

Advance Contract Award Notice (ACAN)

Technical Translation Services of National Energy Board's Regulatory Documents.

Requirement

For the provision of technical translation services, from English to French, of regulatory documents such as Environmental Screening Reports (ESRs), Energy Market Assessments (EMAs), seasonal outlooks and Reasons from Decision (RFDs), when the volume of requirements exceeds the capacity of the existing main supplier. The National Energy Board (NEB) requires translators with considerable expertise in technical translation of regulatory documents produced by the government and relative to the energy industry. These translators shall be available on short notice and provide dependable work in short timeframes.

Purpose of the ACAN

The purpose of this ACAN is to provide public notice indicating to the supplier community that NEB intends to award two contracts for these services; one to Edgar Inc. and the other to Théma Communications Inc. Before awarding the contracts however, the government would like to allow other potential suppliers to signal their interest in bidding and demonstrate they are capable of satisfying the requirements. Suppliers who consider themselves fully qualified and available to provide the services described herein may submit a statement of capabilities in writing to the contact person identified in this Notice by submitting a Statement of Capabilities within the 15 calendar day posting period. The statement of capabilities must clearly demonstrate how the supplier meets the advertised requirement, and examples of technical translations of regulatory documents shall be provided upon request.

If no other potential 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 suppliers.

Definition of the requirement

The National Energy Board is an independent federal quasi-judicial regulatory tribunal established in 1959 to promote safety and security, environmental protection, and economic efficiency in the Canadian public interest within the mandate set by Parliament for the regulation of pipelines, energy development and trade.

The main responsibilities of the NEB are established in the NEB Act and include regulating:

- The construction, operation and abandonment of pipelines that cross international borders or provincial/territorial boundaries, as well as the associated pipeline tolls and tariffs;
- The construction and operation of international power lines and designated interprovincial power lines; and
- Imports of natural gas and exports of crude oil, natural gas liquids (NGL), natural gas, refined petroleum products and electricity.

Additionally, in specified areas the Board has regulatory responsibilities for oil and gas exploration and production activities under the National Energy Board Act, Canada Oil and Gas Operations Act (COGOA), the Canada Petroleum Resources Act (CPRA), and the North West Territories' Oil and Gas Operations Act (OGOA) and Petroleum Resources Act (PRA).

The NEB conducts environmental assessments during its review of applications for projects under its jurisdiction. For certain projects, the Board also conducts environmental assessments as required by federal legislation, such as the Canadian Environmental Assessment Act, 2012 (CEAA 2012), the Mackenzie Valley Resource Management Act, and the Inuvialuit Final Agreement or the Nunavut Land Claims Agreement. Certain Board inspectors are appointed Health and Safety Officers by the Minister of Labour to administer Part II of the Canada Labour Code as it applies to NEB-regulated facilities and activities.

The Board also monitors aspects of energy supply, demand, production, development and trade. The Board reports to Parliament through the Minister of Natural Resources.

Criteria for assessment of the Statement of Capabilities (Minimum Essential Requirements)

Any interested supplier must demonstrate by way of a statement of capabilities, ability to provide a system that has, but is not limited, to the following characteristics:

1. Have recent and direct experience in translating, from English to French, regulatory documents pertaining to the energy industry.
2. Be knowledgeable of terminology related to the energy industry for regulatory documents NEB regulations and guidance, other applicable legislation and regulations, and guidance across jurisdictions for the damage prevention community in Canada.
3. Be familiar with the NEB regulations and guidance, other applicable legislation and regulations, and guidance across jurisdictions for the damage prevention community in Canada.
4. Follow a quality assurance process that ensures high quality translations requiring minimal review.
5. As time is of the essence, the contractors have confirmed they have adequate resources and time available to complete quality work in short timeframes.

Applicability of the trade agreement(s) to the procurement

This procurement is subject to the following trade agreement(s):

This procurement is subject to the following trade agreement(s):

- i. NAFTA;
- ii. AIT;
- iii. WTO-GPA
- iv. Bilateral Agreements

Justification for the Pre-Identified Supplier

The identified service providers are the only supplier known by the NEB at this time to perform the resulting contracts under this requirement.

Government Contracts Regulations Exceptions

The following exception to the Government Contracts Regulations is invoked for this procurement under subsection 6(d) - "only one person is capable of performing the work".

Supplier 1

Period of the proposed contract or delivery date

The proposed contract is from date of award to September 2017, with two (2) one year option periods.

Cost estimate of the proposed contract

The estimated value of the contract is \$55,000 (CAD).

Name and address of the pre-identified supplier

Edgar Inc.
1605, chemin Sainte-Foy, bureau 117
Québec (Québec) G1S 2P1

Justification for the Pre-Identified Supplier

The Contractor, Edgar inc., is suggested because:

Edgar has experience translating regulatory documents pertaining to the energy industry as well as other types of technical documents. Edgar is familiar with the NEB regulations and guidance, other applicable legislation and regulations, and guidance across jurisdictions for the damage prevention community in Canada. Edgar follows a strict quality assurance process that ensures high quality translations requiring little review from the client and which contributes to a timely process for the NEB.

Supplier 2

Period of the proposed contract or delivery date

The proposed contract is from date of award to September 2017, with two (2) one year option periods.

Cost estimate of the proposed contract

The estimated value of the contract is \$20,000 (CAD), taxes extra.

Name and address of the pre-identified supplier

Théma Communication Inc.
Maison de l'ÉCHOUERIE
Case postale 5015
Bonaventure (Québec) G0C 1E0

Justification for the Pre-Identified Supplier

The Contractor, Théma Communications, is suggested because:

Théma is an experienced translator who has a vast experience translating regulatory documents pertaining to the energy industry as well as other types of technical documents. Théma is familiar with the NEB regulations and guidance, other applicable legislation and regulations, and guidance across jurisdictions for the damage prevention community in Canada.

Suppliers' right to submit a statement of capabilities

Suppliers who consider themselves fully qualified and available to provide the services described herein may submit a statement of capabilities in writing to the contact person identified in this Notice by submitting a Statement of Capabilities within the 15 calendar day posting period. The statement of capabilities must clearly demonstrate how the supplier meets the advertised requirement, and examples of technical translations of regulatory documents shall be provided upon request.

Closing date for a submission of a statement of capabilities

The closing date and time for accepting statements of capabilities is August 19, 2016 at 02:00 pm MDT.

Inquiries and submission of statements of capabilities

Inquiries and statements of capabilities are to be directed in writing to:

Lorna Kettles AND Nafissa Diop

Management Services,

National Energy Board

517 10th Avenue, SW

Calgary, AB T2R 0A8

Email: Lorna.Kettles@neb-one.gc.ca AND Nafissa.Diop@neb-one.gc.ca