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PART 1 - GENERAL INFORMATION

This bid solicitation cancels and supersedes previous bid solicitation number E6TOR-15RM03/C dated 2017/01/23 with a closing of 2017/03/09 at 2:00 p.m. EST.

1.1 Introduction

The Request for Supply Arrangements (RFSA) is divided into six parts plus attachments and annexes, as follows:

- Part 1 General Information: provides a general description of the requirement;
- Part 2 Supplier Instructions: provides the instructions applicable to the clauses and conditions of the RFSA;
- Part 3 Arrangement Preparation Instructions: provides Suppliers with instructions on how to prepare the arrangement to address the evaluation criteria specified;
- Part 4 Evaluation Procedures and Basis of Selection: indicates how the evaluation will be conducted, the evaluation criteria which must be addressed in the arrangement and the basis of selection;
- Part 5 Certifications and Additional Information: includes the certifications and additional Information: to be provided; and
- Part 6 6A, Supply Arrangement, 6B, Bid Solicitation, and 6C, Resulting Contract Clauses:
 - 6A, includes the Supply Arrangement (SA) with the applicable clauses and conditions;
 - 6B, includes the instructions for the bid solicitation process within the scope of the SA;
 - 6C, includes general information for the conditions which will apply to any contract entered into pursuant to the SA.

The Annexes include the Requirement, the Basis of Payment and any other annexes.

1.2 Summary

- 1.2.1 Request for Supply Arrangements (SA) for rental of light construction equipment, on behalf of Federal Government Departments located in the Ontario Region and Nunavut. This equipment includes but is not be limited to: powered and non-powered hand tools, ladders, scaffolding, work platforms and walk behind grounds keeping equipment. There is no pricing requested in this document as it will be used to pre-qualify bidders (by issuing Supply Arrangements) for future requests for quotations. The issuing of supply arrangements will be an ongoing process. The bid closing date on the first page of the RFSA represents the last date that a response can be submitted. Bidders may respond sooner and the resulting supply arrangement should be issued within one week from when the bid is submitted and determined to be compliant. Only supply arrangement holders will receive requests for quotations from Federal Government departments or agencies using this supply arrangement. There is no minimum call-up value. Individual call-ups including all amendments and Harmonized Sales Tax, must not exceed \$200,000. For call ups greater than \$200,000 the requirement will be advertised by PWGSC on the Government Electronic Tendering Service currently located at www.BuyandSell.gc.ca

1.2.2 The requirement is subject to the provisions of the World Trade Organization Agreement on Government Procurement (WTO-AGP), the North American Free Trade Agreement (NAFTA), and the Canadian Free Trade Agreement (CFTA).

1.2.3 This procurement is subject to the Nunavut Land Claims Agreement. Users will be required to provide a minimum of 15 days notice to beneficiary firms for NLCA whenever there is a requirement for equipment in the NLCA area. The NLCA beneficiary firms are listed at: <http://inuitfirm.tunnngavik.com/>.

1.3 Debriefings

Suppliers may request a debriefing on the results of the request for supply arrangements process. Suppliers should make the request to the Supply Arrangement Authority within 15 working days of receipt of the results of the request for supply arrangements process. The debriefing may be in writing, by telephone or in person.

PART 2 - SUPPLIER INSTRUCTIONS

2.1 Standard Instructions, Clauses and Conditions

All instructions, clauses and conditions identified in the Request for Supply Arrangements (RFSA) by number, date and title are set out in the [Standard Acquisition Clauses and Conditions Manual](https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual) (<https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual>) issued by Public Works and Government Services Canada.

Suppliers who submit an arrangement agree to be bound by the instructions, clauses and conditions of the RFSA and accept the clauses and conditions of the Supply Arrangement and resulting contract(s).

The 2008 (2016-04-04) Standard Instructions - Request for Supply Arrangements - Goods or Services, are incorporated by reference into and form part of the RFSA.

2.2 Submission of Arrangements

Arrangements 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 Request for Supply Arrangements.

2.3 Federal Contractors Program for Employment Equity - Notification

The Federal Contractors Program (FCP) for employment equity requires that some contractors make a formal commitment to Employment and Social Development Canada (ESDC) - Labour to implement employment equity. In the event that this Supply Arrangement would lead to a contract subject to the Federal Contractors Program (FCP) for employment equity, the bid solicitation and resulting contract templates would include such specific requirements. Further information on the Federal Contractors Program (FCP) for employment equity can be found on [Employment and Social Development Canada \(ESDC\) - Labour's](#) website.

