



Question and answer 1 to 12

Q1. Part 5, para 2.1 states "The Contractor must, at all times during the performance of the Contract, hold a valid Security Clearance at the level of SECRET." Please advise which of the following conditions are acceptable for the proposed resources:

Resources MUST:

1. Hold the clearance at the time of bid closure, or
2. Show proof that the request for clearance/clearance update has been submitted at the time of bid closure, or
3. Hold the clearance prior to accessing any SECRET documents.

A1. Please refer at Part 1 – General information, 2. Security requirement at page 6 where it is mentioned that at closing date of Request for Standing Offer, the security requirement stipulated in the Part 5 must be met.

Q2. Can you please confirm if more than one contract will be awarded if a firm only presents one resource?

A2. Please refer to Part 1 General information, 3. Summary, 3.1 The requirement on page 6 for information regarding the issuance of the Standing Offer.

Q3. Is the proposed resource required to live in the National Capital Region? If not, will all required travel costs be reimbursed in accordance with the National Joint Council Directive?

A3. The resource is not required to live in the NCR. Please refer to Annex B - Pricing table, 2. Travel and living Expenses at page 41 for the travel cost reimbursement.

Q4. The RFP reflects an estimate level of effort of 1800 hours for the period ending January 30, 2020. Is this the actual projected level of effort that the required resource would be expected to provide during the course of this period; or, is it used solely for evaluation purposes?

A4. Please refer to Annex B – Pricing table, 1. Professional Services at page 40, as mentioned in the second column title, this is an estimated level of effort.

Q5. On behalf of our firm, we would like to make the following enquiries:

1. MT1 – We noticed that there is a difference in wording between the French document and the English document. The "or" is not present in the French document.
 - a. Can you please confirm whether the resource must meet all or just one of these conditions?



<p>The Offeror or, if not an individual, the proposed resource, must have obtained:</p> <p>(i) a degree from a recognized university; or</p> <p>(ii) a diploma or certificate from a post- secondary institution in an area related to law enforcement (i.e. Law, Police Science, Criminology, etc.); or</p> <p>(iii) a police basic training from a provincial or a municipal police force or the Royal Canadian Mounted Police(i.e. Depot Division).</p>	<p>L'offrant ou, s'il n'est pas un particulier, la ressource proposée doit :</p> <p>(i) avoir obtenu un diplôme d'une université reconnue;</p> <p>(ii) avoir obtenu un diplôme ou un certificat d'un établissement d'enseignement postsecondaire dans un domaine lié à l'application de la loi (droit, sciences policières, criminologie, etc.);</p> <p>(iii) une formation de base de la police d'une province ou d'un corps de police municipale ou la Gendarmerie royale du Canada (Division dépôt).</p>
--	---

A5. Please see the RFSO French version amendment 1, posted on Buy & Sell.

Q6. MT4 – “The Offeror must demonstrate, that he/she or, in the event that the Offeror is not an individual that the proposed resource, has: [...] b) supported a prosecution, either in preparing a case for court or in testifying at trial.”

- a. Can you please confirm whether the experience in supporting a prosecution should be solely in a criminal investigation or also in civil proceedings?

A6. The experience in supporting a prosecution is in a criminal investigation context.

Q7. I represent XXXX, a fairly large Private Investigations firm. Typically, their clients do not have much contact, if any, with the individual investigators that work on their files. Sometimes, there is more than one investigator on a file. In most cases, the client's only interface is with the company president. Therefore, the references XXX would provide could attest to the work from XXX as a whole vs. their experience with an individual investigator.

Is it acceptable to submit specific, project-based references for the company vs. for proposed resources?

A7. Please refer to RFSO Part 4 – Evaluation procedures and Basis of Selection at page 16 in the Mandatory Technical Criteria table, where we specified that “The Offeror must only propose a maximum of two (2) resources (person) for the requirement”. Which means a person.



Q8. We have reviewed the answer provided for question 1 and find that it did not really clear up the issue.

The ambiguous nature of the statements in Part 5 is what prompted the question. It states " The Contractor must, at all times during the performance of the Contract, hold a valid Security Clearance at the level of SECRET..."

We understand that this solicitation is a Standing Offer (SO), not a contract. Contracts will be the result of individual call-ups in the future and not all Contracts may require access to SECRET material. Therefore, it would seem that a bidder should only need to hold the clearance prior to working on any resultant contract that requires access to SECRET material.

More importantly, after someone submits a request for security clearance, it can take a very long time for the government to process and issue the clearance. This is out of the proponent's control and should not prevent them from qualifying for the SO.

We respectfully request that bidders be allowed to qualify for this SO on the conditions that:

1. They provide proof that the request for clearance/clearance update has been submitted at the time of bid closure, AND
2. Investigators shall hold a valid clearance prior to being awarded a contract that requires access to SECRET documents.

A8. Please note that all individual call-ups to be awarded against the Standing Offer (SO) required SECRET level clearance as per Part 5 – Standing offer at page 24.

