



National Defence

Défense nationale

National Defence Headquarters
Ottawa, Ontario
K1A 0K2

Quartier général de la Défense nationale
Ottawa (Ontario)
K1A 0K2

Advance Contract Award Notice

1. Advance Contract Award Notice (ACAN)

- A. The Department of National Defence (DND) has a requirement for the provision of Blind Drug Testing (BDT), Safety Sensitive Drug Testing, Testing for Cause, Accident/Incident Related Testing and Control Testing related to the Canadian Forces Drug Control Program (CFDCP) in order to detect the presence of any prohibited drugs.
- B. The services are to be delivered to Canadian Armed Forces (CAF) units located in different regions throughout Canada.

2. Definition of the requirement

- A. The Department of National Defence (DND) has a requirement for the provision of Blind Drug Testing, Safety Sensitive Drug Testing, Testing for Cause, Accident/Incident Related Testing and Control Testing related to the Canadian Forces Drug Control Program (CFDCP) in order to detect the presence of any prohibited drugs, in addition to Expert Testimony on an as and when requested basis. Testing must be conducted in accordance with the standards established in the Mandatory Guidelines for Workplace Drug Testing Programs (MGWDTP) as issued and amended from time to time by Substance Abuse and Mental Health Services Administration (SAMHSA), and United States Department of Health and Human Services, with appropriate safeguards to ensure statistical information or data related to testing, testing results or drug-use within the CAF is not shared with any foreign nation prior to any scientific analysis by the DND. No exchange of information with a foreign nation is permitted without prior written approval from the Project Authority within the scope of this contract.
- B. Integrity of the urine samples during transit from the collection point to the laboratory is essential. The Contractor must ensure urine samples are kept at a regular/consistent temperature between 15 and 22 degrees Celsius (°C) to ensure PH levels are not compromised, which would cause the sample to be "spoiled." The Contractor must guarantee the protection of the samples during shipping. Samples liable to shipping in excess of 72 hours, or where temperatures cannot be maintained, must be kept refrigerated and within 15 and 22°C.
- C. Testing must be conducted in a timely manner to ensure rapid and accurate results. The Contractor must ensure transit time from the collection point to the laboratory will not exceed three (3) days without prior written approval. For Safety Sensitive, Cause, AIDT and DDT, the Contractor must conduct analysis and fax results directly to the TA within 32 hours of urine sample receipt. Due to the potential quantity of BDT, the Contractor must provide results within 10 calendar days.
- D. The Contractor must supply upon request the urine collection cups to be used by the Contractor for the detection of DND identified prohibited drugs and must provide for the shipping of samples from the collection point to the laboratory.
- E. The Contractor must hold a valid and current SAMHSA certification.
- F. The Contractor must follow SAMHSA guidelines and use specified screening and confirmatory methods in order to achieve a maximum level of effectiveness and reliability.



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- G. The Contractor must supply upon request the self-contained urinalysis screening cups to be used by DND for the detection of the following drugs: 6AM, Amphetamine, Methamphetamine, Cannabinoids (THC-marijuana), Cocaine Metabolite, Opiates (heroin, opium, codeine, and morphine), and MDMA (Ecstasy). For those with positive results they are shipped to the Contractors laboratory for confirmatory.

3. Criteria for assessment of the Statement of Capabilities (Minimum Essential Requirements)

- A. Any interested supplier must demonstrate by way of a statement of capabilities that it meets the following requirements:
- a) The Bidder must hold a valid and current Substance Abuse & Mental Health Services Administration (SAMHSA) certification. The Bidder must provide a copy of the valid and current SAMHSA certification; and
 - b) The Bidder must demonstrate that they have held a SAMHSA certification for a minimum of three (3) consecutive years within the last five (5) years measured back from the date of Bid Closing. The Bidder must provide a copy of the SAMHSA certification(s) to demonstrate compliance.

4. Applicability of the trade agreement(s) to the procurement

- A. This procurement is subject to the following trade agreements:
- a) Canadian Free Trade Agreement (CFTA);
 - b) World Trade Organization - Agreement on Government Procurement (WTO-AGP);
 - c) Canada-European Union Comprehensive Economic and Trade Agreement (CETA);
 - d) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP);
 - e) Canada-Chile Free Trade Agreement (CCFTA);
 - f) Canada-Colombia Free Trade Agreement;
 - g) Canada-Honduras Free Trade Agreement;
 - h) Canada-Korea Free Trade Agreement;
 - i) Canada-Panama Free Trade Agreement;
 - j) Canada-Peru Free Trade Agreement (CPFTA); and
 - k) Canada-Ukraine Free Trade Agreement (CUFTA).

5. Justification for the Pre-Identified Supplier

- A. Dynacare-Gamma Laboratory Partnership is the only known laboratory with SAMHSA certification in Canada.

6. Government Contracts Regulations Exception(s)

- A. The following exception(s) to the Government Contracts Regulations is invoked for this procurement under subsection 6(d).
- (d) only one person is capable of performing the contract.



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7. Exclusions and/or Limited Tendering Reasons

- A. The following exclusion(s) and/or limited tendering reasons are invoked under the:
- a) Canadian Free Trade Agreement (CFTA) – Article 513 (1) (b) (iii): due to an absence of competition for technical reasons;
 - b) World Trade Organization - Agreement on Government Procurement (WTO-AGP) – Article XIII (b) (iii): due to an absence of competition for technical reasons;
 - c) Canada-European Union Comprehensive Economic and Trade Agreement (CETA) – Article XIII (b) (iii): due to an absence of competition for technical reasons;
 - d) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – Article 15.10 (2) (b) (iii): due to an absence of competition for technical reasons;
 - e) Canada-Chile Free Trade Agreement (CCFTA) – Article Kbis-16 (2) (c): necessary to protect intellectual property;
 - f) Canada-Colombia Free Trade Agreement – Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
 - g) Canada-Honduras Free Trade Agreement – Article 17.11 (2) (b) (iii): due to an absence of competition for technical reasons;
 - h) Canada-Korea Free Trade Agreement – referencing the WTO Protocol Amending the GPA, Article XIII (1) (b) (iii): due to an absence of competition for technical reasons;
 - i) Canada-Panama Free Trade Agreement – Article 16.10 (1) (b) (iii): because of the absence of competition for technical reasons;
 - j) Canada-Peru Free Trade Agreement (CPFTA) – Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons; and
 - k) Canada-Ukraine Free Trade Agreement (CUFTA) – Annex 10-6 (2) (a): any form of preference, including set asides, to benefit micro, small and medium enterprises.

8. Period of the proposed contract or delivery date

- A. The proposed contract is from April 1, 2021 to March 31st 2024, with two (2) additional optional periods of one (1) year each.
- B. The estimated value of the contract, including options is \$750,000.00 (GST/HST extra).

9. Name and address of the pre-identified supplier

- A. Dynacare-Gamma Laboratory Partnership
115 Midair Court
Brampton, ON
L6T 5M3

10. Suppliers' right to submit a statement of capabilities

- A. Suppliers who consider themselves fully qualified and available to provide the services described in the ACAN may submit a statement of capabilities in writing to the contact person 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.



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11. Closing date for a submission of a statement of capabilities

- A. The closing date and time for accepting statements of capabilities 16 February 2021 at 2:00 p.m. EST.

12. Inquiries and submission of statements of capabilities

- A. Inquiries and statements of capabilities are to be directed to:

Marie-Diane Payeur
E-mail: Marie-Diane.Payeur@forces.gc.ca