2.4 Enquiries - Request for Supply Arrangements

All enquiries must be submitted in writing to the Supply Arrangement Authority no later than 15 calendar days before the Request for Supply Arrangements (RFSA) closing date. Enquiries received after that time may not be answered.

Suppliers should reference as accurately as possible the numbered item of the RFSA to which the enquiry relates. Care should be taken by Suppliers 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 Suppliers do so, so that the proprietary nature of the question(s) is eliminated, and the enquiry can be answered to all Suppliers. Enquiries not submitted in a form that can be distributed to all Suppliers may not be answered by Canada.

2.5 Applicable Laws

The Supply Arrangement (SA) and any contract awarded under the SA must be interpreted and governed, and the relations between the parties determined, by the laws in force in Ontario.

Suppliers may, at their discretion, substitute the applicable laws of a Canadian province or territory of their choice without affecting the validity of the arrangement, 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 Suppliers.

PART 3 - ARRANGEMENT PREPARATION INSTRUCTIONS

3.1 Arrangement Preparation Instructions

Canada requests that Suppliers provide the arrangement in separately bound sections as follows:

Section I: Technical Arrangement 1 hard copies

Section II: Certifications 1 hard copies

Canada requests that Suppliers follow the format instructions described below in the preparation of the arrangement.

- (a) use 8.5 x 11 inch (216 mm x 279 mm) paper;
- (b) use a numbering system that corresponds to that of the Request for Supply Arrangements.

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) (<http://www.tpsgc-pwgsc.gc.ca/ecologisation-greening/achats-procurement/politique-policy-eng.html>). To assist Canada in reaching its objectives, Suppliers should:

- 1) use 8.5 x 11 inch (216 mm x 279 mm) paper containing fibre certified as originating from a sustainably-managed forest and containing minimum 30% recycled content; and
- 2) use an environmentally-preferable format including black and white printing instead of colour printing, printing double sided/duplex, using staples or clips instead of cerlox, duotangs or binders.

Section I: Technical Arrangement

In the technical arrangement, Suppliers should explain and demonstrate how they propose to meet the requirements and how they will carry out the Work.

Section II: Certifications

Suppliers must submit the certifications required under Part 5.

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PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION

4.1 Evaluation Procedures

- (a) Arrangements will be assessed in accordance with the entire requirement of the Request for Supply Arrangements including the technical and financial evaluation criteria.
- (b) An evaluation team composed of representatives of Canada will evaluate the arrangements.

4.2 Basis of Selection

PWGSC will issue a Supply Arrangement to all suppliers that provide a completed Bid Submission Form (located in Annex "B") and the certifications required in Part 5.

PART 5 – CERTIFICATIONS AND ADDITIONAL INFORMATION

Suppliers must provide the required certifications and additional information to be issued a supply arrangement (SA).

The certifications provided by Suppliers to Canada are subject to verification by Canada at all times. Canada will declare an arrangement non-responsive, or will declare a contractor in default if any certification made by the Supplier is found to be untrue whether made knowingly or unknowingly during the arrangement evaluation period, or during the period of any supply arrangement arising from this RFSA and any resulting contracts.

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

5.1 Certifications Required with the Arrangement

Suppliers must submit the following duly completed certifications as part of their arrangement.

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) (<http://www.tpsgc-pwgsc.gc.ca/ci-if/politique-policy-eng.html>), the Supplier must provide with its arrangement the required documentation, as applicable, to be given further consideration in the procurement process.

5.2 Certifications Precedent to the Issuance of a Supply Arrangement and Additional Information

The certifications and additional information listed below should be submitted with the arrangement, but may be submitted afterwards. If any of these required certifications or additional information is not completed and submitted as requested, the Supply Arrangement Authority will inform the Supplier 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 provided will render the arrangement non-responsive.

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

PART 6 - SUPPLY ARRANGEMENT AND RESULTING CONTRACT CLAUSES

A. SUPPLY ARRANGEMENT

6.1 Arrangement

The Supply Arrangement covers the Work described in the Requirement at Annex A

6.2 Security Requirements

6.2.1 There is no security requirement applicable to this Supply Arrangement.

6.3 Standard Clauses and Conditions

All clauses and conditions identified in the Supply Arrangement and resulting contract(s) by number, date and title are set out in the [Standard Acquisition Clauses and Conditions Manual](https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual) (<https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual>) issued by Public Works and Government Services Canada.

6.3.1 General Conditions

2020 (2016-04-04) General Conditions - Supply Arrangement - Goods or Services, apply to and form part of the Supply Arrangement.

