

Underwater Warfare Suite Upgrade (UWSU)

REQUEST FOR PROPOSAL (RFP)

SOLICITATION: W8472-135462/C

VOLUME 1

BIDDER INSTRUCTIONS AND REQUIREMENTS

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PART 1 - GENERAL INFORMATION

1.1 Introduction

The bid solicitation is divided into three (3) volumes plus attachments and annexes, as follows:

1.1.1 RFP Volume 1 - BIDDER INSTRUCTIONS AND REQUIREMENTS

Part 1 General Information: provides a general description of the requirement;

Part 2 Bidder Instructions: provides the instructions, clauses and conditions applicable to the bid solicitation;

Part 3 Bid Preparation Instructions: provides bidders with instructions on how to prepare their bid;

Part 4 Evaluation Procedures and Basis of Selection: indicates how the evaluation will be conducted, the evaluation criteria that must be addressed in the bid, and the basis of selection;

Part 5 Certifications: includes the certifications to be provided; and

Part 6 Security, Financial and Other Requirements: includes specific requirements that must be addressed by bidders.

1.1.2 RFP Volume 2 – UWSU ACQUISITION RESULTING CONTRACT

UWSU Acquisition Resulting Contract includes the clauses and conditions that will apply to the resulting UWSU Acquisition contract.

1.1.3 RFP Volume 3 – UWSU IN-SERVICE SUPPORT RESULTING CONTRACT

UWSU In-Service Support Resulting Contract includes the clauses and conditions that will apply to the resulting UWSU In-Service Support Contract.

1.2 Summary

1.2.1 The Department of National Defence (DND) has identified a requirement to upgrade the Anti-Submarine Warfare (ASW) capability for the Royal Canadian Navy (RCN) Halifax Class frigates located on both coasts of Canada. It is intended to award both an Acquisition contract and In-Service Support contract to a single successful Contractor under this solicitation process. The scope of work is detailed in Volume 2, UWSU Acquisition Resulting Contract, and Volume 3, UWSU In-Service Support Resulting Contract. The following represents a high-level view of the requirements:

- 1) The acquisition contract scope includes the ship-fitted sensor system, hardware and software, cabling and other equipment needed to meet the performance requirements.

In addition to the ship-fitted Sensor System, ancillary equipment including hardware, software and documentation needed to maintain and support the system, to provide Halifax-class Combat System software change management capability, to train operators and maintainers, and to provide post-mission analysis capabilities.

- 2) The In-Service Support scope will consist of the following major components:

- a. In-Service Support Management;
- b. Technical Schedule Management;
- c. In-Service Support Service Delivery;
- d. Life Cycle Materiel Management;
- e. Training Support;
- f. Electronic Information Management;
- g. Performance Monitoring and Assessment; and
- h. Meetings.

1.2.2 The Industrial and Technological Benefits (ITB) policy, including Value Proposition (VP) will apply to the UWSU Acquisition resulting contract, and In-Service Support resulting contract. For the UWSU In-Service Support resulting Contract, Canada will only consider proposed Value Propositions on firm work at the time of contract award.

The ITB policy is administered by Innovation, Science and Economic Development Canada. To obtain information about Canada's ITB policy, visit: <http://www.ic.gc.ca/itb>

1.2.3 There are security requirements associated with this requirement. For additional information, consult Volume 1 Part 6 - Security, Financial and Other Requirements, and Volume 2 and 3 Resulting Contracts. For more information on personnel and organization security screening or security clauses, bidders should refer to the Industrial Security Program (ISP) of Public Works and Government Services Canada (PWGSC) website.

(<http://ssi-iss.tpsgc-pwgsc.gc.ca/index-eng.html>)

1.2.4 This procurement is subject to the Controlled Goods Program. The Defence production Act defines Canadian Controlled Goods as certain goods listed in Canada's Export Control List, a regulation made pursuant to the Export and Import Permits Act (EIPA).

1.2.5 The Federal Contractors Program (FCP) for employment equity applies to this procurement; see Volume 1, Part 5 - Certifications, Volume 1 Annex C titled Federal Contractors Program for Employment Equity – Certification, and Volume 2 and 3 Resulting Contracts.

1.2.6 This procurement is not subject to a national security exception. This requirement is subject to the Agreement on Internal Trade (AIT).

1.2.7 There is a site visit associated with this requirement where a personnel security screening is required prior to gaining access to the site. Consult Part 2 – Bidder Instructions.

1.3 Debriefings

Bidders may request a debriefing on the results of the bid solicitation process. Bidders should make the request to the Contracting Authority within fifteen (15) working days from receipt of the results of the bid solicitation process. The debriefing may be in writing, by telephone or in person.

