

ADVANCE CONTRACT AWARD NOTICE (ACAN)

The Canadian Food Inspection Agency (CFIA) has a requirement for services to eradicate kudzu (*Pueraria montana*) an invasive plant in the Southwestern Ontario region. The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to **Cain Vegetation Inc.** located in Acton, Ontario, Canada. Before awarding a contract, however, the government would like to provide other 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

Kudzu, *Pueraria montana*, is a perennial, deciduous, woody vine species with stems that extend 10 to 30 m in length and up to 8 cm in diameter. Kudzu plants have both fibrous and tuberous roots, which can extend up to 4 m deep and can grow up to 18 cm in diameter and up to 180 kg in weight. Kudzu is native to Asia and produces vigorous, viney, leafy stems that completely cover a site with herbaceous growth. The plants smother all vegetation in an area, including shrubs and trees, with dense, heavy foliage.

The site is along the back edge of an agricultural property, along the north shore of Lake Erie and the east and west ends of the site are vegetated by forests. Kudzu has infested approximately 5,200 sq. m (0.5 hectares, 1.2 acres), 3,400 sq. m of which is on an open slope with the steepest point having a 97% grade which would be prone to erosion. The CFIA is seeking services for implementation of eradication measures for kudzu, including devegetation, revegetation and maintenance of slope integrity on site.

Minimum Essential Requirements

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

- 1) A Master's Degree in Biology or related biological field, ecology, environmental studies, plant biology, including having studied the physiology of invasive plants similar to kudzu in order to understand how it spreads and how to effectively control and remove it.
- 2) As the CFIA is under strict timelines to ensure timely eradication and as the seasonal weather will have a direct and negative impact on CFIA's success, the supplier must be prepared to begin work immediately.

- 3) This being the first occurrence of kudzu that requires the CFIA's response, the supplier must have experience in having eradicated and rehabilitated similar types of weed/vines/vegetation in environmentally fragile and complex locations.
- 4) The supplier must have:
 - Experience in similar complex rehabilitation projects, including devegetation and revegetation, using indicators to assess success
 - Experience and knowledge of procedures for maintaining slope integrity, minimizing of erosion and established worker safety procedures/training (OHS-Occupational Health Safety) due to the extreme slope of the location
 - Knowledge of this environmentally sensitive site (location, characteristics, soil texture) and the biological background of kudzu life cycle, plant morphology and invasiveness

Justification for the Pre-Selected Supplier

The project includes devegetation, revegetation and maintenance of slope integrity, on the 0.5 hectare site. This being the first occurrence of kudzu and as the season will have a direct and negative impact on success, the CFIA is under strict timelines to ensure timely eradication.

Canada intends to retain ownership of any Foreground Intellectual Property arising out of the proposed contract on the basis that the main purpose of the contract **consists of material subject to copyright.**

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 Monday September 9, 2015 at 1:00 pm EST.

Inquiries and statements of capabilities are to be directed to:

Mike Frost Contracting Officer
Canadian Food Inspection Agency
59 Camelot Drive, Ottawa Ontario K1A 0Y9
Telephone: 613-773-7373
E-mail: michael.frost@inspection.gc.ca

The proposed contract is for a period of (2) two years, from September 2015 to September 2017 with 2 options to extend between September 2017 to September 2019.

The estimated value of the contract, including options is \$64,000.00 applicable taxes extra.

Policy Information

The statutory and regulatory requirements applicable for this ACAN process are the following:

Government Contracts Regulations (GCR) – Section 6(d)

“only one person or firm is capable of performing the contract”

Contract subject to NAFTA – Chapter 10, Annex 1001.1b-2, Section B, class F – Natural Resources and Conservation Services, subclass F029 – Other Animal Care / Control Services

Contract subject to AIT - Chapter 5, Article 506, paragraph 12 (b)

“Where only one supplier is able to meet the requirements of a procurement, an entity may use procurement procedures that are different from those described in paragraphs 1 through 10 in the following circumstances: (b) where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists;”

PRÉAVIS D'ADJUDICATION DE CONTRAT (PAC)

L'Agence canadienne d'inspection des aliments (l'ACIA) a l'intention de se procurer des services Type. Le présent préavis d'adjudication de contrat (PAC) a pour but de communiquer l'intention du gouvernement d'octroyer un contrat pour ces biens à Company. Toutefois, avant d'octroyer un contrat, le gouvernement aimerait offrir aux fournisseurs la possibilité de faire la preuve qu'ils sont capables de répondre aux exigences établies dans le présent préavis, en présentant un énoncé de capacités pendant la période d'affichage de quinze jours civils.

Si d'autres fournisseurs potentiels présentent un énoncé de capacités pendant la période d'affichage de quinze jours civils et prouvent qu'ils répondent aux exigences établies dans le PAC, le gouvernement enclenchera le processus d'appel d'offres complet soit en ayant recours au service des appels d'offres électronique du gouvernement ou au moyen traditionnel, afin d'adjuger le marché.

Si, au plus tard à la date de clôture, aucun autre fournisseur ne présente d'énoncé de capacités répondant aux exigences établies dans le PAC, un contrat sera octroyé au fournisseur présélectionné.

Contexte

L'Agence canadienne d'inspection des aliments (l'ACIA) souhaite combler le besoin suivant :

Background :

Medium Essential Qualifications :

Justification :

Le Canada entend conserver tout titre de propriété intellectuelle d'aval découlant de l'exécution du marché proposé étant donné que le but premier du contrat consiste de matériel protégé par le droit d'auteur.

Les fournisseurs qui se considèrent entièrement qualifiés et qui sont disponibles pour répondre aux exigences précisées peuvent présenter un énoncé de qualités par écrit à l'autorité contractante dont le nom figure dans le présent préavis, au plus tard à la date de clôture du présent préavis. L'énoncé de capacités doit clairement faire la preuve que le fournisseur répond aux exigences du préavis.

La date et l'heure de clôture fixées pour l'acceptation des énoncés de capacités est lundi 9 Septembre, 2015 @ 1 : p.m.

Les demandes de renseignements et énoncés de capacités doivent être envoyés à l'adresse suivante :

Mike Frost Contracting Officer
Canadian Food Inspection Agency
59 Camelot Drive, Ottawa Ontario K1A 0Y9
Telephone: 613-773-7373
E-mail: michael.frost@inspection.gc.ca

Règlements sur les marchés de l'État (RME) – Section 6 d

« Les cas où le marché ne peut être exécuté que par une seule personne ou une seule entreprise »

Contrat assujéti à l'ALENA – Chapitre 10, Annexe 1001.1b-2, Section B, catégorie F – Services afférents à la conservation et aux ressources naturelles, sous catégorie F029 – Autres services d'entretien et de contrôle des animaux

Contrat assujéti à l'ACI - Chapitre 5, article 506, paragraphe 12 b
« Lorsqu'un seul fournisseur est en mesure de satisfaire aux conditions du marché public une entité peut utiliser des procédures de passation des marchés publics différentes de celles décrites aux paragraphes 1 à 10, dans les circonstances suivantes : b) lorsque, pour des raisons d'ordre technique, il y a absence de concurrence et que les produits ou services ne peuvent être fournis que par un fournisseur donné et qu'il n'existe aucune solution de rechange ou encore de produits ou services de remplacement;

