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**ADVANCE CONTRACT AWARD NOTICE: (ACAN) # 01B68-20-0133**

The Department of Agriculture and Agri-food Canada (AAFC) has a requirement for the provision of frozen transportation of field research crop samples from multiple research sites in Western Canada to analytical laboratories in Ontario in compliance with the requirements of OECD Good Laboratory Practices (GLP).

The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to Ag-Quest, Inc., Box 144 Minto, MB R0K 1M0.

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.

**BACKGROUND**

The Department of Agriculture and Agri-Food Canada has a requirement for the provision of frozen transportation of approximately 250-300 field research crop samples from multiple research sites in Western Canada to analytical laboratories in Ontario in compliance with the requirements of OECD Good Laboratory Practices (GLP). The work will involve the following: collection of identified frozen samples from identified field research sites located in British Columbia, Alberta, Saskatchewan and Manitoba; maintenance of temperatures below freezing during transport; delivery of samples to the identified analytical laboratories in Ontario; completion of specified documentation in compliance with the requirements of GLP. This service is required once annually (Oct-Nov) for a period of three years.

Through the Minor Use Pesticide Program (MUPP), AAFC conducts 30-40 pesticide residue studies annually with 150-200 individual trials located at OECD Good Laboratory Practices (GLP) accredited AAFC research centres and private research companies across Canada. Crop samples generated from the trials must be analyzed to determine the level of pesticide residues at GLP accredited analytical laboratories, including PMC's Residue Chemistry Laboratory located in Vineland, Ontario.

In order to maintain sample integrity prior to analysis, crop samples must be frozen and maintained frozen at all time, including during transport from field sites to laboratories. Integrity of the frozen samples is an essential component of GLP. Health Canada's Pest Management Regulatory Agency (PMRA) requires research trials for the determination of pesticide residues to be conducted in compliance with GLP requirements for the purposes of obtaining registration of pesticide products in Canada.

**ESTIMATE OF COSTS**

The proposed contract is for a period of three years(including option periods), from date of signing to December 31, 2022. The service will be provided once annually following completion of field research trials (October-November).

The estimated value of the contract is \$113,000 including applicable taxes.

2020-2021	\$40,000
Option period#1	\$39,000
Option period#2	\$34,000

### **MINIMUM ESSENTIAL REQUIREMENTS**

Any interested supplier must demonstrate by way of a statement of capabilities that it has the capacity to meet the following requirements:

- Collection of frozen crop samples resulting from research trials for the determination of pesticide residues from identified research sites in Western Canada (BC, AB, SK, MB).
- Provision of frozen transportation services from the field sites to identified GLP accredited laboratories in Ontario.
- Maintenance of frozen integrity of the crop samples from receipt at the field site to delivery to the analytical laboratory.
- Monitoring and documentation of transport conditions in compliance with OECD GLP requirements; including provision of temperature records upon request.
- OECD GLP accreditation of the supplier by the Standards Council of Canada (SCC).

### **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**

In 2018, AAFC awarded through a sole-source, a multi-year contract to Ag-Quest Inc. to provide frozen transportation of field research crop samples from Western Canada to analytical laboratories in Ontario. The new contract aims to establish a similar multi-year contract based on the ongoing need for this service and variability of costs per year due to the number and weight of samples requiring transport.

Ag-Quest Inc. is an agricultural research company, providing OECD GLP accredited field research services. In 2015, they began their own transportation service to ensure sample integrity as other suitable transportation options were not available.

Ag-Quest Inc. is the only known company available that provides frozen transportation services of GLP research trial samples within Western Canada.

The following exception to the Government Contracts Regulations is invoked for this procurement under subsection 6(d): "only one supplier person or firm is capable of performing the contract."

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.

### **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 August 11, 2020 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.