

Advance Contract Award Notice (ACAN) 1000337546  
for  
Provision of accommodated French Language Training for an individual  
with Dyslexia

An ACAN is a public notice indicating to the supplier community that a department or agency intends to award a contract for goods or services 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.

### Requirement Description

The Canada Revenue Agency (CRA) has a requirement for the services of a Contractor to provide accommodated French language training for an employee with learning disabilities associated with dyslexia.

The CRA Directive on Language Training states, “the CRA encourages and promotes learning and development of a second official language among its employees so that they may provide services to the public and other employees in both official languages, in accordance with the provisions of the *Official Languages Act*<sup>1</sup>, and achieve their career expectations.” Accommodated full-time, one-on-one French language training is required to meet the language requirements of a bilingual position staffed on a non-imperative basis. The required training will assist the learner to achieve the “**CBC**” level in French as Second Language in accordance with the Public Service Commission standards (<http://www.psc-cfp.gc.ca/ppc-cpp/sle-els/cand-info-cand-eng.htm>).

The CRA requires that a learning plan be developed and customized to the employee’s needs while keeping with the recommendations set out in the neuropsychology assessment. Among other components of the individualized training plan, the Total Physical Response (TPR) approach will be used. This method emphasizes vocabulary and syntax learning through thematic discussions using the following schemes:

- Verb tense discrimination ability (to learn to pick the right verb tense within speech context)
- Emphasis on comprehension (to acquire vocabulary and French rhythm through repetition)
- Direct structure acquisition (to develop the ability to move from one structure to another such as the interrogative versus the affirmative form)

In addition, the Simultaneous Multisensory approach will be used. This method facilitates language learning for individuals with learning disabilities particular to dyslexia. It offers highly customized and diagnostically personalized accommodations to all individuals confronted with the challenges of learning a second language and embodies the development of phonemic and phonological learning techniques through the following schemes:

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<sup>1</sup> The Official Languages Act can be found on the Department of Justice web site at: <http://laws-lois.justice.gc.ca/eng/acts/O-3.01/>

- Auditory and visual discrimination ability (to build and consolidate the sound/concept association)
- Emphasis on diction (to consolidate the French rhythm)
- Imageless direct word learning (to develop awareness of the French synoptic chart)

**Minimum Essential Requirements:**

The Contractor will provide accommodated full-time, French language training to meet the needs of a CRA employee with learning disabilities associated with dyslexia.

Accommodations must include the recommendations set out by the neuropsychology assessment and other requirements which include but are not limited to:

- Multi-Sensory Teaching Methods including but not limited to Total Physical Response (TPR) and the Simultaneous Multisensory approach.
- Access to a computer and Dragon Naturally Speaking Recognition (or like) software, for the purposes of learning.
- The ability to recognize and test for different types of dyslexia and adjust teaching methodology as required.
- Provide all written material to the student on colored paper using large print size (at least 12 pt font).
- The Contractor must allow the student to record teaching sessions and/or meetings.
- The Contractor's facilities must be adapted to meeting the needs of individuals with dyslexia including, but not limited to, full spectrum or like lighting and a private and quiet learning space.
- The instructor must have a minimum of one (1) year experience within the last five (5) years with multi-sensory teaching methods and in teaching and accommodating the needs of individuals with dyslexia.
- The instructor must have a post secondary degree in a field related to language training.
- The instructor must have a current certification in SMT (Simultaneous Multi-Sensory Teaching) and be authorized by the Canadian Dyslexia centre to teach using the SMT method.

The Contractor must prepare and submit student attendance reports (signed by the student and instructor) with all invoices.

The Contractor must conduct periodic assessments of the employee's French language proficiency to determine whether the student continues to progress or plateaus in learning the French language. Periodic assessments will be performed bi-monthly or more frequently if requested by the student or the CRA. The results of all assessments will be shared with the employee and the CRA.

Training must be offered one-on-one with a group component.

Training hours will be offered between 7:00 a.m. to 3:00 p.m. or as otherwise agreed upon by CRA, the student and the Contractor.

Language training must be delivered in Ottawa, Ontario.

### **Proposed Contractor**

Name: AFL Canada Inc.  
Address: B100 - 1505 Laperriere Ave  
Ottawa, ON  
K1Z 7T1

### **Proposed Period of Contract**

The period of the contract shall be six (6) months from the date of contract award, with the option to extend the period of the contract for up to two (2) additional six (6) month periods.

### **Estimated Value of the Proposed Contract**

The proposed contract, including all options is estimated at \$ 79,560.00 GST/HST included

### **Sole Source Justification**

Simultaneous Multisensory Teaching (SMT) Program has been acknowledged as the only appropriate method for language training for individuals with dyslexia. AFL Canada Inc. is the only know service provider in the National Capital Region that is SMT certified by the Canadian Dyslexia Association.

