resulting contract for default and suspend or cancel the Supply Arrangement.

6.10 Applicable Laws

The Supply Arrangement (SA) and any contract resulting from the SA must be interpreted and governed, and the relations between the parties determined, by the laws in force in _____.

B. BID SOLICITATION

6.1 Bid Solicitation Documents

Canada will use the following bid solicitation templates based on the estimated dollar value and complexity of the requirement:

- Simple, for low dollar value requirements;
- Medium Complexity (MC) for medium complexity requirements;
- High Complexity (HC) for more complex requirements.

A copy of the template(s) can be provided upon request by contacting the Procurement Process Tools Division by sending a query to Outilsd'approvisionnement.ProcurementTools@tpsgc-pwgsc.gc.ca.

Note: References to the HC, MC and Simple templates in PWGSC Requests for Supply Arrangements are provided as examples only. The latest versions of the template and terms and conditions will be used at time of bid solicitation.

The bid solicitation will contain as a minimum the following:

- (a) security requirements (if applicable);
- (b) a complete description of the Work to be performed;
- (c) 2003, Standard Instructions - Goods or Services - Competitive Requirements; OR 2004, Standard Instructions - Goods or Services - Non-competitive Requirements;
- (d) bid preparation instructions;
- (e) instructions for the submission of bids (address for submission of bids, bid closing date and time);
- (f) evaluation procedures and basis of selection;
- (g) certifications;

- **5.1.1 Integrity Provisions - Associated Information**

By submitting a bid, the Bidder certifies that the Bidder and its Affiliates are in compliance with the provisions as stated in Section 01 Integrity Provisions - Bid of Standard Instructions 2003 (OR insert 2004, as applicable). The associated information required within the Integrity Provisions will assist Canada in confirming that the certifications are true.

- (h) conditions of the resulting contract.

6.2 Bid Solicitation Process

6.2.1 Bids will be solicited for specific requirements within the scope of the Supply Arrangement (SA) from suppliers who have been issued a SA.

6.2.2 The bid solicitation will be sent electronically to suppliers.

- (a) the bid solicitation process within the scope of the supply arrangement; and
- (b) who will be responsible for the bid solicitation process and the award of contracts:
 - (i) the identified user only;
 - (ii) PWGSC only; or
 - (iii) the identified user for requirements up to a specified amount and PWGSC for requirements over the specified amount

The following forms must be used for the first page of the bid solicitation document and the first page of the resulting contract document. These forms are available on the [Electronic Forms Catalogue](http://publiservice-app.tpsgc-pwgsc.gc.ca/forms/text/search_for_forms-e.html) (http://publiservice-app.tpsgc-pwgsc.gc.ca/forms/text/search_for_forms-e.html) Web site.

PWGSC-TPSGC 9400-3, Bid Solicitation
PWGSC-TPSGC 9400-4, Contract

6.2.3 Bid Solicitation Guidelines

- (a) For competitive bid solicitations up to \$80,400 (the NAFTA threshold), the identified user will be allowed to choose the number of suppliers (with a minimum of two suppliers) provided they justify and document the rationale for the supplier selection, otherwise all qualified suppliers must be invited.
- (b) Also for competitive bid solicitations up to \$80,400 (the NAFTA threshold), the identified user will be able to choose the number of calendar days associated with the bidding period and this without the publication of a Notice of Proposed Procurement.
- (c) For competitive bid solicitations over \$80,400 (the NAFTA threshold) and up to a maximum of \$400,000 (the PWGSC competitive threshold to an identified user), all qualified suppliers must be invited. The bid solicitation period must be based on the value, risk and complexity of each requirement and therefore the identified user must decide upon the most appropriate time period. If the requirement is not of an urgent nature, PWGSC is suggesting that the identified user select a minimum baseline time period of 20 calendar days for the bid solicitation. The identified user must document the rationale for the bid solicitation period that they choose. The publication period of the Notice of Proposed Procurement subject to NAFTA must have a minimum of 15 calendar days.
- (d) For sole source bid solicitations, the identified user will be allowed to direct a requirement to a single qualified supplier up to a value of \$40,000 (the PWGSC sole source threshold to an identified user), applicable taxes included. The identified user must document the rationale for the sole source decision in accordance with the Government Contract Regulations.
- (e) The competitive bid solicitations from the Department of National Defence, the Royal Canadian Mounted Police, the Department of Fisheries and Oceans or the Canadian Coast Guard are not subject to the NAFTA or the WTO-AGP. The competitive bid solicitations up to \$100,000 (the AIT threshold) from these identified users are not subject to AIT. The competitive bid solicitations over \$100,000 (the AIT threshold) and up to a maximum of \$400,000 (the PWGSC sole source threshold to an identified user) from these identified users are subject to AIT only, which do not require the publication of a Notice of Proposed Procurement.
- (f) The PWGSC Supply Arrangement Authority is allowed to issue a competitive bid solicitation over \$400,000 and up to a maximum of \$10,000,000 to process a requisition from an identified user under the supply arrangement.
- (g) All the specific requirements valued over \$10,000,000 competitive or over \$40,000 sole source are outside the scope of this SA and are to be submitted to the Department of Public Works and Government Services for individual processing.

C. RESULTING CONTRACT CLAUSES

6.1 General

The conditions of any contract awarded under the Supply Arrangement will be in accordance with the resulting contract clauses of the template used for the bid solicitation.

For any contract to be awarded using the template:

- (a) **Simple** (for low dollar value requirements), general conditions [2029](#) will apply to the resulting contract;

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- (b) **MC** (for medium complexity requirements), general conditions 2010B will apply to the resulting contract;
- (c) **HC** (for high complexity requirements), general conditions 2035 will apply to the resulting contract.

A copy of the template(s) can be provided upon request by contacting the Procurement Process Tools Division by sending a query to Outilsd'approvisionnement.ProcurementTools@tpsgc-pwgsc.gc.ca.

Note: References to the HC, MC and Simple templates in PWGSC Requests for Supply Arrangements are provided as examples only. The latest versions of the template and terms and conditions will be used at time of bid solicitation.

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ANNEX “A”

REPORTING REQUIREMENTS

Typically, suppliers must report on a quarterly basis on the contract activities. Such reports may contain, but are not limited to, the following information:

- i. the supply arrangement number;
- ii. the supplier name;
- iii. the reporting period;
- iv. the contract number for each contract, including amendments;
- v. the client department;
- vi. the contracting authority;
- vii. the date of the contract;
- viii. the contract period;
- ix. the line items acquired/services provided;
- x. the value of the contract, Goods or Services Tax/Harmonized Sales Tax included, as applicable.