1.4 Fairness Monitor

Bidders are advised that Canada has retained the services of a Fairness Monitor from Knowles Consultancy Services Inc. and Hill International Inc. in Joint Venture, for the entire UWSU procurement process.

1.5 Communications Notification

Solicitation No. - N° de l'invitation

W8472-135462/C

Client Ref. No. - N° de réf. du client

W8472-135462

Amd. No. - N° de la modif.

File No. - N° du dossier
101qfW8472-135462

Buyer ID - Id de l'acheteur

101qf

CCC No./N° CCC - FMS No./N° VME

The successful Contractor must notify the Contracting Authority in advance of its intention to make public an announcement related to the award of the UWSU Acquisition and In-Service Support Contracts.

PART 2 - BIDDER INSTRUCTIONS

2.1 Standard Instructions, Clauses and Conditions

All instructions, clauses and conditions identified in the bid solicitation by number, date and title are set out in the Standard Acquisition Clauses and Conditions Manual issued by Public Works and Government Services Canada.

(<https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual>)

Bidders who submit a bid agree to be bound by the instructions, clauses and conditions of the bid solicitation and accept the clauses and conditions of the resulting contract.

The 2003 (2016-04-04) Standard Instructions - Goods or Services - Competitive Requirements, are incorporated by reference into and form part of the bid solicitation.

- 2.1.1 Article 4 of 2003, Standard Instructions - Goods or Services - Competitive Requirements, is amended as follows:

"Bidder" means the person or entity (or, in the case of a joint venture, the persons or entities) submitting a bid to perform a contract for goods, services or both. It does not include the parent, subsidiaries or other affiliates of the Bidder, or its subcontractors.

For the sole purpose of conducting the Bid Evaluation and to determine overall scores to perform the requirement, the term " Bidder" and "Bidders" refers to the main Bidder of the Prime Contractor but will also include all subcontractors, partners of a formal partnership, members of an executed Teaming Agreement , members of a Joint Venture formally established for the purposes of participating in the Bid. This applies to RFP Volume 1 Annex D and its appendices, in their entirety.

- 2.1.2 Article 5, Subsection 4 of 2003, Standard Instructions - Goods or Services - Competitive Requirements, is amended as follows:

Delete: 60 days

Insert: 365 days

2.2 Mandatory Site Visit

Arrangements have been made for a ship visit to be held at Canadian Forces base (CFB) Halifax Dockyard. Each potential bidder will have the opportunity to visit and inspect installation spaces and existing onboard infrastructure in a Halifax Class Ship. Each potential bidder will be permitted onboard for a period of no more than three and a half (3.5) hours, on a date between May 1 and May 5, 2017. Potential bidders will be scheduled their three and a half (3.5) hour ship visit on a first come first serve basis. A maximum of only four (4) representatives for each potential bidder will be permitted to participate. There will be only two (2) ship visits per day with the first visit being held between 0800h to 1200h Atlantic Daylight Time (ADT) and the second visit being held between 1300h to 1700h ADT. Should participation levels exceed the current schedule then arrangements will be made to accommodate all attendees such as the possibility of including a second Halifax Class Ship. The names of participating representatives during the ship visits will be recorded.

An approved Request for Visit (RFV) clearance will be required in order to participate in the visit. Bidders must communicate with the Contracting Authority no later than April 24, 2017 at 1100h

Eastern Daylight Time to confirm their intention to participate and to provide completed RFV forms. The RFV form and process instructions can be found in the "Attachments" section of the Tender Notice page on the buyandsell website. Baseline DND information has been pre-populated in the RFV form. The RFV form must be completed by each potential bidder including the required details for each of their proposed representatives. All representatives must have a valid Secret clearance in order to participate. Security clearances will be validated through the RFV process. Proposed representatives without confirmed Secret clearances will not be permitted access to the Dockyard or the ship and will be documented as non-participant in the mandatory site visit. RFV forms will be rejected/approved based on confirmation of Security clearances.

Participation in the ship visit is a mandatory condition for the submission of a bid. All site visit attendees will be required to sign an attendance form identifying their name, title and the company they represent. Each bid submission must identify the names of the bid team representatives who attended the mandatory visit. The Contracting Authority will verify the names of representatives to confirm that at least one employee representative of the bid team for the bid submission attended the mandatory visit.

Only manual methods of note taking, measuring or information gathering by participants will be permitted during the ship visits. Participants will not be permitted use of electronic devices. Canada will arrange for the provision of one (1) shipboard digital camera and photographer during each visit, in order to facilitate the capture of a limited number of photographs of unclassified shipboard items of relevance to the UWSU scope of work, if such is desired by participants. Photographs will only be taken under the control, approval and authority of the onsite UWSU project DND representative. All photographs for each ship visit session must be limited to not exceed what can be stored on one standard DVD. Each DVD will be provided separately to respective ship visit teams, after completion of the ship visits.

