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### **ADVANCE CONTRACT AWARD NOTICE: (ACAN) # 01B68-18-0039**

The Department of Agriculture and Agri-food Canada (AAFC) has a requirement for customized trend data from databases regarding retail sales in five specific categories of processed food products in Canada.

The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to AC Nielsen Company Of Canada, 160 McNabb, Markham ON, L3R 4B8.

Before awarding a contract, however, the government provides other suppliers with the opportunity to demonstrate that they are capable of satisfying the requirements set out in this Notice, by submitting a statement of capabilities during the fifteen calendar day posting period.

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

If no other supplier submits, on or before the closing date, a statement of capabilities meeting the requirements set out in the ACAN, a contract will be awarded to the pre-selected supplier.

### **OBJECTIVE**

The objective of the project is to assess the extent to which the marketplace rewards products based on nutritional profile in a Canadian context using actual retail sales data in five categories of processed food products.

### **SCOPE OF WORK**

The Contractor will prepare a report, in Microsoft Excel, containing the following elements:

**Retail sales** for branded items in the: 1) salty snacks; 2) cookie; 3) chocolate bars; 4) ready-to-eat cereals; and 5) yogurt product categories, including:

- Tonnage Volume (Kg's)
- Tonnage Volume (% Change)
- \$ Volume
- \$ Volume (% Change)
- Average All Commodity Distribution
- Average Retail Price/Tonn.

**Period:** the most recent 52-week period of data (i.e. ended October 13, 2018, or later).

**Region:** National

**Channels:** All Channels (Grocery Banners + Drug + Mass Merchandisers)

Additional information:

- Product description and Universal Product Code (UPC);
- Manufacturer;
- Brand; and,
- Size

Data will also include a Total Control Label line for each category (i.e. private labels), as well as an active item listing for each category.

### **ESTIMATE OF COSTS**

Contract will commence at contract award to March 31, 2019. The estimated value of the contract is \$37,710.00 (plus applicable taxes).

### **MINIMUM ESSENTIAL REQUIREMENTS**

Any interested supplier must demonstrate by way of a statement of capabilities that it has the capacity to provide the same services listed in the support plan listed above

### **GOVERNMENT OF CANADA REGULATIONS EXCEPTION**

The Treasury Board's Government Contract Regulations, Part 10.2.1 Section 6 states there are four exceptions that permit the contracting authority to set aside the requirement to solicit bids. This includes:

- d. "only one supplier person or firm is capable of performing the contract."

### **LIMITED TENDERING PROVISIONS IN ACCORDANCE WITH THE TRADE AGREEMENTS**

The North American Free Trade Agreement, the World Trade Organization - Agreement on Government Procurement, and the Agreement on Internal Trade permit the contracting authority to set aside the requirement to solicit bids under the following condition:

- b) "For works of art, reasons connected with protecting patents, copyrights, other exclusive rights, or proprietary information or where there is an absence for technical reasons, the goods or services can be supplied by a particular supplier and no reasonable alternative or substitute exists"

### **JUSTIFICATION FOR THE PRE-SELECTED SUPPLIER**

Given ACNielsen's proprietary databases of scanned sales transactions at retail point of sale, it is uniquely and solely positioned to provide comprehensive market information for food sales in specific food product categories in Canada. This data is not available from any other supplier as ACNielsen has exclusive rights to retail data.

### **SUPPLIERS RIGHT TO SUBMIT A STATEMENT OF CAPABILITIES**

Suppliers who consider themselves fully qualified and available to meet the specified requirements may submit a statement of capabilities in writing to the Contracting Authority identified in this Notice on or before the closing date of this Notice. The statement of capabilities must clearly demonstrate how the supplier meets the advertised requirements.

**The closing date and time for accepting statements of capabilities is March 7, 2019 at 2:00 p.m.**

Inquiries and statements of capabilities are to be directed via email to:

**Email:** [andre.gravelle@canada.ca](mailto:andre.gravelle@canada.ca)

Statements of capabilities must be sent on or before the closing date/time. Statement of capabilities received on or before the closing date will be considered solely for the purpose of deciding whether or not to conduct a more extensive tendering process. Information provided will be used by the Crown for technical evaluation purposes only with respect to a decision to proceed to a further competitive process.

Suppliers that have submitted a statement of capabilities will be notified in writing of AAFC's decision to proceed to award the contract without a further additional tendering process.

Should you have any questions concerning this requirement, contact the contracting officer identified above. The AAFC file number, the contracting officer's name and the closing date of the ACAN must appear on the outside of the envelope in block letters or, in the case of facsimile transmission, on the covering page.

The Crown retains the right to negotiate with suppliers on any procurement. Documents may be submitted in either official language of Canada.