



**November 27, 2019**

**INVITATION TO QUALIFY (ITQ)**

This Invitation to Qualify (ITQ) is the first phase of a procurement process by the National Gallery of Canada (NGC) for a Customer Systems Replacement Project. Suppliers are invited to pre-qualify in accordance with the terms and conditions of this ITQ in order to become “Qualified Respondents” for any later phases of the collaborative procurement process. Only Qualified Respondents will be permitted to respond on any subsequent solicitation issued as part of the collaborative procurement process for the National Gallery of Canada, 380 Sussex Drive, Ottawa, ON, Canada.

This ITQ is neither a request for proposal nor a solicitation of bids or tenders and is intended only to pre-qualify respondents.

**CLOSING DATE AND TIME FOR RESPONSES**

**Friday December 20, 2019 at 1:00 P.M.**

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## A) ABOUT THE NATIONAL GALLERY OF CANADA

The National Gallery of Canada (NGC) became a Crown corporation on July 1, 1990 through the *Museums Act* and is named in Part 1 of Schedule III to the *Financial Administration Act*. It reports to Parliament through the Minister of Canadian Heritage. The NGC pursues its national mandate as described in the *Museums Act*, within the context of the governance and accountability regime established in that Act and Part X of the *Financial Administration Act*. The Museum's Board of Trustees and management are firmly committed to managing the public and private funds invested in the institution in transparent, accountable manner, and to optimizing the value of the contributions the Gallery makes to Canadians and Canadian society.

The mandate of the NGC, as embodied in the *Museums Act* (1990), is: "to develop, maintain and make known, throughout Canada and internationally, a collection of works of art, both historic and contemporary, with special but not exclusive reference to Canada, and to further knowledge, understanding and enjoyment of art in general among all Canadians."

Additional information concerning the National Gallery of Canada may be obtained at our Web site: [www.gallery.ca](http://www.gallery.ca).

## B) INSTRUCTIONS TO RESPONDENTS

1. Closing date and time for delivery of RESPONSES:

**1:00 P.M., FRIDAY DECEMBER 20, 2019.**

RESPONSES received after the closing date and time will **NOT** be considered.

2. **The National Gallery of Canada is accepting electronic RESPONSES via [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca). RESPONSES must be received on Bonfire by the due date and time in order to be considered. Any bid that is not received on time will not be considered. Submitting RESPONSES via Bonfire website is mandatory. No hard copies will be accepted.** The documents on [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca) are the official source of information on all RESPONSES for the National Gallery of Canada. Documents attained from other sources will not be recognized.

Responders relying on documents obtained from sources other than [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca) website do so at their own risk and may result in the rejection of an individual's RESPONSE. All Responders must first register on the



[ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca) website and create an online profile. RESPONSE submissions and registration are free of charge. For technical help call 1-800-354-8010 ext. 2 or submit a request at [ngc-mbac.bonfirehub.ca/support](http://ngc-mbac.bonfirehub.ca/support).

Exceptions to submitting RESPONSES through Bonfire will only be made in extenuating circumstances as deemed appropriate by the NGC Contracting Authority (phone: 613.990.1995 – email: [purchasing@gallery.ca](mailto:purchasing@gallery.ca) . Note that failure of the Responder to allow enough time to register or meet other required steps will **NOT** be considered as an extenuating circumstance.

3. All information contained in this ITQ is proprietary and must be kept confidential unless the prior written consent of the NGC has been obtained.
4. Any questions from potential Responders regarding the ITQ should be directed to and will be handled by: [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).
5. All enquiries must be in writing to receive a response. A written response to any questions will be sent to all participants. Questions will not be accepted or responded to if received after **12:00 Noon, Friday December 13, 2019**. To ensure consistency and quality of information provided to Responders, the Contracting Authority will provide, through [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca), simultaneously to all potential Responders, any information with respect to significant enquiries received and the replies to such enquiries without revealing the sources of the enquiries.
6. Information provided verbally will not be binding upon the NGC. The Responder must have written confirmation from the NGC for any change or alteration concerning this ITQ.
7. The NGC reserves the right to verify all information provided by a Responder by means of direct contact with the Responder's prior clients, associates and personnel. The Responder must agree to provide and release necessary authorizations to verify any of the Responder's previous experience. Misstatements of experience and scope of prior experience may be grounds for disqualification of a Responder.
8. The NGC reserves the right to disqualify any Responder in the event that its RESPONSE to the ITQ indicates that the manner in which the Responder provides services may adversely affect the National Gallery of Canada's existing business relationships or if Public Services and Procurement Canada (PSPC) has determined the interested party to be ineligible or suspended pursuant to the PSPC Integrity Regime.