Canada will not be responsible for any costs associated with attendance at the Industry Day event.

2.3 Submission of Bids

Bids must be submitted only to Public Works and Government Services Canada (PWGSC) Bid Receiving Unit by the date, time and place indicated on page 1 of the bid solicitation.

Due to the nature of the bid solicitation, bids transmitted by facsimile to PWGSC will not be accepted.

2.4 Enquiries - Bid Solicitation

All enquiries must be submitted in writing to the Contracting Authority no later than fifteen (15) calendar days before the bid closing date. Enquiries received after that time may not be answered.

Bidders should reference as accurately as possible the numbered item of the bid solicitation to which the enquiry relates. Care should be taken by bidders to explain each question in sufficient detail in order to enable Canada to provide an accurate answer. Technical enquiries that are of a proprietary nature must be clearly marked "proprietary" at each relevant item. Items identified as "proprietary" will be treated as such except where Canada determines that the enquiry is not of a proprietary nature. Canada may edit the question(s) or may request that the Bidder do so, so that the proprietary nature of the question(s) is eliminated and the enquiry can be answered to all bidders. Enquiries not submitted in a form that can be distributed to all bidders may not be answered by Canada.

2.5 Applicable Laws

Any resulting contract must be interpreted and governed, and the relations between the parties determined, by the laws in force in Ontario.

Bidders may, at their discretion, substitute the applicable laws of a Canadian province or territory of their choice without affecting the validity of their bid, by deleting the name of the Canadian province or territory specified and inserting the name of the Canadian province or territory of their choice. If no change is made, it acknowledges that the applicable laws specified are acceptable to the bidders.

2.6 Supporting Documentation and Classified Appendix

a) Volume 2 Annex E - Supporting Documentation

This documentation is not included in the downloadable RFP package on the buyandsell website. During the solicitation period, DND publications that are referenced in the RFP and are not commercially available can be issued to Bidders under separate cover upon request from the Bidder. It is imperative that the Bidder's request for bid solicitation documentation be made as soon as possible to ensure timely receipt of the associated publications. Bidders are required to submit their request to the Contracting Authority.

The supporting documentation is on CD media and will be shipped via courier. This information requires access to controlled goods that are subject to the Defence Production Act, R.S. 1985, c. D-1, Industry is advised that within Canada only persons who are registered, exempt or excluded under the Controlled Goods Program (CGP) are lawfully entitled to examine, possess or transfer controlled goods. The Contracting Authority will verify the Controlled Goods compliance prior to releasing the supporting documentation.

Details on how to register under the CGP are provided at the following link:

<http://ssi-iss.tpsgc-pwgsc.gc.ca/dmc-cgd/index-eng.html>

b) Volume 2 Annex C, Appendix 2 - Classified Section

This document contains information classified as **CAN SECRET, releasable to NATO plus Australia plus New Zealand**, and is not included in the downloadable RFP package on the buyandsell website. In order to obtain this document, companies must hold a Facility Clearance and Document Safeguarding Capability to the above stated level of classification.

To order this classified annex, your Company Security Officer (CSO), or Alternate Company Security Officer (ACSO) must email the Contracting Authority. The CSO and ASO personal clearances must also be verified to the above state level of classification.

The security clearances will be confirmed by Canada prior to releasing the classified annex to the CSO or ACSO. Once clearances have been confirmed to the above stated classification, the classified annex will be shipped.

As soon as the shipment is received, confirmation of receipt must be sent to the Contracting Authority as per the instructions included in the shipment. The classified annex must be appropriately stored, handled and controlled in accordance with the Canadian Contract Security Program. For any clarification on safeguarding classified information, Company Security Officer's must contact their Field industrial Security Officer.

This document will be provided on temporary loan and in confidence, solely for the purpose of this RFP process. The document is not to be copied or used for any other purpose, it is not to be released or shared with third parties or with those that do not have a specific need to know in relation to this RFP process. Unless otherwise directed, the document must be immediately returned upon completion of the bid solicitation period.

2.7 Condition of Material

Material supplied must be new and conform to the latest issue of the applicable drawings, specifications and/or part numbers that are in effect on the bid solicitation closing date.

