

RETURN BIDS TO:
RETOURNER LES SOUMISSIONS À:
Bid Receiving - PWGSC / Réception des soumissions
- TPSGC
11 Laurier St., / 11, rue Laurier
Place du Portage, Phase III
Core 0B2 / Noyau 0B2
Gatineau
Québec
K1A 0S5
Bid Fax: (819) 997-9776

SOLICITATION AMENDMENT
MODIFICATION DE L'INVITATION

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Solicitation remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'invitation demeurent les mêmes.

Comments - Commentaires

Vendor/Firm Name and Address
Raison sociale et adresse du
fournisseur/de l'entrepreneur

Issuing Office - Bureau de distribution
Informatics Professional Services - EL
Division/Services professionnels en informatique -
division EL
4C2, Place du Portage
Gatineau
Québec
K1A 0S5

Title - Sujet CARM Solution - Solution GCRA	
Solicitation No. - N° de l'invitation 47064-165038/A	Amendment No. - N° modif. 003
Client Reference No. - N° de référence du client 1000325038	Date 2015-05-19
GETS Reference No. - N° de référence de SEAG PW-\$\$EL-627-28890	
File No. - N° de dossier 627el.47064-165038	CCC No./N° CCC - FMS No./N° VME
Solicitation Closes - L'invitation prend fin at - à 02:00 PM on - le 2015-08-05	
F.O.B. - F.A.B. Plant-Usine: <input type="checkbox"/> Destination: <input type="checkbox"/> Other-Autre: <input type="checkbox"/>	
Address Enquiries to: - Adresser toutes questions à: Aubin, Marc A.	Buyer Id - Id de l'acheteur 627el
Telephone No. - N° de téléphone (819) 956-1436 ()	FAX No. - N° de FAX () -
Destination - of Goods, Services, and Construction: Destination - des biens, services et construction:	

Instructions: See Herein

Instructions: Voir aux présentes

Delivery Required - Livraison exigée	Delivery Offered - Livraison proposée
Vendor/Firm Name and Address Raison sociale et adresse du fournisseur/de l'entrepreneur	
Telephone No. - N° de téléphone Facsimile No. - N° de télécopieur	
Name and title of person authorized to sign on behalf of Vendor/Firm (type or print) Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie)	
Signature	Date

LOI amendment No.003 is raised to (1) answer questions from the industry and (2) make a modification to the LOI, all as follows:

QUESTIONS AND ANSWERS

Questions #2

Question Annex E – Signature Line. The LOI requires that we sign Annex E – Terms and Conditions of Industry Engagement Process (Mandatory Form) as a condition to participating in the Industry Day and the industry engagement process but contains conflicting statements on whether this is a corporate obligation of the corporate participant or a personal obligation of the individual participating on behalf of the corporate participant in the industry engagement process. Annex B states “Participation.....will be strictly reserved to registered individuals who sign and submit....Annex E to this notice” and suggests that it is a personal obligation of the individual participating and each individual must sign Annex E. Annex E itself, however, states “By signing this document, the individual represents that he/she has full authority to bind the Participating Supplier Listed below and that the individual and the supplier agrees to be bound by all of the terms and conditions contained herein” which suggest that this is a corporate obligation of the corporate participant and that a single, authorized signatory, may sign on behalf of the corporate participant and all of the participating individuals. Will the Crown please:

- a. Clarify whether it intends Annex E to be a personal obligation of each individual participating in the LOI process or a corporate obligation of the corporate participant and clarify who must then sign Annex E; and
- b. If the answer to (a) is a personal obligation, amend the requirement to change it to a corporate obligation to be signed by the corporate participant. In our view, the corporate participant is the party that should commit to complying with the rules of engagement and it is the corporate participants responsibility to ensure that its employees do comply with them. To have individuals sign will create a personal obligation of those individuals to the Crown, give the Crown recourse against those individuals and substitute the Crown for their employer in respect of those obligations. This is both against our internal policies and highly unusual in our experience. In our view, individuals should not be asked to assume a personal contractual obligation to the Crown in connection with participating in a procurement process. Moreover, our experience on recent Federal procurements, including one for CBSA, is that the Crown treats these as corporate obligations and the rules of engagement are signed by the corporation;

Answer #2:

Canada will accept both approaches (i.e. signatures from individual participant(s) or a signature from a representative of the interested supplier). If the interested supplier chooses to only provide a single signature on behalf of the corporate participant and all of the participating individuals, it will also need to provide the names of the employees that will be involved in the process.

Questions #3

Question General – the LOI is silent on the process for adding individual participants through the Industry Engagement process and we believe the Crown should allow the addition of individual participants and formalize a process for doing so such as providing notice in writing of the addition of a named individual and confirming they are aware of the rules of engagement. In our experience, we often find we can't anticipate all of the questions and content we will need to answer/provide and as the Crown shares those questions/request feedback we may need to add additional expertise to our team to adequately address these requests from the Crown.

Answer #3:

As stated at Annex E, other Participants may join the Industry Engagement Process at any time in the process. Each additional participant will either need to sign-off on Annex E or in cases where the interested Supplier chose to provide a single signature on behalf of all participants, send an e-mail to the Contracting Authority providing the name(s) of the additional employee(s) of the such interested supplier.

MODIFICATION TO THE LOI

Do the following change to Annex C (section C.1) of the LOI:

DELETE section C.1 only of Annex C ; and

REPLACE with the following:

C.1 Registration Process for Industry Day Meeting or WebEx Teleconference

Interested suppliers are encouraged to register for the Industry Day meeting or simultaneous WebEx and Teleconference prior to 22nd of May 2015, by submitting, to the PWGSC Contracting Authority identified herein in section C.4, a signed copy of Annex E – Terms and Conditions of the Industry Engagement Process for each individual that chooses to participate.

ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF INTEREST REMAIN UNCHANGED.