Note that a call-up could be issued as soon as the Standing Offer will be awarded, in which case Public Prosecution Service of Canada cannot afford a time limit due to security clearances, this is why we ask that the proposed resources hold a SECRET level at the RFSO closing date.

Please see Annex C Security requirement checklist (SRCL) at page 42 for additional info and note that this SRCL will be applicable to all resulting call-up.

Q9. Why doesn't this RFP state the following is required, as every supply arrangement put out by the Federal Government requires this as a MUST to operate, which protects the Crown?

A. Errors and Omissions Liability Insurance

1. **The Contractor must obtain Errors and Omissions Liability (a.k.a. Professional Liability) insurance, and maintain it in force throughout the duration of the Contract, in an amount usual for a contract of this nature but for not less than \$1,000,000 per loss and in the annual aggregate, inclusive of defence costs.**

A9. *This is a deviation of the SACC manual standard terms and conditions. All deviations are different for each requirement if needed. Please refer to Part 5- Standing offer, 3. Standard Clauses and Conditions, 3.1 General Conditions for conditions applying to the RFSO # 1000026035.*



Q10. All other supply arrangements with the Federal Government require Agencies to hold a Valid organization security clearance; DOS or FSC, etc. in order to do business with the Federal Government and to qualify for any supply arrangement.

There appears to be something wrong with the Security Requirement in this proposal. It is not the standard security required.

Why is it you are allowing **Contractor's** to bid without having to hold a valid organization security clearance? So what it appears you are trying to eliminate the agencies and promoting Contractors to apply directly, provided they have a Secret Clearance. If this is the case then they should have a Valid organization security.

The reason why TBIPS, THS, TSPS and ProServices were developed and used as the main supply arrangements was to eliminate Contractor's going direct to the Federal Government and Agencies would control and hold their own Security Clearances.

This is used in almost every supply arrangement, so why is PPSC changing this just for the Contractor to have their own Security clearance, not required that the Bidder (Agency) hold a Valid organization security clearance.

PART 6 – SECURITY, FINANCIAL AND OTHER REQUIREMENTS

6.1 SECURITY REQUIREMENT

Mandatory at bid closing

- a. At the date of bid closing, the following conditions must be met :
 - i. the Bidder must hold a valid organization security clearance as indicated in Part 7 – Resulting Contract Clauses;
 - ii. the Bidder's proposed individuals requiring access to classified or protected information, assets or sensitive work site(s) must each meet the security requirement as indicated in Part 7 – Resulting Contract Clauses; the Bidder must provide the name of all individuals who will require access to classified or protected information, assets or sensitive work sites.
 - iii. the Bidder's proposed location of work performance and document safeguarding must meet the security requirements as indicated in Part 7 – Resulting Contract Clauses;
 - iv. the bidder must provide the address(es) of proposed site(s) or premises of work performance and document safeguarding as indicated in Part 3 – Section IV Additional Information.
- b. For additional information on security requirements, bidders should refer to the [Industrial Security Program \(ISP\)](http://ssi-iss.tpsgc-pwgsc.gc.ca/index-eng.html) of Public Works and Government Services Canada (<http://ssi-iss.tpsgc-pwgsc.gc.ca/index-eng.html>) website.

A10. For the purpose of the RFSO # 1000026035 "Offeror" is the term that defined either individual or company submitting a proposal against the RFSO.

The term contractor is used in the resulting Standing Offer (SO) terms and conditions to refer to the vendor regardless if they are an individual or a company.



Government
of Canada

Gouvernement
du Canada

Commissioner of
Canada Elections

Commissaire aux
élections fédérales

Request for Standing Offer Number: 1000026035

Please note that security provisions are different for every requirement, for this requirement, RFSO # 1000026035 please refer to Annex C Security requirement checklist (SRCL) at page 42 for additional info and note that in addition to an Organizational Security Clearance, all proposed resources must hold a valid SECRET level security clearance.

Q11. MT4 Conducting various Steps for an Investigation (Page 17 de 48)

Would you please explain and provide examples of applications for judicial authorizations?

A11. *An application for judicial authorization is a request, typically in the form of an "Information to Obtain" (ITO), supporting an application for judicial order, presented to a Judge or Justice of the Peace. The ITO consists of a statement made under oath in support of the application. The order sought can include authorization for a production order, search warrant, wiretap, etc.*

Q12. in link with MT3.

There is no mention of criminal investigations, however, the word "crime" is used and often refers to the "criminal" aspect of the offense.

This understanding is reinforced by the fact that the English version uses the terms "criminal investigation".

To clarify, we would like you to confirm whether the commercial/economic *investigation should relate solely to criminal prosecutions or could relate to civil proceedings.*

A12. *Mandatory Technical criteria 3 (MT3) is experience conducting commercial or economic criminal investigations. The 60 month experience as of the request for standing offer closing date relates to a criminal investigations context.*