

## **Advance Contract Award Notice (ACAN) for Computer Aptitude Test (CAT) Services**

An ACAN is a public notice indicating to the supplier community that a department or agency intends to award a contract for goods or services to a pre-identified supplier, thereby allowing other suppliers to signal their interest in bidding, by submitting a statement of capabilities. If no supplier submits a statement of capabilities that meets the requirements set out in the ACAN, on or before the closing date stated in the ACAN, the contracting officer may then proceed with the award to the pre-identified supplier.

### **Requirement Description**

The Canada Revenue Agency (CRA) has a requirement for the Computer Audit Specialist (CAS) program to acquire access to online internet-based Computer Aptitude Test (CATs) in English and French. The online internet-based CATs will be used to identify employees with a high aptitude for working with computerized records. Computerized records refer to electronic accounting records obtained from taxpayers relating to the businesses they operate.

A valid, scientifically-backed Computer Aptitude Test will be used to evaluate a person's aptitude and potential for programming and analyzing computerized business systems. The test must meet several specific conditions - no gender bias, no cultural bias, available in both official languages acceptable as a standardized test, and addressing the skill stated in the proposed CAS job descriptions "must demonstrate an aptitude for programming". The abilities tested must include, but may not be limited to, the following:

- Ability to think logically;
- Ability to follow procedural logic;
- Ability to accurately solve problems;
- Ability to reason with symbols according to stated definitions;
- Ability to perform basic arithmetic calculations (add, subtract, multiply, divide);
- Ability to understand complex relationships;
- Ability to follow instructions precisely;
- Ability to analyze a problem not solvable by trial and error alone;
- Ability to pay attention to detail;
- Ability to sustain concentration;
- Ability to analyze data contained in charts and tables;
- Ability to work under pressure;
- Ability to work independently;
- Ability to translate detailed specifications into symbolic logic;
- Ability to handle new problems;
- Ability to learn;
- Ability to comprehend written material;
- Ability to create procedural logic;
- Ability to solve problems utilizing reasoning with symbols;
- Ability to persevere;
- Ability to interpret business specifications.

It is estimated that the CRA would require between fifty (50) and two hundred (200) online internet-based CATs per year.

The exact number of English and French online internet-based CATs per order may vary. The Contractor must provide the ability to exchange English tests for French tests and vice versa, if the need arises. This functionality must be available directly to the Project Authority within the system, or if not available directly

within the system, the Contractor must exchange English tests for French tests or vice versa within forty-eight (48) hours upon request from the Project Authority, at no additional cost. The CRA will utilize each ordered batch at its own discretion, as is required.

### **Proposed Contractor**

Walden Personnel Performance Inc.

One Wood Avenue, Suite 1403, Montreal, Quebec. H3Z 3C5

### **Proposed Period of Contract**

Period of the contract for the provision of Computer Aptitude Tests will be three (3) years after the contract is awarded.

Any resulting contract will include options to extend the period of services for up to five (5) one (1) year periods.

### **Estimated Value of the Proposed Contract**

The estimated value of the proposed contract including options is \$360,000.00

### **Sole Source Justification**

The CRA previously used the Programmer 300 CAT provided by PSC (Public Service Commission), but due to identified gender bias it was no longer available and they did not provide an alternative. CRA conducted an intensive search to identify potential vendors that could supply an appropriate test but could find only one, Walden Personnel Testing & Consulting Inc. that met all required standards and was willing to deal with a government agency. Specific knowledge of the position's requirements was necessary to properly assess any potential solution. The test and its methodology was reviewed by a panel of 7 senior officers in Computer Audit Specialist Division (CASD) and they concluded that it would accurately predict a person's chance to succeed as a CAS within CASD. The test was referred to Resourcing Standards and Assessment Services for a professional opinion. A CRA consultant, holding a doctorate in this particular field, reviewed the test, the science behind it and the credentials of those who developed and supported it. It was concluded that the test was appropriate and could be supported as a standard test that may be used to identify employees suitable for promotion or deployment to an CAS position.

The CRA posted an RFP 1000331261 on GETS for 5 Streams of Unsupervised Internet Tests. For Stream 5: Computer Aptitude Tests the RFP resulted in no bids received for this stream. Previously Contract 55000000756 was a result of a competitive RFP 1000293533 posted on MERX where Walden Personnel was the only bidder and they met all the mandatory criteria for this same stream of services.

### **Applicable Limited Tendering Reasons**

The Canada Revenue Agency (CRA) is proposing to award a contract as described above in accordance with the following exceptions:

#### CRA Contracts Directive

Article 5.2 (c) of the CRA Contracts Directive is being invoked for this procurement as only one person or firm is capable of performing this contract.

