

## 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 the requirement

The successful bidder will provide on demand technical support to Environment and Climate Change Canada (ECCC) related to its collections and monitoring of oil sands contaminants in sediment, terrestrial furbearers, gulls and terns, and fish from the Peace Athabasca Delta and Wood Buffalo National Park.

Without limiting the scope of work, the successful contractor shall carry out the following tasks as describe herein:

### **Task 1: General Wildlife Sample Collections**

Under this task, the consultant will provide "upon request" support to ECCC staff in the collections, processing, and subsequent shipping of environmental samples collected from Mikisew Cree First Nation, Athabasca Chipewyan First Nation and Metis traditional lands in the Peace Athabasca Delta.

Examples of the types of activities include (but not limited to):

- Collections of terrestrial biota, including (but not limited to) muskrat, fisher, mink and river otter whole carcasses from hunting and trapping activities
- Collections of aquatic biota, including (but not limited to) snails, prey and predatory fish samples from various watersheds and sites of traditional importance for community members
- Collections of sediment cores, including sectioning of cores and storage in WhirlPacks™
- Collection of traditional land use data and indigenous knowledge data on the impacts of industrial contaminants on traditional lifestyles
- The consultant will be responsible for the safe delivery, and proper handling and storing of samples in an ECCC freezer stored at the local Parks Canada office in Fort Chipewyan (MacKenzie Avenue). Costs will include all expenses related to sample data, archiving, storage, and administration. Access to the storage facility will be provided to the consultant on an "as-needed" basis to enter and store all environmental samples.

### **Task 2: River Otter Latrine Site Monitoring in the Peace Athabasca Delta**

The Athabasca River and the Peace–Athabasca Delta may be impacted by industrial development in the upstream region of the oil sands. Recent reports of aquatic contamination have raised concerns on the impacts of metals (e.g. Hg, As), polycyclic aromatic hydrocarbons (PAHs) and naphthenic acids (NAs) on wildlife (assessed through Task #1). The river otter could be considered a sentinel species for monitoring programs because of the specie's niche in the environment. The proposed monitoring of river otters will proceed primarily through a study of population health and structure by use of feces and anal jellies collected at various latrine sites in the Peace Athabasca Delta (n=12-15 latrine sites, or more if possible). Contaminant signatures will be determined in feces, as well as fecal hormone metabolite levels. Various

other molecular endpoints will be assessed such as microsatellite mutations, DNA methylation and gene expression levels. Extracted DNA will also be used for population demographic measures allowing for assessments of population level responses to environmental contaminants. Under this task, activities undertaken by the consultant will include (but will not be limited to):

- Collection of fresh (< 24 hrs) fecal samples and anal jellies at identified latrine sites
- Habitat assessments of identified latrine sites, including geospatial assessments (ie- georeferencing habitat attributes + latrine sites) and community ID app development
- Capture of site-specific information through visual records (ex: pictures, videos)
- Synthesis of Indigenous Knowledge related to monitoring program design, identified latrine site locations, traditional use of area and its natural resources
- After latrine sites are identified, they will be monitored for 4 consecutive weeks/year, coinciding with trapping season (if possible)

As the nature of the requirement is not fully known until proper consultations with indigenous stakeholders are completed, work under this contract will proceed through task authorizations. While the deliverables will be explicitly reflected in the Task Authorizations, they will generally consist of:

- Transferring to Environment and Climate Change Canada all collected biological samples (whole carcasses, or specific tissues) as well as all associated collection data.
- Transferring to Environment and Climate Change Canada all collected latrine site samples, including feces and anal jellies as well as all associated collection data.
- Transferring to Environment and Climate Change Canada all collected DNA samples stored in appropriate micro-centrifuge tubes + DNA lysis buffer.
- Transferring to Environment and Climate Change Canada compiled and synthesized indigenous knowledge and traditional land use data in Microsoft Word or Excel formats (or under a format acceptable with the consultant).

Activities for tasks authorized will be performed off-site in the Peace-Athabasca Delta, Alberta, Canada at locations determined to hold traditional importance to local indigenous communities.

As the tasks will be requested for on-demand services, tasks authorizations will be used to initiate specific tasks. Task authorizations will include: activities to be performed, identification of general or explicit deliverables, and an estimate of the time required. Tasks that are expected to span several months, the bidder will provide, via email, an end-of-month report that accounts for time used and remaining.

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

*Detail the criteria against which the statement of capabilities submitted by potential suppliers will be assessed. This will allow the contracting officer to have an adequate basis for evaluating a potential supplier's statement of capabilities. The pre-identified supplier must be evaluated on the same basis.*

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

- Experience 5 years experience in the past 10 years managing community-based monitoring programs in local indigenous communities affected by industrial developments; 5 years experience in the past 10 years managing monitoring



*programs and funding, including publishing technical reports with data collected by traditional land users and local indigenous community members; and conducting at least 3 projects in the last 8 years that are similar in size, scope and complexity;*

- Knowledge and understanding of *i) national and provincial environmental monitoring programs for oil sands impacts, ii) standardised operating protocols used in industry-recognized monitoring programs (of wildlife health and water + air quantity/quality), including technology-based approaches to monitoring, and iii) current threats to traditional lifestyles of communities impacted by industrial activities, including state of local indigenous knowledge on changes to environmental quality*

#### 4. Applicability of the trade agreement(s) to the procurement

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

- Agreement on Internal Trade (AIT)
- World Trade Organization - Agreement on Government Procurement (WTO-AGP)
- North American Free Trade Agreement (NAFTA)