6.3.2 Supply Arrangement Reporting

The Supplier must compile and maintain records on its provision of goods, services or both to the federal government under contracts resulting from the Supply Arrangement. This data must include all purchases, including those paid for by a Government of Canada Acquisition Card.

The Supplier must provide this data in accordance with the reporting requirements detailed in Annex "B". If some data is not available, the reason must be indicated. If no goods or services are provided during a given period, the Supplier must still provide a "NIL" report.

The data must be submitted on a quarterly basis to the Supply Arrangement Authority.

The quarterly reporting periods are defined as follows:

- 1st quarter: April 1 to June 30;
- 2nd quarter: July 1 to September 30;
- 3rd quarter: October 1 to December 31;
- 4th quarter: January 1 to March 31.

The data must be submitted to the Supply Arrangement Authority no later than 30 calendar days after the end of the reporting period.

6.4 Term of Supply Arrangement

6.4.1 Period of the Supply Arrangement

The Supply Arrangement has no defined end-date and will remain valid until such time as Canada no longer considers it to be advantageous to use it.

The period for awarding contracts under the Supply Arrangement begins 1 December 2015.

6.4.2

The Supply Arrangement (SA) is for the delivery of the requirement detailed in the SA to the Identified Users across Ontario, **including** areas in Nunavut which are subject to Comprehensive Land Claims Agreements (CLCAs).

6.5 Authorities

6.5.1 Supply Arrangement Authority

The Supply Arrangement Authority is:

Name: Herb Choquette
Title: Supply Team Leader
Public Works and Government Services Canada
Acquisitions Branch
Directorate: Ontario Region
Address: 86 Clarence St. 2nd floor

Telephone: (613) 536-4874
Facsimile: (613) 545-8067
E-mail address: Herb.Choquette@pwgsc.gc.ca

The Supply Arrangement Authority is responsible for the issuance of the Supply Arrangement, its administration and its revision, if applicable.

6.5.2 Supplier's Representative *(Bidder to Fill in)*

Name: _____
Title: _____
Address: _____
Telephone: _____
Facsimile: _____
E-mail address: _____

6.6 Identified Users

The Identified Users include any government department, agency or Crown Corporation listed in Schedules I, I.1, II, III, of the *Financial Administration Act*, R.S., 1985, c. F-11.

6.7 On-going Opportunity for Qualification

A Notice will be posted once a year on the Government Electronic Tendering Service (GETS) to allow new Suppliers to become qualified. Existing qualified Suppliers, who have been issued a supply arrangement, will not be required to submit a new arrangement.

6.8 Priority of Documents

If there is a discrepancy between the wording of any documents that appear on the list, the wording of the document that first appears on the list has priority over the wording of any document that subsequently appears on the list.

- (a) the articles of the Supply Arrangement;
- (b) the general conditions 2020 (2016-04-04), General Conditions - Supply Arrangement - Goods or Services
- (c) Annex A, Requirement;
- (d) the Supplier's arrangement dated _____ (*insert date of arrangement*) (*if the arrangement was clarified or amended, insert at the time of issuance of the arrangement: "as clarified on _____" or "as amended _____". (Insert date(s) of clarification(s) or amendment(s), if applicable).*

6.9 Certifications

6.9.1 Compliance

The continuous compliance with the certifications provided by the Supplier in its arrangement and the ongoing cooperation in providing additional information are conditions of issuance of the Supply Arrangement (SA). Certifications are subject to verification by Canada during the entire period of the SA and of any resulting contract that would continue beyond the period of the SA. If the Supplier does not comply with any certification, fails to provide the additional information, or if it is determined that any certification made by the Supplier in the arrangement is untrue, whether made knowingly or unknowingly, Canada has the right to terminate any resulting contract for default and suspend or cancel the Supply Arrangement.

6.10 Applicable Laws

The Supply Arrangement (SA) and any contract resulting from the SA must be interpreted and governed, and the relations between the parties determined, by the laws in force in _____. (*Insert the name of the province or territory as specified by the Supplier in the arrangement, if applicable).*

6.11 Establishment of Supply Arrangement For Rotational Sourcing

PWGSC will provide to identified users the list of Supply Arrangement (SA) Holders. The list will be sorted in numerical order, based on the individual Supply Arrangement number of the SA Holder.

B. BID SOLICITATION

6.1 Bid Solicitation Documents

Canada will use the following bid solicitation templates based on the estimated dollar value and complexity of the requirement:

- Simple, for low dollar value requirements;
- Medium Complexity (MC) for medium complexity requirements;
- High Complexity (HC) for more complex requirements.

