SOLICITATION NUMBER 24062-19-096
QUESTIONS AND ANSWERS

(1)   What is the context for this regulatory Review?

- Regulation plays an important role in protecting health and safety, setting marketplace norms, and other public policy objectives. However, regulation is often cited as a barrier to innovation, and sometimes as an incentive to innovation. Most recently, in December 2017 Report to the Minister of Finance, the Advisory Council on Economic Growth identified the need for the Government of Canada to develop a regulatory approach that is able to "evolve to better fit an economy where innovation and change are the norm."
- In the 2018 Budget, the Government of Canada committed to pursuing a regulatory reform agenda focused on supporting innovation and business investment through increased regulatory agility, transparency and responsiveness.
- To this end, TBS is conducting a Review to examine ways to modernize regulatory policy and management across regulatory domains, including in the targeted sectors of agri-food and aquaculture, health and bio-sciences and transportation and infrastructure.

(2)   How many regulations does the government have?

- There are presently over 2,600 regulations in force.
- The data file provided by Justice Canada contains the 2,600 regulations in force as well as regulations that have since been repealed and statutory instruments that are not considered regulations for the purposes of this review.

(3)   What are some of the main drivers behind the regulatory Review?

- While Canada has a strong regulatory system, there is an increased need for regulatory modernization due to socioeconomic changes, digital disruption, business growth, and growing global trade.
- Canada is seeking to create a more effective, agile, responsive and transparent system.

(4)   How does AI fit into the review?

- The engagement of the artificial intelligence community is intended to enable TBS to draw insights on federal regulations and the federal regulatory system (e.g. conflicting or overlapping rules; relationships between regulations; markers of regulatory approaches that support innovation).

(5)   How does the procurement work?

- TBS is posting this Request for Information on buyandsell.gc.ca. Based on the feedback received from industry partners at the Industry Days, TBS will then decide on an appropriate procurement mechanism.
- We anticipate that the RFP will result in:
  a.   Awarding a contract to one or more successful bidders

b.　Establishing a pre-approved vendor list from which departments can procure goods or services for a period of time after contract award.

(6)　How does the context for this regulatory Review align with the Industry day event?

- This event is intended to build a conversation regarding advanced analytics and the data community. It would engage the advanced data analytics community both in person and by videoconference across the country and allow for feedback on how the community would want to work with TBS on such work.

(7)　What are the benefits for TBS and the AI community?

- Insights gained from the application of advanced data analytics and machine learning techniques to regulations will help push TBS' modernization agenda forward. In terms of the broader community, the application of these techniques to legal information is not new, but legislative research can always benefit from new approaches. As the companies that participate in the challenge retain the intellectual property rights, they will be able to market their product/prototype/proof-of-concept to interested parties. In addition, SMEs would be benefit greatly from having access to a tool that would allow them to navigate the regulatory landscape.

(8)　How do I use the data from Justice Canada?

- The archive contains XML machine readable files. The statutory instruments that are outside the scope of the project all have SI file name prefix (English) TR (French). The repealed regulations contain <Repealed></Repealed> tags. Please note, that regulations may be repealed in part or in full.

(9)　What other data sources will be made available?

- Additional data sources are provided but participants are welcome to make use of any publicly available information. TBS is also prepared to discuss with other government data sets could be relevant.

(10)　Is there any restriction to the AI techniques or algorithms that should be used for the proof of concept?

- There are no restrictions regarding the techniques or algorithms, as long as the methodology of the techniques or algorithms can be disclosed/explained to the jury in camera.

(11)　I was wondering if I could get some clarification on the RFI deliverables. Our team is going to move forward with some of the projects/goals you laid out during the AI day. Since I see many of these projects resulting in either datasets or visuals, and not so much written reports, I was wondering how firm the deliverable layout in the RFI is. Due to the August 31st deadline, our team would have trouble providing the first deliverable as laid out. The main holdup here is the line: "This first deliverable would be made public online to showcase the work and share the insights openly." A paper or longer analysis

that is made public is required to go through our policy editing and publication teams. This is a lengthy process which would make it difficult to publish any meaningful work by August 31st. However, datasets, visuals, and short-form explanatory write-ups circumvent the editing and publication teams. I guess my main question here is, how flexible are you with the analysis report in the deliverables section? If we provided you with products (datasets, visuals) and the methodology behind them in a simple documentation format, would that be sufficient?

Also, a quick update on the province regulatory codes. As of now, we are going to scrape each individual province website for their text since Canlii is blocking our page visit limits and doesn't have that functionality through their API (Application Programming Interface). But please let us know if you hear/know of any other source that would have the regulations all in one place!

- We understand your reference to the RFI to mean the RFP deliverables. The RFP has been posted online (19-096: https://buyandsell.gc.ca/procurement-data/tender-notice/PW-18-00832114). The length of the RFP deliverable is at the discretion of the Bidder, and we will not prejudge the length of the report. The language of the RFP states the following:

  "1. Analysis Report: As drawn from the advanced analytics method selected by the participant, an Analysis Report as the first deliverable will summarize insights on trends, relationships and other characteristics of the federal regulatory stock.
  This first deliverable should be digital, and provide written and visualized analysis that is easy to understand. Required sections for this report include: an executive summary, high-level methodology, summary of insights (findings), and recommendations for further analysis. This first deliverable could also include access to an interactive online tool for demonstration and exploration purposes. This first deliverable would be made public online to showcase the work and share the insights openly for three years following the September showcase event."

