



“Open by Default” Portal Pilot Procurement Call for Proposals (CFP) - Amendment

Date: August 4, 2017

Solicitation No.: 24062-180072/B

Amendment No.: 001

GETS Reference Number: PW-17-00788470

Closing date: Please refer to the tender notice on BuyandSell.gc.ca

Proposal Submission details are included in this Call for Proposals document.

Issuing Office:

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This amendment is raised to answer questions posed by suppliers under the Letter of Interest (<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-17-00786791>) and to update Attachment 1 accordingly.

1. At Attachment 1 – Questions and Answers;

INSERT:

Q.1 How did the Open by Default Pilot Portal come to use the restricted source "OpenText Content Server" as its internal departmental document repository?

A.1 The Open by Default Pilot Portal uses Drupal, open source, as the Content Management System. The government of Canada's standardized electronic document and records management solution (EDRMS) is based on the OpenText Content Server suite, as per the contract awarded in 2006. Government information assets are stored in several departments' instances of Content Server. The Open by Default Pilot Portal leverages the OpenText Content Server to make information assets available on the portal based on:

- the ease of transferring information assets between Content Server environments,
- the technical expertise with the Content Server solution throughout the Government of Canada since its government-wide use, and
- the ability to leverage licenses of Content Server already procured for the Government of Canada.

Q.2 On what date is that particular internal departmental document repository solution requirement due to be re-opened for competitive bidding?

A.2 Questions related to the procurement of the electronic document and records management solution (EDRMS) should be directed to Science and Software Systems Procurement Directorate of Public Services and Procurement Canada at following email address: Mark.Martell@tpsgc-pwgsc.gc.ca.

Q3. In what specific ways would a GNU GPL 3.0 license (for example) run afoul of the objectives of the open government initiative?

A3. The GNU GPL 3.0 License and similar licenses are more restrictive than the MIT License. For example, the MIT License can be combined with other Licenses including the GNU License for the Open by Default Pilot Portal's open source Data Catalogue (CKAN).

Q4. How did Public Services and Procurement Canada come to use the restricted source GitHub platform as its exclusive source code repository?

A4. Public Services and Procurement Canada does not use GitHub exclusively as a source code repository.

Treasury Board of Canada Secretariat is using GitHub.com as it is the source of record for open source projects that Open Government initiative is extending, in particular CKAN from the Open Knowledge Foundation (OKFN). This enables Canada to work with other open source contributors to CKAN and it simplifies and reduces the effort required to work with, benefit from, and contribute back to the core CKAN from the OFKN.

Q5. Do the following requirements not apply to the Public Services and Procurement Canada's reference to a particular branded online service such as GitHub?

(a) WTO Revised Agreement on Government Procurement, Article X, Paragraph 3: "Where design or descriptive characteristics are used in the technical specifications, a procuring



entity should indicate, where appropriate, that it will consider tenders of equivalent goods or services that demonstrably fulfil the requirements of the procurement by including words such as "or equivalent" in the tender documentation."

(b) North American Free Trade Agreement (NAFTA), Part Four: Government Procurement. Chapter Ten, Article 1007: Technical Specifications, Paragraph 3: "Each Party shall ensure that the technical specifications prescribed by its entities do not require or refer to a particular trademark or name, patent, design or type, specific origin or producer or supplier unless there is no sufficiently precise or intelligible way of otherwise describing the procurement requirements and provided that, in such cases, words such as "or equivalent" are included in the tender documentation."

- A5. The requirement is excluded from the North American Free Trade Agreement (NAFTA) as per Annex 1001.1b-2 Research and Development, all classes, and excluded from the application of the World Trade Organization – Agreement on Government Procurement (WTO-AGP) under Appendix 1, Annex 4.