



**RETURN BIDS TO:  
RETOURNER LES SOUMISSIONS À:**

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**SOLICITATION AMENDMENT  
MODIFICATION DE L'INVITATION**

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Solicitation remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'invitation demeurent les mêmes.

**Comments - Commentaires**

**Vendor/Firm Name and Address  
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<b>Title - Sujet</b> Block 2 Architectural Design Comp.	
<b>Solicitation No. - N° de l'invitation</b> EP771-200660/A	<b>Amendment No. - N° modif.</b> 002
<b>Client Reference No. - N° de référence du client</b> EP771-200660	<b>Date</b> 2020-02-20
<b>GETS Reference No. - N° de référence de SEAG</b> PW-\$PPS-021-27585	
<b>File No. - N° de dossier</b> 021pps.EP771-200660	<b>CCC No./N° CCC - FMS No./N° VME</b>
<b>Solicitation Closes - L'invitation prend fin</b> <b>at - à 02:00 PM</b> <b>on - le 2020-02-21</b>	
<b>Time Zone</b> <b>Fuseau horaire</b> Eastern Standard Time EST	
<b>F.O.B. - F.A.B.</b> <b>Plant-Usine:</b> <input type="checkbox"/> <b>Destination:</b> <input type="checkbox"/> <b>Other-Autre:</b> <input type="checkbox"/>	
<b>Address Enquiries to: - Adresser toutes questions à:</b> Bennett, Adrian	<b>Buyer Id - Id de l'acheteur</b> 021pps
<b>Telephone No. - N° de téléphone</b> (613) 990-3849 ( )	<b>FAX No. - N° de FAX</b> ( ) -
<b>Destination - of Goods, Services, and Construction:</b> <b>Destination - des biens, services et construction:</b> Block 2 Ottawa, ON	

**Instructions: See Herein**

**Instructions: Voir aux présentes**

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<b>Name and title of person authorized to sign on behalf of Vendor/Firm</b> <b>(type or print)</b> <b>Nom et titre de la personne autorisée à signer au nom du fournisseur/</b> <b>de l'entrepreneur (taper ou écrire en caractères d'imprimerie)</b>	
<b>Signature</b>	<b>Date</b>

## ADVANCED PROCUREMENT NOTICE AMENDMENT 002

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### THIS AMENDMENT IS BEING RAISED TO ADDRESS THE FOLLOWING QUESTIONS:

As it appears in this amendment:

The “Respondent” refers to the entity which submits a Response and at the end of the competition, if the successful Respondent, Canada may enter into contract with, often referred to as ‘Prime Consultant’. The Respondent must meet the security and licensing requirements. The Respondent is responsible to coordinate sub consultants and their contractual arrangements to deliver all services required by Canada including but not limited to those of the Respondent Team. The Respondent may self-perform any services of The Respondent Team if it has the capability to do so.

The “Respondent Team” are those disciplines identified by Canada to form part of the evaluation of the RFQ through the design competition. Substitutions within the Respondent Team at any point after submission of a response to the RFQ are not permitted. The Respondent Team consists of the mechanical, electrical, and structural engineering disciplines and may include, at the discretion of The Respondent, entities providing architectural services.

#### **Question 5:**

What am I required to submit on or before February 21<sup>st</sup>?

#### **Response 5:**

The Advance Procurement Notice is for information only. There is no requirement to submit anything at this time.

**Questions 6 through 12 are about security clearances. Canada has noted the concerns raised or implied and is responding by altering its approach, as is described in Response to Security Questions, after Question 13.**

#### **Question 6:**

We are looking to do a JV with an architect that is in [country redacted]. I have been informed by SSI [Industrial Security Sector] that given there is no bi-lateral agreement with [country redacted] – a security clearance cannot be provided to this company. Can you kindly confirm that this is in fact the case – thereby excluding all companies for which there are no agreements?

#### **Response 6:**

Confirmed, entities from countries that do not have bi-lateral agreements with Canada are unable to obtain the requisite security clearance and therefore may not form part of the Respondent in a Joint Venture.

The entity in question may, however, form a part of your team as a sub consultant.

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### **Question 7:**

Do all offices within the joint venture have to apply for the FSC (Facility Security Clearance) or will it be accepted, if the contact architecture office in Canada have applied?

### **Response 7:**

All entities forming the Respondent, all Joint Venture members, must be eligible to obtain FSC SECRET or equivalent and must obtain FSC SECRET or equivalent before the award of any resulting contract. If a Respondent wishes to include the expertise of an entity that cannot or will not obtain FSC SECRET or equivalent, that entity may be included as a sub consultant rather than as a member of the Respondent Joint Venture.

### **Question 8:**

Under 3.6e Security Clearances it states that all members of the respondent team must have applied for FSC at the level of Secret. The process of obtaining Facility Security Clearance is extremely onerous, and typically requires physical alterations to the office space. Some firms' offices may be inherently impossible to clear depending on their adjacencies to public spaces, floor level, and other risks. Among the requirements are a sign-in procedure for all visitors to the office, for example. It could require an office to keep their blinds down at all times. These requirements could easily deter an in-demand design firm from participating altogether.

Requiring this level of clearance (especially without requiring personnel clearance or document safeguarding) for a competition is not reasonable, given the high probability of being unsuccessful, and the fact that it is assumed the design competition will proceed without distributing classified material to everyone. On top of this there's no way of knowing how efficient the international equivalents of CISC are at processing these applications, which could lead to an unsuccessful procurement if multi-national teams fail to meet the deadline.