2.8 Basis for Canada's Ownership of Intellectual Property

The Department of National Defence has determined that any intellectual property rights arising from the performance of the Work under the Volume 3 UWSU In-Service Support Resulting Contract will belong to Canada, for the following reasons, as set out in the Policy on Title to Intellectual Property Arising Under Crown Procurement Contracts:

- a) National Security

PART 3 - BID PREPARATION INSTRUCTIONS

3.1 Bid Preparation Instructions

3.1.1 Canada requests that bidders provide their bid in separately bound sections as follows:

PART A: UWSU Acquisition and In-Service Support Bid Section

Section I: Acquisition Technical and Management
Five (5) hard copies and five (5) soft copies on Compact Disc (CD) and / or Digital Versatile Disc (DVD) media

Section II: In-Service Support Technical and Management
Five (5) hard copies and five (5) soft copies on CD and / or DVD

Section III: Financial
One (1) hard copy and one (1) soft copy on CD and / or DVD

Section IV: Certifications
One (1) hard copy and one (1) soft copy on CD and / or DVD

Section V: Additional Information
One (1) hard copy and one (1) soft copy on CD and / or DVD

Only for bids containing classified information:

Section VI: Classified Information
Two (2) hard copies only

Bids that contain classified information must contain a separate Section VI and ensure each classified document is clearly marked with the level of classification in the upper right corner of each classified document page, and show the total number of pages on each page of the classified document (e.g. page 2 of 10).

You are to notify the Contracting Authority that the bid will contain classified information prior to submitting the bid.

PART B: UWSU Value Proposition Proposal Bid Section

The Bidder is requested to submit the following sections for the Value Proposition Proposal under a single proposal.

Section I: Company Business Plan
Seven (7) hard copies and one (1) soft copy on CD and / or DVD

Section II: ITB Management Plan
Seven (7) hard copies and one (1) soft copy on CD and / or DVD

Section III: Regional Development Plan
Seven (7) hard copies and one (1) soft copy on CD and / or DVD

Section IV: Small and Medium Business Plan
Seven (7) hard copies and one (1) soft copy on CD and / or DVD

Section V: Transactions Sheets
Seven (7) hard copies and one (1) soft copy on CD and / or DVD

- 3.1.2 If there is a discrepancy between the wording of the soft copy and the hard copy, the wording of the hard copy will have priority over the wording of the soft copy.
- 3.1.3 To facilitate Canada's evaluation of submitted bids, Canada requests that Bidders do not "cross reference" between Parts A and B and that information is included as requested in each part, even if repetition results.
- 3.1.4 Prices should only appear in Part A - Section III financial, and Part B - UWSU Value Proposition Proposal Bid Section. Prices should not be indicated in any other Bid Sections.
- 3.1.5 Canada requests that Bidders follow the format instructions described below in the preparation of their bid:
- (a) where possible, use 8.5 x 11 inch (216 mm x 279 mm) paper; and
 - (b) use a numbering system that corresponds to the bid solicitation.

In April 2006, Canada issued a policy directing federal departments and agencies to take the necessary steps to incorporate environmental considerations into the procurement process Policy on Green Procurement (<http://www.tpsgc-pwgsc.gc.ca/ecologisation-greening/achats-procurement/politique-policy-eng.html>).

To assist Canada in reaching its objectives, bidders should use paper containing fiber certified as originating from a sustainably-managed forest and containing minimum 30% recycled content; and

3.2 Requirements for Bidder's Proposal Part A – UWSU Acquisition and In-Service Support Bid Section

3.2.1 Section I – Acquisition Technical and Management and Section II In-Service Support Technical and Management

- a) Bidders should demonstrate their understanding of the requirements contained in the bid solicitation and explain how they will meet these requirements. Bidders should demonstrate their capability and describe their approach in a thorough, concise and clear manner for carrying out the work.
- b) Bidders should address clearly and in sufficient depth the points that are subject to the evaluation criteria against which the bid will be evaluated. Simply repeating the statement contained in the bid solicitation is not sufficient. In order to facilitate the evaluation of the bid, Canada requests that bidders address and present topics in the order of the evaluation criteria under the same headings. Except for references between Bidders Proposals Part A and Part B, to avoid duplication bidders may refer to different sections of their bids by identifying the specific paragraph and page number where the subject topic has already been addressed.
- c) Bidders should demonstrate their compliance with Volume 1 Annex D Evaluation Plan and its appendices by providing substantial information describing completely and in detail how the requirement is met or addressed. Bidders should provide with their technical and Management section, a document indicating clearly where the substantial information can be found.

