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ADVANCE CONTRACT AWARD NOTICE: (ACAN) # 01B68-17-0037

The Department of Agriculture and Agri-food Canada (AAFC) has a requirement for the provision of equipment maintenance for Thermo equipment located at the Vineland Innovation Research Centre

The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to Thermo Fisher Scientific, Mississauga, Ontario.

Before awarding a contract, however, the government provides other suppliers with the opportunity to demonstrate that they are capable of satisfying the requirements set out in this Notice, by submitting a statement of capabilities during the fifteen calendar day posting period.

If other potential suppliers submit a statement of capabilities during the fifteen calendar day posting period that meet the requirements set out in the ACAN, the government will proceed to a full tendering process on either the government's electronic tendering service or through traditional means, in order to award the contract.

If no other supplier submits, on or before the closing date, a statement of capabilities meeting the requirements set out in the ACAN, a contract will be awarded to the pre-selected supplier.

BACKGROUND

The Department of Agriculture and Agri-Food Canada has a requirement for the maintenance of laboratory equipment located in Vineland under the Minor Use Program (MUP) The work will involve the maintenance/support plan for the TSQ 800 EVO triple Quadrupole Mass Spec and the AS 1310 with 155 sample tray for TRACE 1.

The support plan will include the following:

- ~ *Unlimited number of demand on-site service visits with a maximum 72-hour response*
- ~ *Engineer labor and travel is included*
- ~ *Priority status for technical support inquiries*
- ~ *One (1) Scheduled Preventative Maintenance visit*
- ~ *Thermo Scientific supplied personal computers are covered*
- ~ *Factory-certified replacement parts included*
- ~ *Software updates and notifications*
- ~ *Subscription to e-Support Online Technical Resources*
- ~ *One time 10% discount on Parts, Accessories or Consumables for end user during active contract. Contact our parts group at Unity Priority line 1-877-594-3224 and mention the Loyalty PACs program.*
- ~ *Software updates and notifications. Updates are defined as Software revisions that provide minor changes that are needed to correct or improve the previous version of the software. Software updates are normally indicated by a software revision number change e.g. version 1.1 to version 1.2.*
- ~ *Computers purchased from Thermo and are required for the operation of the system is covered under a Support Plan. Replacement of Computers that required an Upgrade to new operating systems are not included in a Support Plan.*

Base coverage exclusions:

- ~ Computers and/or software not provided and/or installed with the system by Thermo Scientific
- ~ Hardware and operating system upgrades
- ~ Software upgrades from lower to higher version
- ~ Replacing a computer hard drive with one of larger capacity
- ~ Software packages offering features beyond those purchased
- ~ Any power equipment, e.g. UPS (uninterruptable power supply), power conditioner, or isolation transformer
- ~ Buy-in parts and engineering specials.
- ~ Consumable items and parts such as (but not limited to) bottles, calibration materials, solvents, vials, caps, septa, columns, ferrules, filters, frits, injection port liners, gaskets, ion exchange resin, lamps, filaments, photomultipliers, reaction tubes, source parts, mobile phases, DEP emitters, electron multipliers, glass jet separators, heated capillaries, ion gauges, ion volumes, pump oil, gases, data media, integrator paper
- ~ Sample concentrator plumbing parts (transfer lines, fittings, etc.)
- ~ Service of radioactive sources, including preparation, packing and shipment of them to authorized servicing organizations
- ~ Systems, products, and components that have reached the end of guaranteed support period (declared obsolete) and, therefore, cannot be serviced due the lack of spare parts and consumables
- ~ Complete system replacement
- ~ Operator training

ESTIMATE OF COSTS

The proposed contract is for one year with two option years. The service will be effective as of December 19, 2017. The estimated value of the contract is \$51,338.16 (applicable taxes included) for all contract periods, if exercised.

MINIMUM ESSENTIAL REQUIREMENTS

Any interested supplier must demonstrate by way of a statement of capabilities that it has the capacity to provide the same services listed in the support plan listed above

GOVERNMENT OF CANADA REGULATIONS EXCEPTION

The Treasury Board's Government Contract Regulations, Part 10.2.1 Section 6 states there are four exceptions that permit the contracting authority to set aside the requirement to solicit bids. This includes:

- d. "only one supplier person or firm is capable of performing the contract."

LIMITED TENDERING PROVISIONS IN ACCORDANCE WITH THE TRADE AGREEMENTS

The North American Free Trade Agreement, the World Trade Organization - Agreement on Government Procurement, and the Agreement on Internal Trade permit the contracting authority to set aside the requirement to solicit bids under the following condition:

- b) "For works of art, reasons connected with protecting patents, copyrights, other exclusive rights, or proprietary information or where there is an absence for technical reasons, the goods or

services can be supplied by a particular supplier and no reasonable alternative or substitute exists”

JUSTIFICATION FOR THE PRE-SELECTED SUPPLIER

Thermo Fisher Scientific instruments are electronically sophisticated and chemically sensitive. Because of their unique technical nature, the repair, maintenance and calibration services can only be performed by them.

Thermo Fisher Scientific is the sole supplier able to provide:

- proprietary factory recommended upgrades and service notes
- factory authorized escalation to resolve difficult service problems.
- replacement instrumentation under a Service Guarantee.
- software updates and Software Validation Services.
- factory-recommended consumable and replacement parts..

SUPPLIERS RIGHT TO SUBMIT A STATEMENT OF CAPABILITIES

Suppliers who consider themselves fully qualified and available to meet the specified requirements 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.

The closing date and time for accepting statements of capabilities is December 13, 2017 at 12:00 p.m.

Inquiries and statements of capabilities are to be directed via email to:

Agriculture and Agri-Food Canada (AAFC)
Central Material Management Centre (CMMC)
Professional Services Contracting Unit
1285 Baseline Road, T5-2-339
Ottawa, Ontario K1A 0C5
Attention: David Hickman, Senior Contracting Specialist
Solicitation Number: ACAN: 01B68-17-0037

Statements of capabilities must be sent on or before the closing date/time. Statement of capabilities received on or before the closing date will be considered solely for the purpose of deciding whether or not to conduct a more extensive tendering process. Information provided will be used by the Crown for technical evaluation purposes only with respect to a decision to proceed to a further competitive process.

Suppliers that have submitted a statement of capabilities will be notified in writing of AAFC's decision to proceed to award the contract without a further additional tendering process.

Should you have any questions concerning this requirement, contact the contracting officer identified above. The AAFC file number, the contracting officer's name and the closing date of the ACAN must appear on the outside of the envelope in block letters or, in the case of facsimile transmission, on the covering page.

The Crown retains the right to negotiate with suppliers on any procurement. Documents may be submitted in either official language of Canada.