#### Canada Free Trade Agreement (CFTA)

CFTA allows for sole sourcing on the following basis:

Articles 513.1 (b) (iii), (v) and 513.1 (c) (i) are applicable on the basis of limited tendering to ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative, and 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.

#### North American Free Trade Agreement (NAFTA)

NAFTA allows for sole sourcing on the following basis:

Article 1016.2 (b) is applicable on the basis of limited tendering due to reasons 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.

Article 1016.2 (d) is applicable on the basis of additional deliveries by the original supplier that are intended either as replacement parts or continuing services for existing supplies, services or installations, or as extension of existing supplies, services or installations, where a change of supplier would compel the entity to procure equipment or services not meeting requirements of interchangeability with existing equipment or services, including software to the extent that the initial procurement of the software was covered by this chapter.

#### Canada Chile Free Trade Agreement (CCFTA)

CCFTA allows for sole sourcing on the following basis:

Article Kbis-09.1 (b) is applicable 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.

Article Kbis-09.1 (c) is applicable for additional deliveries by the original supplier that are intended either as replacement parts, extensions, or continuing services for existing equipment, software, services or installations, where a change of supplier would compel the entity to procure goods or services not meeting requirements of interchangeability with existing equipment, software, services, or installations.

#### Canada Columbia Free Trade Agreement (CCoFTA)

CCoFTA allows for sole sourcing on the following basis:

Article 1409.1 (b) (iii) is applicable where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist due to an absence of competition for technical reasons.

Article 1409.1 (c) is applicable for additional deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods and services: (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement, and (ii) would cause significant inconvenience or substantial duplication of costs to the procuring entity.

#### Canada Panama Free Trade Agreement (CPaFTA)

CPaFTA allows for sole sourcing on the following basis:

Article 16.10 1. (b) (iii) is applicable if the procurement can be carried out only by a particular supplier and a reasonable alternative or substitute does not exist because of the absence of competition for technical reasons.

Article 16.10 1. (c) is applicable for additional deliveries by the original supplier of a good or service that was not included in the initial procurement, a change of supplier for that additional good or service: (i) cannot be made for economic or technical reasons, such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement, and (ii) would cause significant inconvenience or substantial duplication of costs to the procuring entity.

#### Canada Peru Free Trade Agreement (CPFTA)

CPFTA allows for sole sourcing on the following basis:

Article 1409 1. (b) is applicable where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist (iii) due to an absence of competition for technical reasons.

Article 1409 1. (c) is applicable for additional deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods and services: (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement, and (ii) would cause significant inconvenience or substantial duplication of costs to the procuring entity.

#### Canada-Honduras Free Trade Agreement (CHFTA)

CHFTA allows for sole sourcing on the following basis:

Article 17.11.2(b) is applicable where 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;

Article 17.11.2(c) is applicable for additional deliveries by the original supplier of a good or service that are intended either as replacement parts, extensions, or continuing services for existing equipment, software, services or installations, a change of supplier would compel the procuring entity to procure a good or service not meeting requirements of interchangeability with existing equipment, software, services, or installations procured under the initial procurement;

#### Canada-Korea Free Trade Agreement (CKFTA)

CKFTA allows for sole sourcing on the following basis:

##### Article 1.2: Relation to Other Agreements

The Parties affirm their existing rights and obligations with respect to each other under the WTO Agreement and other agreements to which both Parties are party.

- World Trade Organization – Agreement on Government Procurement (WTO-AGP)

Article XIII 1 (b) and (c) of WTO-AGP is applicable on the basis of limited tendering:

1 (b) where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:

- (i) the requirement is for a work of art;
- (ii) the protection of patents, copyrights or other exclusive rights;

(iii) due to an absence of competition for technical reasons;

1 (c) for additional deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods or services:

(i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; and (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity;

### **Supplier's Rights**

Suppliers who consider themselves fully qualified and available to provide the services/goods described herein, 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.

When submitting a Statement of Capabilities to the Contracting Authority, the supplier must reference the following on the outside of the envelope or on the covering page, in the case of a facsimile transmission:

- CRA file number 1000345831;
- Contracting Authority's name;
- Closing date of the ACAN.

When submitting a Statement of Capabilities by e-mail, the supplier must direct the email to the attention of the Contracting Authority and reference the CRA file number and the ACAN closing date in the subject line.

**CLOSING DATE FOR STATEMENT OF CAPABILITIES: on 2019/09/04 at 2:00 P.M. EDT Eastern Daylight Time**

The Crown retains the right to negotiate with suppliers on any procurement.

Documents may be submitted in either official language of Canada.

### **Inquiries and submission of statements of capabilities**

#### **Contracting Officer**

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