3.2.2 Section III: Financial

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- a) Bidders must submit their financial section in accordance with the entire solicitation.
- b) Bidders must submit their pricing using the format in Volume 2 – UWSU Acquisition Resulting Contract Schedule A, UWSU Acquisition Pricing, and Volume 3 – UWSU In-Service Support Resulting Contract, Schedule A, UWSU In-Service Support Pricing.
- c) Exchange Rate Fluctuation Risk Mitigation
- i. The Bidder may request Canada to assume the risks and benefits of exchange rate fluctuations. If the Bidder claims for an exchange rate adjustment, this request must be clearly indicated in the bid at time of bidding. The Bidder must submit Volume 1, Annex B PWGSC-TPSGC 450, Claim for Exchange Rate Adjustments with its bid, indicating the Foreign Currency Component (FCC) in Canadian dollars for each line item for which an exchange rate adjustment is required.
 - ii. The FCC is defined as the portion of the price or rate that will be directly affected by exchange rate fluctuations. The FCC should include all related taxes, duties and other costs paid by the Bidder and which are to be included in the adjustment amount.
 - iii. The total price paid by Canada on each invoice will be adjusted at the time of payment, based on the FCC and the exchange rate fluctuation provision in the contract. The exchange rate adjustment will only be applied where the exchange rate fluctuation is greater than 2% (increase or decrease).
 - iv. At time of bidding, the Bidder must complete columns (1) to (4) on Volume 1 Annex B PWGSC-TPSGC 450, for each line item where they want to invoke the exchange rate fluctuation provision. Where bids are evaluated in Canadian dollars, the dollar values provided in column (3) should also be in Canadian dollars, so that the adjustment amount is in the same currency as the payment.
 - v. Alternate rates or calculations proposed by the Bidder will not be accepted for the purposes of this exchange rate fluctuation provision.

3.2.3 Section IV: Certifications

Bidders must submit the certifications in accordance with Volume 1, Part 5 - Certifications.

3.2.4 Section V: Additional Information

- a) Bidders must submit the security information, in accordance with Volume 1, Part 6 – Security Requirements, either with their bid or before contract award.

Foreign Ownership, Control and Influence (FOCI) Questionnaire: the successful bidder will be contacted to by Canada to complete this questionnaire.

- b) the Bidder should provide the acquisition costing information requested in Volume 1, Part 6 – Security, Financial and Other Requirements

3.3 **Requirements for Bidder's Proposal Part B – UWSU Value Proposition Proposal Bid Section**

- a) Bidders should demonstrate their understanding of the requirements contained in the bid solicitation and explain how they will meet these requirements. Bidders should demonstrate their capability and describe their approach in a thorough, concise and clear manner for carrying out the work.

- b) Bidders should address clearly and in sufficient depth the points that are subject to the evaluation criteria against which the bid will be evaluated. Simply repeating the statement contained in the bid solicitation is not sufficient. In order to facilitate the evaluation of the bid, Canada requests that bidders address and present topics in the order of the evaluation criteria under the same headings. Except for references between Bidders Proposals Part A and Part B, to avoid duplication bidders may refer to different sections of their bids by identifying the specific paragraph and page number where the subject topic has already been addressed.
- c) Bidders should demonstrate their compliance with Volume 1 Annex F – Industrial and Technological Benefits (ITB) Value Proposition Evaluation Plan by providing substantial information describing completely and in detail how the requirement is met or addressed. Bidders should provide a document indicating clearly where the substantial information can be found for their Part B sections.

PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION

4.1 Evaluation Procedures

Please refer to Volume 1 - Bidders Instructions and Requirements, Annex A - Evaluation Procedures and Basis of Selection.

4.2 Evaluation Overview

- a) Bids will be assessed in accordance with the entire requirement of the bid solicitation, including PART A: UWSU Acquisition and In-Service Support Bid Section, and PART B: UWSU Value Proposition Proposal Bid Section.
- b) An evaluation team composed of representatives of Canada will evaluate the bids.
- c) Canada is conducting a two-step bid evaluation process for this requirement. For details on the two-step Bid Evaluations process, refer to Volume 1 - Bidders Instructions and Requirements, Annex A - Evaluation Procedures and Basis of Selection.
- d) All resulting contract document deliverables that need to be submitted in bid proposals for evaluation purposes (i.e. Data Item Descriptions) are for evaluation purposes only, and will not be considered a delivered document under any resulting contract for UWSU.

4.2.1 Acquisition and In-Service Support Technical and Management Evaluation

Mandatory and point rated technical and management evaluation criteria are included in Volume 1 Annex D, Bid Evaluation Plan and its appendices.

4.2.2 Value Proposition Proposal Evaluation

Industrial and Technological Benefits and Value Proposition evaluation criteria are included in Volume 1, Annex F Industrial and Technological Benefits (ITB) Value Proposition Evaluation Plan.

4.2.3 Financial Evaluation

- a) The price of the bid will be evaluated in Canadian dollars, Applicable Taxes excluded, DAP destination, Canadian customs duties and excise taxes excluded.
- b) The resulting contracts will be awarded in Canadian currency. Bids submitted in a foreign currency will be converted to Canadian currency. The rate given by the Bank of Canada in effect on the bid solicitation closing date will be applied as a conversion factor to the bids submitted in foreign currency.
- c) For details on the financial evaluation, refer to Volume 1 - Bidders Instructions and Requirements, Annex A - Evaluation Procedures and Basis of Selection.