### **Applicable Limited Tendering Reasons**

The Canada Revenue Agency (CRA) is proposing to award a contract as described above in accordance with the following exceptions:

#### CRA Contracts Directive

Article 5.2c. of the CRA Contracts Directive is being invoked for this procurement as only one person or firm is capable of performing this contract.

#### Agreement on Internal Trade (AIT)

Annex 4.4 articles 506.12(a) and 506.12(b) of AIT are applicable on the basis of limited tendering to ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative, and where there is an absence of competition for technical reasons and the goods or services can be supplied only by a particular supplier and no alternative or substitute exists.

### North American Free Trade Agreement (NAFTA)

Article 1016.2(b) of NAFTA is applicable on the basis of limited tendering due to reasons where, for works of art, or for reasons connected with the protection of patents, copyrights or other exclusive rights, or proprietary information or where there is an absence of competition for technical reasons, the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists.

Article 1016.2(d) of NAFTA is applicable on the basis of additional deliveries by the original supplier that are intended either as replacement parts or continuing services for existing supplies, services or installations, or as extension of existing supplies, services or installations, where a change of supplier would compel the entity to procure equipment or services not meeting requirements of interchangeability with existing equipment or services, including software to the extent that the initial procurement of the software was covered by this chapter

### Canada Chile Free Trade Agreement (CCFTA)

Articles 9 1. (b) and 9 1. (c) of CCFTA are applicable on the basis of awarding contracts by means other than open tendering [b] where, for works of art, or for reasons connected with the protection of patents, copyrights or other exclusive rights, or proprietary information or where there is an absence of competition for technical reasons, the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists; [c] for additional deliveries by the original supplier that are intended either as replacement parts, extensions, or continuing services for existing equipment, software, services or installations, where a change of supplier would compel the entity to procure goods or services not meeting requirements of interchangeability with existing equipment, software, services, or installations.

### Canada Columbia Free Trade Agreement (CCoFTA)

CCoFTA allows for sole sourcing on the following basis:

Article 1409.1 (b) (iii) is applicable where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist due to an absence of competition for technical reasons.

### Canada Panama Free Trade Agreement (CPaFTA)

CPaFTA allows for sole sourcing on the following basis:

Article 16.10 1. (b) (iii) is applicable if the procurement can be carried out only by a particular supplier and a reasonable alternative or substitute does not exist because of the absence of competition for technical reasons.

### Canada Peru Free Trade Agreement (CPFTA)

Article 1409 1. b) and c) in Chapter 14 of the CPFTA allows for sole sourcing “where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist [pertaining to] (ii) the protection of patents, copyrights or other exclusive rights” or “for additional deliveries by the original

supplier of goods or services that were not included in the initial procurement where a change of supplier for such goods and services (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement.”

World Trade Organization – Agreement on Government Procurement (WTO-AGP)

Article XIII 1 (b) and (c) of WTO-AGP is applicable on the basis of limited tendering

1 (b) where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:

- (i) the requirement is for a work of art;
- (ii) the protection of patents, copyrights or other exclusive rights;
- (iii) due to an absence of competition for technical reasons;

1 (c) for additional deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods or services:

- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; and (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity;

**Supplier’s Rights**

Suppliers who consider themselves fully qualified and available to provide the services/goods described herein, may submit a Statement of Capabilities in writing to the Contracting Authority 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.

When submitting a Statement of Capabilities to the Contracting Authority, the supplier must reference the following on the outside of the envelope or on the covering page, in the case of a facsimile transmission:

- CRA file number 1000337546
- Contracting Authority’s name; and
- Closing date of the ACAN.

When submitting a Statement of Capabilities by e-mail, the supplier must direct the email to the attention of the Contracting Authority and reference the CRA file number and the ACAN closing date in the subject line.

**CLOSING DATE FOR STATEMENT OF CAPABILITIES: 2:00 pm DST December 6, 2017.**

The Crown retains the right to negotiate with suppliers on any procurement.

Documents may be submitted in either official language of Canada.

Inquiries and submission of statements of capabilities

**Contracting Officer**

Name: Steve Gilroy

Title: Senior Supply Business Analyst

Section: Contracting

Directorate: Administration

Canada Revenue Agency

Address: 250 Albert St, 8<sup>th</sup> floor, Ottawa ON, K1A 0L5

Telephone: 613.218-3991

Fax: 613.948.2459

E-Mail: [Steve.Gilroy@cra-arc.gc.ca](mailto:Steve.Gilroy@cra-arc.gc.ca)