

ADVANCE CONTRACT AWARD NOTICE (ACAN)

1. Advance Contract Award Notice (ACAN)

An ACAN is a public notice indicating to the supplier community that a department or agency intends to award a contract for goods, services or construction to a pre-identified supplier, thereby allowing other suppliers to signal their interest in bidding, by submitting a statement of capabilities. If no supplier submits a statement of capabilities that meets the requirements set out in the ACAN, on or before the closing date stated in the ACAN, the contracting officer may then proceed with the award to the pre-identified supplier.

2. Definition of Requirements

The Contractor will provide to NRCAN two (2) year maintenance and support services as well as parts and labour on Rigaku's micro-focus x-ray diffraction instrument which includes the following components: D/Max Rapid II, MicroMax-007 HF, Haskris Chiller, VariMax HR Optic.

The coverage includes:

- all onsite labour and repair for two (2) Preventative Maintenance service visits per year;
- Emergency service visits, as deemed necessary;
- A 72 hour/best effort onsite service response is available;
- Repair hours are Monday through Friday 8:00 a.m. to 5:00 p.m. Saturday, Sunday and recognized holidays are excluded;
- One (1) anode rebuild (includes rebuild kit, Cu anode cup, balancing, labour and shipping) to be used during the contract period.

3. Criteria for Assessment of the Statement of Capabilities

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

- a) The supplier must have at least 4 years experiences maintaining and supporting the instrument and its parts;
- b) The supplier must have demonstrated evidence that it has access to specifics, drawings and design details of the instrument, some of which may be proprietary and patented;
- c) The supplier must demonstrate their capacity to be able to provide annual maintenance and support services of the instrument including but not limited to: (1) cleaning, balancing and rebuilding of the rotating anode at the manufacturer's facility, (2) providing replacement parts of the

- instrument if needed and (3) performing routine alignments and cleaning of the confocal multilayer X-ray optics and the large aperture curved image plate;
- d) The supplier must have engineers with the ability to perform diagnostic and repair services at short notices.

4. Trade Agreements

N/A

5. Justification for the Pre-Identified Supplier

The supplier mentioned in section 10 below is the only known supplier that meets the mandatory criteria set out in section 3 above.

The Contractor is the manufacturer of the specialized equipment and the only one able to provide the annual maintenance and support services, along with the labour and parts for the replacement and rebuilding of the rotating anode in accordance with the criteria in Section 3 above.

Should Canada receive a statement of capabilities from a supplier that contains sufficient information to indicate that it meets the requirements set forth in this ACAN, a competitive process will be triggered with a technical and financial evaluation methodology of the bids proposed by the potential bidders

6. Exception to the Government Contracts Regulations and applicable trade agreements

The following exception(s) to the Government Contracts Regulations is (are) invoked for this procurement under subsection 6(d) – “only one person is capable of performing the work”.

The identified provider, Rigaku Americas Corporation, is the only one able to meet all of the criteria identified in paragraph 3 above.

7. Exclusions and/or Limited Tendering Reasons

N/A

8. Contract Period

The contract period will be from March 1st, 2016 to February 28, 2018.

9. Estimated Cost

The estimated maximum value of the contract is \$72,967.00 CAD (82,452.71\$ taxes included).

10. Name and Address of the Proposed Contractor

Rigaku Americas Corporation
9009 New Trails Drive
The Woodlands, Texas
USA 77381

11. Suppliers' right to submit a statement of capabilities

“Suppliers who consider themselves fully qualified and available to provide the services/goods described herein, may submit a Statement of Capabilities in writing, preferably by e-mail, to the contact person identified in this Notice on or before the closing date and time of this Notice. The Statement of Capabilities must clearly demonstrate how the supplier meets the advertised requirements.”

12. Closing Date

The closing date for a submission of a Statement of Capabilities is March 1st, 2016 at 14:00 Eastern Standard Time.

13. Contract Authority

Thérèse Richer
50 Place de la Cité, Suite 212
Sherbrooke, QC
J1H 4G9
819 564-5600 ext. 323
therese.richer@canada.ca