4.3 Basis of Selection

The basis of selection for this procurement is the responsive proposal representing Best Value for Canada.

The methodology and application of the Best Value basis of selection is detailed in Volume 1 - Bidder Instructions and Requirements, Annex A - Evaluation Procedures and Basis of Selection.

PART 5 – CERTIFICATIONS

Bidders must provide the required certifications and additional information to be awarded a contract.

The certifications provided by Bidders to Canada are subject to verification by Canada at all times. Unless specified otherwise, Canada will declare a bid non-responsive, or will declare a contractor in default, if any certification made by the Bidder is found to be untrue, whether made knowingly or unknowingly, during the bid evaluation period or during the contract period.

The Contracting Authority will have the right to ask for additional information to verify the Bidder's certifications. Failure to comply and to cooperate with any request or requirement imposed by the Contracting Authority will render the bid non-responsive or constitute a default under the Contract.

5.1 Certifications Required with the Bid

Bidders must submit the following duly completed certifications as part of their bid.

5.1.1 Integrity Provisions - Declaration of Convicted Offences

In accordance with the *Ineligibility and Suspension Policy* (<http://www.tpsgc-pwgsc.gc.ca/ci-if/politique-policy-eng.html>), the Bidder must provide with its bid the required documentation, as applicable, to be given further consideration in the procurement process.

5.1.2 Status and Availability of Resources

The Bidder certifies that, should it be awarded a contract as a result of the bid solicitation, every individual proposed in its bid will be available to perform the Work as required by Canada's representatives and at the time specified in the bid solicitation or agreed to with Canada's representatives. If for reasons beyond its control, the Bidder is unable to provide the services of an individual named in its bid, the Bidder may propose a substitute with similar qualifications and experience. The Bidder must advise the Contracting Authority of the reason for the substitution and provide the name, qualifications and experience of the proposed replacement. For the purposes of this clause, only the following reasons will be considered as beyond the control of the Bidder: death, sickness, maternity and parental leave, retirement, resignation, dismissal for cause or termination of an agreement for default.

If the Bidder has proposed any individual who is not an employee of the Bidder, the Bidder certifies that it has the permission from that individual to propose his/her services in relation to the Work to be performed and to submit his/her résumé to Canada. The Bidder must, upon request from the Contracting Authority, provide a written confirmation, signed by the individual, of the permission given to the Bidder and of his/her availability. Failure to comply with the request may result in the bid being declared non-responsive.

Name (please print)

Signature

Date

5.1.3 Education and Experience

The Bidder certifies that all the information provided in the résumés and supporting material submitted with its bid, particularly the information pertaining to education, achievements, experience and work history, has been verified by the Bidder to be true and accurate. Furthermore, the Bidder warrants that every individual proposed by the Bidder for the requirement is capable of performing the Work described in the resulting contract.

Name (please print)

Signature

Date

5.2 Certifications Precedent to Contract Award and Additional Information

The certifications and additional information listed below should be submitted with the bid but may be submitted afterwards. If any of these required certifications or additional information is not completed and submitted as requested, the Contracting Authority will inform the Bidder of a time frame within which to provide the information. Failure to provide the certifications or the additional information listed below within the time frame specified will render the bid non-responsive.

5.2.1 Integrity Provisions – Required Documentation

In accordance with the Ineligibility and Suspension Policy (<http://www.tpsgc-pwgsc.gc.ca/ci-if/politique-policy-eng.html>), the Bidder must provide the required documentation, as applicable, to be given further consideration in the procurement process.

5.2.2 Federal Contractors Program for Employment Equity - Bid Certification

By submitting a bid, the Bidder certifies that the Bidder, and any of the Bidder's members if the Bidder is a Joint Venture, is not named on the Federal Contractors Program (FCP) for employment equity "FCP Limited Eligibility to Bid" list available from Employment and Social Development Canada (ESDC) - Labour's website.

http://www.esdc.gc.ca/en/jobs/workplace/human_rights/employment_equity/federal_contractor_program.page

Canada will have the right to declare a bid non-responsive if the Bidder, or any member of the Bidder if the Bidder is a Joint Venture, appears on the "FCP Limited Eligibility to Bid" list at the time of contract award.

Canada will also have the right to terminate the Contract for default if a Contractor, or any member of the Contractor if the Contractor is a Joint Venture, appears on the "FCP Limited Eligibility to Bid" list during the period of the Contract.

http://www.esdc.gc.ca/en/jobs/workplace/human_rights/index.page

The Bidder must provide the Contracting Authority with a completed Volume 1, Annex C, titled Federal Contractors Program for Employment Equity - Certification, before contract award. If the Bidder is a Joint Venture, the Bidder must provide the Contracting Authority with a completed Annex C Federal Contractors Program for Employment Equity - Certification for each member of the Joint Venture.

