



ADVANCE CONTRACT AWARD NOTICE (ACAN)

1. Title

ENERGY STAR for Industry Certification in North America

2. Definition

An Advance Contract Award Notice (ACAN) allows departments and agencies to post a notice, for no less than fifteen (15) calendar days, indicating to the supplier community that it intends to award a good, service or construction contract to a pre-identified contractor. If no other supplier submits, on or before the closing date, a Statement of Capabilities that meets the requirements set out in the ACAN, the competitive requirements of the government's contracting policy have been met. Following notification to suppliers not successful in demonstrating that their Statement of Capabilities meets the requirements set out in the ACAN, the contract may then be awarded using the Treasury Board's electronic bidding authorities.

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

3. Background

Natural Resources Canada (NRCan) has an agreement with the U.S. Environmental Protection Agency (EPA) to use the ENERGY STAR brand. The U.S. EPA owns the rights to the ENERGY STAR brand.

The Canadian program is to be based on ENERGY STAR benchmarking tools, which were developed under an exclusive work agreement between the U.S. EPA and Duke University. These ENERGY STAR benchmarking tools are based on plant energy performance indicators and can help a company to know how efficiently its plant uses energy relative to other plants across the U.S. and Canada.

In order to align ENERGY STAR for Industry seamlessly in U.S. and Canada, NRCan and the U.S. EPA are working collaboratively to develop and update industrial benchmarking platforms that use confidential energy data. It is understood that accessing this data is carefully controlled and provided on a limited basis; for example, the U.S. data is only available through the Center for Economic Studies of the U.S. Census Bureau, and is only provided to researchers who have secured several lengthy approvals for access. Therefore, having access to confidential data and the ability to protect it is essential. In both countries, data is organized using the same North American Industry Classification System (NAICS) to define industry.

In alignment with the U.S., the Canadian ENERGY STAR for Industry program offers companies recognition for their commitment to energy management through certification of facilities.

This research project substantively supports Canada's commitments made under the Canada – U.S. Clean Energy Dialogue, the Clean Energy Ministerial, and the North American Energy Ministers' Memorandum of Understanding Concerning Climate Change and Energy Collaboration.

4. Objective

The services of a consultant are required to conduct research that will align ENERGY STAR for Industry certification seamlessly across the U.S. and Canada.

5. Project Requirements

5.1 *Tasks, Deliverables, Milestones and Schedule*



TASKS:

For each project deliverable, the tasks are as follows:

Task		Description
1	Collect and harmonize data	Energy and production data are to be collected for individual manufacturing plants in selected industries in Canada, for example, using data sources provided by Statistics Canada. In addition, individual companies, trade associations, and others may also need to be contacted and asked to provide data should there be any gaps. The data that gets collected is to be reviewed and integrated with the corresponding U.S. plant database. In doing so, data is to be checked to ensure valid energy and production units; proper conversion of metric and imperial units; and, consistency in areas such as year-over-year comparisons of energy intensities. If any unusual data is identified, the data providers are to be contacted to resolve the issue. The result of this task is to be an integrated U.S. and Canada dataset that can be used to build a mathematical model that establishes a manufacturing plant’s relative energy efficiency in relationship to the rest of its industrial sector.
2	Prepare draft energy performance indicators	The integrated datasets for each sector are to be used to inform a statistical modeling approach and to prepare a draft set of energy performance indicators. The resulting draft indicators are to be reviewed by companies in both countries in order to determine how they capture energy impacts that affect energy use in a particular type of manufacturing plant and process.
3	Test and revise energy performance indicators	The energy performance indicators for each sector are to be refined by working with industry and associations in both the U.S. and Canada. This involves having them tested and revised based on a comprehensive industrial review. The result of this task is to inform a finalized set of energy performance indicators.
4	Finalize energy performance indicators	The finalized set of energy performance indicators are to be provided to industry for use in improving their energy performance and in reducing their greenhouse gas emissions. This involves making the model accessible and compatible for users in the U.S. and Canada.

Deliverables:

The project deliverables are as follows:

Deliverable		Description
A	Refine and update existing energy benchmarks	Incorporate Canadian industry information and provide input into the ongoing process in the U.S. to refine and update existing energy benchmarks (energy performance indicators) for sectors, specifically where energy performance has improved, which results in alignment of ENERGY STAR for Industry seamlessly across the U.S. and Canada.
B	Develop new industry-specific, plant-level benchmarks	Incorporate Canadian industry information and provide input to the ongoing process in the U.S. to develop new industry-specific, plant-level energy benchmarks (energy performance indicators) through statistical modeling of actual industry-wide manufacturing plant data in the sectors, which results in alignment of ENERGY STAR for Industry seamlessly across the U.S. and Canada.

6. Period of the Contract

It is anticipated that the contract will begin upon date of award and end **February 28, 2019**, with the irrevocable option to



extend the period of the contract for up to two (2) additional years ending February 28, 2021.

7. Estimated Cost

The approximate cost of this requirement will not exceed \$400,000.00 CAD, excluding all applicable taxes for the three (3) year term.

8. Trade Agreements

Applicable Limited Tendering Provision under NAFTA (Article 1016.2)

1016.2(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;

Applicable Limited Tendering Provision under Canada-Chile (Article Kbis-09)

Kbis-09 (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;

Applicable Limited Tendering Provision under AIT (Article 506.12)

506.12(b) – 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;

Applicable Limited Tendering Provision under Canada-Honduras (Article 17.11)

17.11.2 b) a good or service being procured can be supplied only by a particular supplier and a reasonable alternative or substitute does not exist because:

- (i) the good or service is a work of art,
- (ii) the good or service is protected by a patent, copyright or other exclusive intellectual property right, or
- (iii) there is an absence of competition for technical reasons;

Applicable Limited Tendering Provision under Canada-Panama (Article 16.10)

16.10.1b) a good or service being procured can be supplied only by a particular supplier and a reasonable alternative or substitute does not exist because:

- (i) the good or service is a work of art,
- (ii) the good or service is protected by a patent, copyright or other exclusive intellectual property right, or
- (iii) there is an absence of competition for technical reasons;

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

Sole Source Justification - Exception of the Government Contract Regulations (GCR):

(d) Only one person or firm is capable of performing the contract

The Supplier must be able to meet all of the following criteria:

1. A minimum of ten (10) years of experience in building mathematical models that estimate a manufacturing plant's relative energy efficiency in relationship to the rest of its unique industrial sector;
2. A minimum of ten (10) years of experience in conversing with industry, in at least ten (10) different industrial manufacturing sectors, on energy impacts with a view to building trust and credibility;
3. Experience in conducting a research project across both the U.S. and Canada (minimum 1 project);
4. Experience in developing and finalizing an ENERGY STAR benchmarking platform (minimum 1 platform);
5. At least ten (10) years of experience in handling and protecting confidential industrial data;
6. Knowledge and understanding of advanced statistical and economic data treatment, including regression analysis and stochastic frontier modelling;



7. Advanced degrees in statistics and economics;
8. Permission from the U.S. EPA to develop ENERGY STAR for industry benchmarking tools;

The selected Supplier is the only vendor able to meet all of the above criteria as well as meet all of the requirements described in Section 5 – Project Requirements.

10. Name and Address of the Proposed Contractor

Duke University
Office Research Support
2200 W. Main St., Ste. 710
Durham, NC 27705

11. Inquiries on Submission of 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

Closing Date: September 7, 2018
Closing Time: 2:00 p.m. EDT

13. Contract Authority

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