9. At any time, the NGC may cancel this ITQ in whole or in part at no cost or penalty to the National Gallery of Canada. No reason for cancellation need be given. In addition, the NGC reserves the right to decrease or increase the scope of the requirements described in this ITQ.
10. The disclosure of information received relevant to the issue of this ITQ shall be made by the appropriate NGC officers in accordance with the provisions of the *Access to Information Act*, the *Privacy Act*, edicts/acts related to this subject issued by the Crown, and as amended.
11. This ITQ consists of:
  - a) ITQ No. NGC 120122 Document (also referred to as the “Instructions”)
  - b) ITQ General Information Document
  - c) Annex A – Collaborative Procurement Process Document
  - d) Annex B – Criterion 1, References Document
  - e) Annex C – NGC Transaction Information Document
  - f) Form 1
12. By submitting a RESPONSE, the **Responder acknowledges that all of the aforementioned documents have been received.** It is the responsibility of the Responder to verify the inclusion of all documents, and to obtain copies of any missing items by contacting [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca). Failure to obtain any missing document(s) shall not relieve the Responder of any obligations imposed hereunder nor excuse it from any guidelines set out therein.
13. This ITQ and any subsequent agreements related to the subject matter hereof will be governed according to the laws of the Province of Ontario.
14. The NGC will not be responsible, and will not reimburse any Responder, for any cost incurred in the preparation of a RESPONSE to this ITQ.
15. The NGC reserves the right at any stage to request Responders to provide clarification, additional information or personal presentation concerning their RESPONSES. Responders however, will not be allowed to modify their RESPONSES once submitted.
16. The obligation of the NGC to explain its final selection to any Responder shall be limited to said Responder’s performance within the scope of the evaluation criteria. In order to safeguard the confidentiality of information provided by any Responder, the NGC shall not, under any circumstances, disclose details of any



other RESPONSE with the exception of the name of the preferred firm(s) selected as the successful Responders.

Nothing in this clause is to be interpreted as limiting the rights which the NGC may otherwise be entitled to.

## C) OTHER INSTRUCTIONS & OTHER MANDATORY REQUIREMENTS

### 1.0 General Information and Instructions to Responders

This section provides Responders with general information and instructions on the process.

#### 1.1 Terms and Conditions of Solicitation and Resulting Contract

**1.1.1** The general terms, conditions and clauses identified herein by title, number and date, are hereby incorporated by reference into and form part of this ITQ and any resulting contract, as though expressly set out herein, subject to any other express terms and conditions herein contained.

**1.1.2** A RESPONSE constitutes acknowledgment that the Responder has read and agrees to be bound by such instructions.

#### 1.2 Mandatory Requirements (M)

**1.2.1** For the purpose of qualifying and evaluating RESPONSES in RESPONSE to this ITQ, specific elements of this ITQ are categorized as “Mandatory” and are identified as follows:

##### **Mandatory Requirements:**

- Where an element of this ITQ is mandatory it will be identified with the word “**Mandatory**” or an “**(M)**”. The words, “shall”, “must”, “essential” and “will”, in this ITT, are to be interpreted as mandatory requirements. Failure of a RESPONSE to comply with a mandatory requirement, as judged at the sole discretion of the ITQ Evaluation Team, will result in elimination of the RESPONSE from further consideration.



## **2.0 CONFLICT of INTEREST**

**2.0.1** By submitting a RESPONSE, the Responder represents that there is no conflict of interest. It is within the NGC's sole discretion to determine whether a conflict of interest exists.

### **D) ITQ GENERAL INFORMATION**

A copy of the ITQ General Information document is available for viewing and downloading purposes at [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).

### **E) ANNEX A – COLLABORATIVE PROCUREMENT PROCESS**

A copy of the Collaborative Procurement Process document is available for viewing and downloading purposes at [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).

### **F) ANNEX B – CRITERION 1, REFERENCES**

A copy of the Criterion 1, References document is available for viewing and downloading purposes at [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).

### **G) ANNEX C – NGC TRANSACTION INFORMATION**

A copy of the NGC Transaction Information document is available for viewing and downloading purposes at [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).

### **H) FORM 1**

A copy of the Form 1 is available for viewing and downloading purposes at [ngc-mbac.bonfirehub.ca](http://ngc-mbac.bonfirehub.ca).