PART 6 - SECURITY, FINANCIAL AND OTHER REQUIREMENTS

6.1 Security Requirements

1. Before award of a contract, the following conditions must be met:
 - (a) the Bidder must hold a valid organization security clearance as indicated in Volume 2, UWSU Acquisition Resulting Contract and Volume 3, UWSU In-Service Support Resulting Contract;
 - (b) the Bidder's proposed individuals requiring access to classified or protected information, assets or sensitive work sites must meet the security requirements as indicated in Volume 2, UWSU Acquisition Resulting Contract and Volume 3, UWSU In-Service Support Resulting Contract;
 - (c) the Bidder must provide the name of all individuals who will require access to classified or protected information, assets or sensitive work sites;

The Company Security Officer (CSO) must ensure through the Industrial Security Program (ISP) that the Bidder and proposed individuals hold a valid security clearance at the required level.
 - (d) the Bidder's proposed location of work performance and document safeguarding must meet the security requirements as indicated in Volume 2, UWSU Acquisition Resulting Contract and Volume 3, UWSU In-Service Support Resulting Contract;
 - (e) The Bidder must provide the addresses of proposed sites or premises of work performance and document safeguarding:

Street Number / Street Name, Unit / Suite / Apartment Number
City, Province, Territory / State
Postal Code / Zip Code
Country
 - (f) The Successful Bidder must complete and submit a Foreign Ownership, Control and Influence (FOCI) Questionnaire and associated documentation identified in the FOCI Guidelines for Organizations prior to contract award to identify whether a third party individual, firm or government can gain unauthorized access to CLASSIFIED NATO / FOREIGN information/assets. Public Works and Government Services Canada (PWGSC) will determine if the company is "Not Under FOCI" or "Under FOCI". When an organization is determined to be Under FOCI, PWGSC will ascertain if mitigation measures exist or must be put in place by the company so it can be deemed "Not Under FOCI through Mitigation".
2. Bidders are reminded to obtain the required security clearance promptly. Any delay in the award of a contract to allow the successful Bidder to obtain the required clearance will be at the entire discretion of the Contracting Authority.
3. For additional information on security requirements, Bidders should refer to the Industrial Security Program (ISP) of Public Works and Government Services Canada (<http://ssi-iss.tpsgc-pwgsc.gc.ca/index-eng.html>) website.

6.2 Financial Capability

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- 1) **Financial Capability Requirement:** The Bidder must have the financial capability to fulfill this requirement. To determine the Bidder's financial capability, the Contracting Authority may, by written notice to the Bidder, require the submission of some or all of the financial information detailed below during the evaluation of bids. The Bidder must provide the following information to the Contracting Authority within fifteen (15) working days of the request or as specified by the Contracting Authority in the notice:
- a) Audited financial statements, if available, or the unaudited financial statements (prepared by the Bidder's outside accounting firm, if available, or prepared in-house if no external statements have been prepared) for the Bidder's last three fiscal years, or for the years that the Bidder has been in business if this is less than three years (including, as a minimum, the Balance Sheet, the Statement of Retained Earnings, the Income Statement and any notes to the statements).
 - b) If the date of the financial statements in (a) above is more than five months before the date of the request for information by the Contracting Authority, the Bidder must also provide, unless this is prohibited by legislation for public companies, the last quarterly financial statements (consisting of a Balance Sheet and a year-to-date Income Statement), as of two months before the date on which the Contracting Authority requests this information.
 - c) If the Bidder has not been in business for at least one full fiscal year, the following must be provided:
 - i) the opening Balance Sheet on commencement of business (in the case of a corporation, the date of incorporation); and
 - ii) the last quarterly financial statements (consisting of a Balance Sheet and a year-to-date Income Statement) as of two months before the date on which the Contracting Authority requests this information.
 - d) A certification from the Chief Financial Officer or an authorized signing officer of the Bidder that the financial information provided is complete and accurate.
 - e) A confirmation letter from all of the financial institution(s) that have provided short-term financing to the Bidder outlining the total of lines of credit granted to the Bidder and the amount of credit that remains available and not drawn upon as of one month prior to the date on which the Contracting Authority requests this information.
 - f) A detailed monthly Cash Flow Statement covering all the Bidder's activities (including the requirement) for the first two years of the requirement that is the subject of the bid solicitation, unless this is prohibited by legislation. This statement must detail the Bidder's major sources and amounts of cash and the major items of cash expenditures on a monthly basis, for all the Bidder's activities. All assumptions made should be explained as well as details of how cash shortfalls will be financed.
 - g) A detailed monthly Project Cash Flow Statement covering the first two years of the requirement that is the subject of the bid solicitation, unless this is prohibited by legislation. This statement must detail the Bidder's major sources and amounts of cash and the major items of cash expenditures, for the requirement, on a monthly basis. All assumptions made should be explained as well as details of how cash shortfalls will be financed.
- 2) If the Bidder is a Joint Venture, the financial information required by the Contracting Authority must be provided by each member of the Joint Venture.