#### 5. Justification for the Pre-Identified Supplier

In partnership with other local and territorial indigenous communities (including Métis), the Mikisew Cree First Nation (MCFN) developed a community-based monitoring program for the water, land, plants, and animals on their traditional lands. Their monitoring program relies on both western science and indigenous knowledge approaches. They have already successfully assisted existing monitoring initiatives in the Peace Athabasca Delta such as the ongoing monitoring efforts lead by Parks Canada in Wood Buffalo National Park (Peace Athabasca Delta Ecological Monitoring Program - PADEMP), Environment and Climate Change Canada (JOSM), and various academic groups such as the Environmental Conservation Lab at the University of Manitoba (Dr Stéphane McLachlan), and a recently successful application through the University of Alberta (Dr Chris Le) to the Canadian Institute of Health Research (CIHR) entitled: "Chemical Contaminants in Traditional Foods from Fort McKay and Fort Chipewyan: Before and After the Wildfires". Their staff is well-trained, and completely competent to carry out the activities required for this multi-year contract. Their connections to the land ensure that the samples will be obtained, and handled properly. This contract continues to ensure that local indigenous communities are better equipped to understand the environmental changes they see at both local and regional scales, while fostering a climate of reconciliation.

*Additional Information*

Mikisew Cree First Nation (MCFN) is a Treaty 8 First Nation whose lands and rights depend on the Peace-Athabasca Delta and surrounding waters. The heart of their traditional territory is the Peace-Athabasca Delta, which is a UNESCO protected site partly within Wood Buffalo National Park, as well as the Athabasca River system, which is the epicenter of the oil sands region of Alberta. Being on the land and harvesting traditional foods is an intrinsic part of maintaining the spiritual connection between their community and their lands.

From MCFN's perspective, the physical, cultural and spiritual health of their community is inseparable from the health of their lands, waters and resources. When the natural environment is impacted, MCFN is impacted. This connection to their traditional lands and the natural resources is important to maintaining healthy lifestyles. This is true historically, but is particularly true today when their community is affected by the legacy of residential schools, drugs, alcohol, youth suicide and poverty. Even today, a majority of their community members in Fort Chipewyan rely on "country foods", including fish, birds, muskrat, moose and bison, for a significant portion of their diet.

Their confidence in the health of the waters and natural resources is similarly connected to the health of their peoples and their ability to maintain a distinctive, and traditional way of life. When they lose confidence in the quality of their environment, they lose their ability to hunt and trap animals, fish, gather plants and berries, and foster a close connection to the land in their youth. Community members and elders argue that no one should have to worry that teaching their culture could inadvertently put their child's health at risk.

It is for these reasons that federal environmental protections – from monitoring activities to the regulation and prohibition of contaminants – are particularly relevant to MCFN. Federal protection of the environment also has important implications for reconciliation in the oil sands region: measures that recognize the linkages between the protection of the environment and treaty rights can promote reconciliation while approaches to environmental protection and monitoring that ignore the needs of those holding treaty rights can equally undermine reconciliation.

Federal protection of the environment is also particularly relevant to the World Heritage Site that is downstream of the oil sands industry; Wood Buffalo National Park. As one former official from Wood Buffalo National Park put it: "Wood Buffalo and the Peace-Athabasca Delta in particular, sitting at the terminus of the Peace and Athabasca Rivers, is the potential recipient of upstream inputs and impacts to both rivers, essentially acting as the septic tank in the system (MCFN 2016)."

#### 6. Government Contracts Regulations Exception(s)

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".

#### 7. Ownership of Intellectual Property

Ownership of any Foreground Intellectual Property (such as Traditional or Indigenous Knowledge) arising out of the proposed contract will vest in the Contractor.

The Contractor will grant to Canada a non-exclusive, perpetual, irrevocable, world-wide, fully-paid and royalty-free license to exercise all Intellectual Property Rights in the Foreground Information that vest in the Contractor, for any public purpose except Commercial Exploitation in Competition with the Contractor. However, when such Foreground Intellectual Property is used by Canada, notice of intent shall be communicated to the Contractor with at least 30 days notice, recognizing that the Contractor has its own specific and distinct guidelines, principles and protocols relating to the collection and use of its Traditional or Indigenous Knowledge, which need to be adhered to.

8. Period of the proposed contract or delivery date

The proposed contract is for a period of contract award to March 31, 2019. Either party will have the right to terminate the contract by giving at least 30 days notice in writing to the other party to expire at the end of the initial period or at any time after that.

9. Cost estimate of the proposed contract

The estimated value of the contract, including option(s), is \$143,000.00. Taxes are not applicable for this contract given that the procurement strategy involves an indigenous community as the proposed supplier.

10. Name and address of the pre-identified supplier

Mikisew Cree First Nation – Government and Industry Relations  
9401 Franklin Avenue  
Suite 206  
Fort McMurray, Alberta  
T9H 3Z7

Office: 780-714-6500

Cell: 780-792-8736

Fax: 780-715-4098

Attn: Melody Lepine, Director

E-mail: [melody.lepine@mcfngir.ca](mailto:melody.lepine@mcfngir.ca)

11. Suppliers' right to submit a statement of capabilities

Suppliers who consider themselves fully qualified and available to provide the goods, services or construction services described in the ACAN may submit a statement of capabilities in writing to the contact person 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.

12. Closing date for a submission of a statement of capabilities

The closing date and time for accepting statements of capabilities is March 6th, 2017 at 4:00pm EST.

13. Inquiries and submission of statements of capabilities



Inquiries and statements of capabilities are to be directed to:

*Adam Cheung*

*Contracting Officer*

*NCR Materiel Management and Contracting*

*Corporate Services and Finance Branch*

*Environment Canada*

*200 Sacre-Coeur Blvd, Gatineau, QC K1A 0H3*

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