We would suggest that FSC Secret be a requirement within the team at some point in the project should the project actually proceed. For one team member to make the investment of time and resources to obtain this clearance is a cost firms will not find overly onerous if an actual contract is in place. In our experience it is possible with proper security protocols in place to avoid the issue of producing classified material even in high security environments, until the required clearance is obtained. This is how most firms with FSC Secret obtained it in the first place.

It would be reasonable, for example, for some members of a team to compartmentalize classified material during the Construction Documents phases without involving the firm focused on the concept design in details like telecommunications and security infrastructure. This would make international collaborations feasible, and open the field to countries that do not have a bilateral agreement with Canada on industrial security. One further consideration is that the true cost of applying for FSC Secret will vary by proponent, and so should be part of the final negotiations. Additional requirements such

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as document safeguarding and potentially IT Media clearance may also be added at this time, if it's deemed necessary. The latter is particularly costly.

### **Response 8:**

Your concerns have been considered. Canada has altered its approach to security requirements, please see **Response to Security Questions**.

### **Question 9:**

We are a [redacted] architectural practice who work internationally and interested to participate in this opportunity. We note that we are required to meet security requirements, specifically Facility Security Clearance (FSC) at the level of SECRET, issued by an international equivalent of the Canadian Industrial Security Directorate (CISD) of Public Services and Procurement Canada (PSPC). We understand that there is a bilateral security instrument between Canada and the [redacted].

Please can you advise on the type of [redacted] security clearance that would satisfy the requirements of Facility Security Clearance (FSC) at the level of SECRET?  
For your information, we have sought advice on this question from the [redacted], who referred us to PSPC.

And,

### **Question 10:**

What does the Canadian government mean by the expression “or an international equivalent” at 3.6, Mandatory requirements – Proof of RFQ, paragraph (e), Security clearance?

And,

### **Question 11:**

Would it be possible to know the types of international equivalents recognized by the Canadian government?

And,

### **Question 12:**

We are [an international] organization and as such it would be great if you could give us some clarity on which will be the screening process. By looking into the Government of Canada website we understand that we need to contact the [our country's] security authorities first. Could you confirm that this is the designated route and whether we need any sponsoring material from you to set up the motion as well as which would be the steps of the process?

### **Response 9, 10, 11, and 12:**

Countries each have their own terminology for its equivalency.  
For information specific to your country, please contact:

[Adrian.Bennett@pwgsc-tpsgc.gc.ca](mailto:Adrian.Bennett@pwgsc-tpsgc.gc.ca).

Enquiries specific to security requirements will continue to be accepted after the close of the APN on February 21.

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### **Question 13:**

Further to Part 3. Procedure, Paragraph 3.6.d) Exclusivity – please advise if an architect engaged as a sub consultant to a proponent team, can be part of more than one proponent team.

### **Response 13:**

All architectural entities, whether engaged as a sub consultant or responding as a Respondent, will not be permitted to be a part of multiple Responses.

### **Response to Security Questions:**

Canada, in balancing its obligation to enter a contract, if it enters a contract, with an entity that meets the security clearance with promoting openness and competition amongst talented professional design firms, is altering its Anticipated Mandatory Requirements of RFQ and Anticipated RFQ Evaluation sections of the APN as described below.

### **At Advance Procurement Notice section 3.5 Anticipated Mandatory Requirement RFQ:**

#### **DELETE all of subsection e).**

#### **Replace with:**

##### **e) Security Requirement**

The Respondent and all Joint Venture members of the Respondent, must be eligible to obtain a Facility Security Clearance (FSC) at the level of SECRET, issued by the Canadian Industrial Security Directorate (CISD) of PSPC, or an International equivalent. Eligibility will defined as any of the following:

- i) Business headquartered in Canada
- ii) Sole proprietors that are Canadian citizens or permanent residents
- iii) Canadian subsidiaries of a foreign company registered to do business in Canada, or
- iv) Business located a country or organization with which Canada has a bilateral security instrument

Countries and Organizations with Bilateral Security Instruments			
Australia	European Union institutions	Latvia	Spain
Belgium	Finland	NATO	Sweden
Brazil	France	Netherlands	Switzerland
Bulgaria	Germany	New Zealand	United Kingdom
Chile	Israel	Norway	United States
Denmark	Italy	South Africa	

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In addition, Respondents will be required to certify that they will undertake to meet the security requirements if they are qualified in the RFQ.

The rest of the Respondent Team (architectural, mechanical engineering, electrical engineering, structural engineering sub consultants) have no security requirement through the design competition. In contract negotiation, specific classified SECRET scope elements will be defined by Canada and must be treated as such.

The successful Respondent must hold a valid FSC at the level of SECRET, issued by the Canadian Industrial Security Directorate (CISD) of PSPC, or an International equivalent meeting the security requirements BEFORE contract award.

It is the responsibility of the Respondent to obtain their clearance in a timely fashion, however PSPC may include provisions in the design competition to ensure steps are being taken by the Respondent to obtain their clearance.

Respondents are reminded to obtain the required security clearance promptly. Canada is not obligated to delay the award of a contract in order for the Respondent to meet the security requirements. Any delay in the award of a contract to allow the successful Respondent to obtain the required clearance will be at the entire discretion of the Contracting Authority.

### **At Advance Procurement Notice section 3.7 Anticipated RFQ Evaluation**

#### **DELETE:**

Subsection b) in its entirety.

#### **Replace with:**

b) In addition to other criteria, Canada will assess the relevant past experience of the Respondent and the Respondent Team. Architectural experience may be demonstrated solely by the Respondent or may be supplemented with Respondent Team architectural experience.