- 3) If the Bidder is a subsidiary of another company, then any financial information in 1. (a) to (f) above required by the Contracting Authority must be provided by the ultimate parent company. Provision of parent company financial information does not by itself satisfy the requirement for the provision of the financial information of the Bidder, and the financial capability of a parent cannot be substituted for the financial capability of the Bidder itself unless an agreement by the parent company to sign a Parental Guarantee, as drawn up by Public Works and Government Services Canada (PWGSC), is provided with the required information.
- 4) **Financial Information Already Provided to PWGSC:** The Bidder is not required to resubmit any financial information requested by the Contracting Authority that is already on file at PWGSC with the Contract Cost Analysis, Audit and Policy Directorate of the Policy, Risk, Integrity and Strategic Management Sector, provided that within the above-noted time frame:
 - a) the Bidder identifies to the Contracting Authority in writing the specific information that is on file and the requirement for which this information was provided; and
 - b) the Bidder authorizes the use of the information for this requirement.

It is the Bidder's responsibility to confirm with the Contracting Authority that this information is still on file with PWGSC.
- 5) **Other Information:** Canada reserves the right to request from the Bidder any other information that Canada requires to conduct a complete financial capability assessment of the Bidder.
- 6) **Confidentiality:** If the Bidder provides the information required above to Canada in confidence while indicating that the disclosed information is confidential, then Canada will treat the information in a confidential manner as permitted by the Access to Information Act, R.S., 1985, c. A-1, Section 20(1) (b) and (c).
- 7) **Security:** In determining the Bidder's financial capability to fulfill this requirement, Canada may consider any security the Bidder is capable of providing, at the Bidder's sole expense (for example, an irrevocable letter of credit from a registered financial institution drawn in favour of Canada, a performance guarantee from a third party or some other form of security, as determined by Canada).

6.3 Controlled Goods Requirement

1. As the resulting contract will require the production of or access to controlled goods that are subject to the *Defence Production Act*, R.S. 1985, c. D-1, bidders are advised that within Canada only persons who are registered, exempt or excluded under the Controlled Goods Program (CGP) are lawfully entitled to examine, possess or transfer controlled goods. Details on how to register under the CGP are available at: Controlled Goods Program and registration is carried out as follows:
 - a) When the bid solicitation includes controlled goods information or technology, the Bidder must be registered, exempt or excluded under the CGP before receiving the bid solicitation. Requests for technical data packages or specifications related to controlled goods should be made in writing to the Contracting Authority identified in the bid solicitation and must contain the CGP registration number or written proof of exemption or exclusion of the Bidder and of any other person to whom the Bidder will give access to the controlled goods.

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- b) When the bid solicitation does not include controlled goods information or technology but the resulting contract requires the production of or access to controlled goods, the successful Bidder and any subcontractor who will be producing or accessing controlled goods must be registered, exempt or excluded under the CGP before examining, possessing or transferring controlled goods.
- c) When the successful Bidder and any subcontractor proposed to examine, possess or transfer controlled goods are not registered, exempt or excluded under the CGP at time of contract award, the successful Bidder and any subcontractor must, within seven (7) working days from receipt of written notification of contract award, ensure that the required application(s) for registration or exemption are submitted to the CGP. No examination, possession or transfer of controlled goods must be performed until the successful Bidder has provided proof, satisfactory to the Contracting Authority that the successful Bidder and any subcontractor are registered, exempt, or excluded under the CGP.

Failure to provide proof, satisfactory to the Contracting Authority, that the successful Bidder and any subcontractor are registered, exempt or excluded under the CGP, within thirty (30) calendar days from receipt of written notification of contract award, must be considered a default under the resulting contract except to the extent that Canada is responsible for the failure due to delay in processing the application.

2. Bidders are advised that all information on the Application for Registration (or exemption) Form will be verified and errors or inaccuracies may cause significant delays and/or result in denial of registration or exemption.

6.4 Additional Costing Information

Acquisition costing information is requested by Canada. This information will help facilitate Canada's internal procurement processes and assist in preparation for contract award;

This costing information will not be evaluated, will not form part of the resulting acquisition contract (Volume 2), and is submitted on a voluntary basis.

A template summary of the requested costing information is outlined at Annex G of this Volume 1, and is based on notional components and capabilities to be delivered as goods and services in response to this RFP.

Annex G is only a guide to the requested costing information. Further costing detail or an alternate format to express the level of detail Canada desires is acceptable to allow bidders to align the information to their particular solution.