  The quality and depth of the insights will be the key elements of the assessment of the proposal. Whatever means are used to convey those insights are at the discretion of the Bidder.

(12)   Can TBS clarify closing dates for this RFP? The cover page notes July 31. The "Timing" section in Appendix B says the contest will be completed in August 2018. The original language in the RFI suggested the September showcase, which would have provided 2 months (July and August) to do the work. The new timing suggests that there is, in essence, 1 month to do the work, which may be limiting. Can TBS at minimum extend the submission date to mid-August to provide additional time for work to be conducted?

- The closing date and time of the RFP has been extended to 31-Aug-2018 at 15:00 (3:00 pm) Eastern Daylight Saving Time (EDT).

(13)   Can TBS clarify what parameters will be in place for the pre-qualified vendor list? Specifically, will the departments be able to direct (sole source) work to a firm? And is there a cap on the value of work they can direct (e.g. $400,000)?

- At this point, the details of any procurement mechanism, once bids for this RFP have been evaluated, have not yet been finalized. Typically, sole source (directed) contracts

cannot exceed $25,000.00 including applicable tax. Any contracts that are issued at a value not exceeding $2M including applicable tax can only be done so through a competitive process.

(14)   Can TBS provide any further clarification on how points will be awarded for each of the point-rated criteria?

- The point-rated criteria are distributed among 4 categories: Results, Scalability, Flexibility and Verifiability as described in Appendix E. It will be up to the discretion of the judges to determine to what extent a given proposal fulfills each criterion.
Given that this is an emerging field and the insights can take many forms, the RFP is structured to provide high flexibility for bidders to demonstrate how they fulfill the criteria.

(15)   I would like to inquire about the nature of the pre-qualified vendor list as part of the outcome of this RFP. Can TBS share any additional details on the nature of the qualified list, will it result in TBIPS or SBIPS supply arrangement? When and how will pricing be determined? Will the scope of work for the pre-qualified list be inclusive of all AI & ML work, or only that which related to policy and regulations as per the domain of the TBS contests?

- The qualified list will be made available for government departments that wish to pursue artificial intelligence projects, including advanced analytics and machine learning. It is possible that both Task-Based Informatics Professional Services (TBIPS) as well as Solutions-Based Informatics Professional Services (SBIPS) supply arrangements can be made. Pricing will be determined when the department engages with the supplier on the contract. The scope of future work may be inclusive of all AI and ML work.

(16)   We are preparing an announcement on this tender opportunity for our researchers, and if you wouldn't mind I have more questions:

- On page 11 of the attached tender document, it is indicated under item 4.1 that "The Contract shall be for a period of time such that the contract ends on September 30th, 2018." I couldn't be sure here you meant 2018 or 2019. Could you please clarify the duration of contracts?
- Is there an upper or lower limit of funding per each successful contract or award; e.g., up to $100K, etc.?
- Are there any rules for eligible expenses; i.e., which type of costs will be covered, overhead rates, etc.?
- Can multiple institutions collaborate and submit one proposal together?

- The RFP contract expires on September 30th, 2018 (not 2019). The expiration was chosen in order to include the timeframe for the Showcase. There is no upper or lower limit for subsequent contracts arising from the vendor list. The RFP award is $1. The RFP does not have any facility for eligible expenses. Any subsequent contracts will have their own clauses and it will be up to the vendor and department to agree upon those clauses. While it is possible for multiple institutions to submit a single proposal, it will mean that only that collaboration will be placed on the pre-approved vendor list.

(17)   Has there been any further thought or discussions invested in how the agency anticipates bridging this initial showcase/contest approach forward into more substantial follow-on contract/procurement actions (remuneration, financing, scope of work)? The

question had been posed at the event, "we want to hear from you; is this $1 award enough?" Has that request prompted subsequent discussions or changes – aspects or outcomes of which will be shared with those working to formulate and develop RFP submissions?

- Any subsequent contracts that may arise out of this RFP process are at the discretion of the respective government department. There were subsequent discussions, and it was decided that the $1 award was the best option.

(18) At the AI Industry day we were advised that the tendering agency/agencies would convene consultations/Q&A with participating bidders – can you provide some indication of when that will be scheduled?

- The tentative dates for the publishing of an amendment to the RFP are July 17th and August 14th 2018 at 14h00 EDT.

(19) We were also advised that the agency could, where feasible, facilitate provision of additional data relevant to the nature of the solution being developed – are there ministry / regulation category specific specialist contacts that we can reach out to during this process for such data or guidance/user input? In general, how do you anticipate handling such requests, if at all?

- The two meetings to convene a set of regulatory experts will be done by WebEx with tentative dates of July 17th and August 14th 2018 at 14h00 EDT.

(20) I am contacting you to express our interest in attending the September showcase if it's open to all interested companies. Kindly let us know if we will be able to attend.

- The showcase will be open to all, but only those participants who have met the mandatory criteria will be able to showcase their work.

(21) I wanted to make sure if university researchers are eligible to apply as bidders to this tender. There are some references to "firms," but it wasn't clear for us to assess whether principal investigators from universities may apply or not.

- As per the definition within the RFP, the bidder is a "Participant":
  3.8. "Participant" means a person or entity submitting a proposal in response to this RFP
  Thus, yes, university researchers are eligible to apply.