A copy of the template(s) can be provided upon request by contacting the Procurement Process Tools Division by sending a query to TPSGC.Outilsdapprovisionnement-ProcurementTools.PWGSC@tpsgc-pwgsc.gc.ca.

Note: References to the HC, MC and Simple templates in PWGSC Requests for Supply Arrangements are provided as examples only. The latest versions of the template and terms and conditions will be used at time of bid solicitation.

The bid solicitation will contain as a minimum the following:

- (a) security requirements (*if applicable*);
- (b) a complete description of the Work to be performed;
- (c) 2003, Standard Instructions - Goods or Services - Competitive Requirements; **OR** 2004, Standard Instructions - Goods or Services - Non-competitive Requirements;

" Subsection 3 of Section 01, Integrity Provisions - Bid of the Standard Instructions (*insert, as applicable: 2003 or 2004*) incorporated by reference above *is* deleted in its entirety and replaced with the following:

Subsection 3.a) of Section 01, Integrity Provisions - Bid of the Standard Instructions (*insert, as applicable: 2003 or 2004*) incorporated by reference above is deleted in its entirety and replaced with the following:

- a. at the time of submitting an arrangement under the Request for Supply Arrangements (RFSa), the Bidder has already provided a list of names, as requested under the Ineligibility and Suspension Policy. During this procurement process, the Bidder must immediately inform Canada in writing of any changes affecting the list of directors."
- (d) bid preparation instructions;
- (e) instructions for the submission of bids (address for submission of bids, bid closing date and time);
- (f) evaluation procedures and basis of selection;
- (g) financial capability (*if applicable*);
- (h) certifications;
 - **Federal Contractors Program (FCP) for Employment Equity - Notification**
 - **Integrity Provisions - Declaration of Convicted Offences;**

- (i) conditions of the resulting contract.

6.2 Bid Solicitation Process

6.2.1 Bids will be solicited for specific requirements within the scope of the Supply Arrangement (SA) from Suppliers who have been issued a SA.

6.2.2 The identified user will create, distribute and evaluate requests for quotation using the following forms for the first page of the bid solicitation document and the first page of the resulting contract document. These forms are available on the Electronic Forms Catalogue (http://publiservice-app.tpsgc-pwgsc.gc.ca/forms/text/search_for_forms-e.html) website.

PWGSC-TPSGC 9400-3, Bid Solicitation
PWGSC-TPSGC 9400-4, Contract

6.2.3 The bid solicitation will be sent directly to suppliers by the identified user.

6.2.4 The Supply Arrangement Holder must provide their bid to the location stated in the RFQ by the date, and time stated in the RFQ.

6.2.5 The Identified User will award the contract to the Supply Arrangement Holder who provides the lowest priced compliant quotation.

6.3 Bid Solicitation Requirements

6.3.1 Number of solicitations that must be sent out

For all requirements up to an estimated value of \$10,000.00, (HST included)

The Identified user must on a rotational basis issue a "Request for Quotation" (RFQ) to at least one SA Holder from the rotational source list provided by PWGSC.

For all requirements with an estimated value between \$10,001.00 and \$70,000.00 (HST included)

The Identified user must on a rotational basis issue a "Request for Quotation" (RFQ) to at least three SA Holders from the rotational source list provided by PWGSC.

For all requirements with an estimated value between \$70,001.00, and \$200,000.00 (HST included)

The Identified user must on a rotational basis issue a "Request for Quotation" (RFQ) to all of the SA Holders from the rotational source list provided by PWGSC.

6.3.2 Example of number of RFQ required to be sent to SA holders

Based on 6 SA holders in that indicated they would supply to the area.

Estimated Call-up	number of RFQs sent out
\$10,000.00	1
\$20,000.00	3
\$70,0000	3
\$75,0000	6

6.3.3 Nunavut Land Claims Agreement

When the procurement is subject to the Nunavut Land Claims Agreement, Users will be required to provide a minimum of 15 days notice to beneficiary firms for NLCA whenever there is a requirement for equipment in the NLCA area. The NLCA beneficiary firms are listed at: <http://inuitfirm.tunnigavik.com/>.

C. RESULTING CONTRACT CLAUSES

6.1 General

The conditions of any contract awarded under the Supply Arrangement will be in accordance with the resulting contract clauses of the template used for the bid solicitation.

