

ADVANCE CONTRACT AWARD NOTICE (ACAN)

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 Requirements

The Contractor will provide to NRCan two (2) year maintenance and support services as well as parts and labour on Rigaku's micro-focus x-ray diffraction instrument which includes the following components: D/Max Rapid II, MicroMax-007 HF, Haskris Chiller, VariMax HR Optic located on the 4th Floor Mining and Minerak Science Lab, 555 Booth Street, Ottawa ON. K1A 0E4

The coverage includes:

- all onsite labour and repair for two (2) Preventative Maintenance service visits per year;
- Emergency service visits, as deemed necessary;
- A 72 hour/best effort onsite service response is available;
- Repair hours are Monday through Friday 8:00 a.m. to 5:00 p.m. Saturday, Sunday and recognized holidays are excluded;
- One (1) anode rebuild (includes rebuild kit, Cu anode cup, balancing, labour and shipping) to be used during the contract period.

3. Criteria for Assessment of the Statement of Capabilities

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

- a) The supplier must have at least 4 years experiences maintaining and supporting this type of instrument (and brand) and its parts;
- b) The supplier must have demonstrated evidence that it has access to proprietary design specifications, drawings and details of the instrument;
- c) The supplier must demonstrate their capacity to be able to provide annual maintenance and support services of the instrument including but not limited to: (1) cleaning, balancing and rebuilding of the rotating anode at the manufacturer's facility, (2) providing replacement parts of the instrument if needed and (3) performing routine alignments and cleaning of the confocal multilayer X-ray optics and the large aperture curved image plate;

- d) The supplier must have engineer(s) with the ability to perform diagnostic and repair services at short notices.
- e) The Supplier must have the necessary approval to send the parts to the manufacturer for a replacement parts.
- f) In the event of an inadequate repair, the provider must be able to provide (at no charge) a fully working instrument to replace the nonfunctional instrument.

4. Trade Agreements

N/A

5. Justification for the Pre-Identified Supplier

The supplier mentioned in section 10 below is the only known supplier that meets the mandatory criteria set out in section 3 above and is able to provide the services described in Section 2

Should Canada receive a statement of capabilities from a supplier that contains sufficient information to indicate that it meets the requirements set forth in this ACAN, a competitive process will be triggered with a technical and financial evaluation methodology of the bids proposed by the potential bidders

6. Exception to the Government Contracts Regulations and applicable trade agreements

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”.

The identified provider, Rigaku Americas Corporation, is the only one able to meet all of the criteria identified in paragraph 3 above as well as provide the services in Section 2

7. Exclusions and/or Limited Tendering Reasons

Not subject to Trade Agreements since the value is below trade agreement thresholds

8. Contract Period

The contract period will be from March 6 2018 to February 28, 2020.

9. Estimated Cost

The estimated maximum value of the contract is \$73,123.00 CAD (\$82,628.99 taxes included).

10. Name and Address of the Proposed Contractor

Rigaku Americas Corporation
9009 New Trails Drive
The Woodlands, Texas
USA 77381

11. Suppliers' right to submit a statement of capabilities

“Suppliers who consider themselves fully qualified and available to provide the services/goods described herein, may submit a Statement of Capabilities in writing, preferably by e-mail, to the contact person identified in this Notice on or before the closing date and time of this Notice. The Statement of Capabilities must clearly demonstrate how the supplier meets the advertised requirements.”

12. Closing Date

The closing date for a submission of a Statement of Capabilities is March 5, 2018 at 14:00 Mountain Standard Time.

13. Contract Authority

Kingsley Okosun
5320 122nd Street, NW., Edmonton AB
T6H 3S5
780-435-7208
kingsley.okosun@canada.ca