For any contract to be awarded using the template:

- (a) **Simple** (for low dollar value requirements), general conditions 2029 will apply to the resulting contract;
- (b) **MC** (for medium complexity requirements), general conditions 2010C will apply to the resulting contract;
- (c) **HC** (for high complexity requirements), general conditions will apply to the resulting contract.

A copy of the template(s) can be provided upon request by contacting the Procurement Process Tools Division by sending a query to Outilsd'approvisionnement.ProcurementTools@tpsgc-pwgsc.gc.ca.

Note: References to the HC, MC and Simple templates in PWGSC Requests for Supply Arrangements are provided as examples only. The latest versions of the template and terms and conditions will be used at time of bid solicitation.

ANNEX "A", REQUIREMENT

Part 1, General

1.1 Description

The work comprises the furnishing of all labour, tools, materials, equipment and supervision required to provide equipment as detailed in Part 2 - Products, without operator and fuels, on an "as required" basis.

1.2 Work Included

- The supply and delivery of equipment to the job site as designated by the TA.
- Equipment maintenance on site.
- Removal including transportation of equipment from job site on completion of job.

Part 2 – PRODUCTS

2.1 Equipment

All equipment provided as part of the requested service must be in good condition and safe working order. Equipment that is included in the Supply Arrangement can include but is not limited to: powered and non-powered hand tools, ladders, scaffolding, work platforms and walk behind grounds keeping equipment.

Part 3 – EXECUTION

3.1 Work Requirement

1. All equipment will be supplied with fuels, oils, and lubricants. Equipment to be supplied with full fuel tank will be returned with full fuel tank.
2. If deemed necessary by the TA, all equipment shall be made available for inspection by the TA or his authorized representative prior to awarding contract.
3. Acceptance of equipment with capabilities and/or specifications other than those specified will be at the discretion of the TA only.
4. Failure to ensure the equipment to be free of mechanical defects may constitute grounds for not accepting equipment.
5. All required maintenance shall be the Supplier's responsibility and shall be carried out at a time so as not to interfere with a normal work day.
6. If the equipment cannot be maintained to operate efficiently, it shall be removed from the site by the Supplier, at the direction of the TA, and be replaced with another acceptable unit at no cost to Canada.
7. The Supplier will provide on-site repair service within four (4) hours of notification from the TA that their equipment is not usable for its intended purpose. If a breakdown of equipment exceeds twenty-four (24) hours, the Supplier shall, on instruction from the TA, provide a suitable replacement within forty-eight (48) hours of the notification of the breakdown, at no additional cost to CANADA. CANADA will not pay rent during any period which the equipment is not usable.

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ANNEX "B", STANDING OFFER USAGE REPORT

Return to: PWGSC
Acquisitions Branch
86 Clarence St. 2nd
floor
Kingston, Ontario
Fax: (613) 545-8067 Email: herb.choquette@pwgsc-tpsgc.gc.ca

Quarterly Usage Report Schedule:

1st quarter: April 1 to June 30;
2nd quarter: July 1 to September 30;
3rd quarter: October 1 to December 31;
4th quarter: January 1 to March 31.

Supplier: _____
Standing Offer No.: E6TOR-15RM02
Department or Agency: Public Works and Government Services Canada
Reporting Period: _____

ITEM NO.	CALL-UP/CONTRACT NO. DESCRIPTION	VALUE OF THE CALL-UP/CONTRACT	GST/HST

(A) Total Dollar Value Call-ups for this reporting period:	
(B) Accumulated Call-up Totals to Date:	
(A+B) Total Accumulated Call-ups:	

NIL REPORT: We have not done any business with the Federal Government this period: []

PREPARED BY: _____
NAME: _____
PHONE: _____
SIGNATURE: _____ DATE: _____

ANNEX C, BID SUBMISSION FORM

1. Bidder's Company Name: _____
2. Bidder must mark area(s) in Ontario where they will provide light construction equipment.

Location Of Rental	Value of Rental that Contractor will bid on for the location		
	up to \$10,000	\$10,001 to \$25,000	\$25,001 to \$200,000
Belleville			
Brockville			
Borden			
Campbellford			
Coburg			
Cornwall			
French River Dam			
Gravenhurst			
Greater Toronto Area			
Hamilton			
Kingston			
Kitchener			
London			
Niagara Falls			
North Bay			
Petawawa			
Peterborough			
Sault Ste. Marie			
Sudbury			
Trenton			
Windsor			
Nunavut Locations			
Iqaluit			
Alert			
Other Ontario Locations not listed above (Bidder to list)			
Location Of Rental			

3. Types of light construction equipment available to rent: [Attach additional pages as required.](#)
