

ADVANCE CONTRACT AWARD NOTICE (ACAN) – 5000057783

1. Advance Contract Award Notice (ACAN)

An ACAN is a public notice indicating to the supplier community that a department or agency intends to award a contract for goods, services or construction 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.

2. Definition of the requirement

The Department of Natural Resources Canada (NRCan) has a requirement to provide analysis on the global lithium-ion battery supply chains; battery raw materials supply chains; and battery and electric vehicle (EV) assembly, all to form the basis of policy advice towards low-carbon transportation, and to strengthen Canada's position as a provider of EV-related goods and services.

The work will involve the following:

- The supplier will provide global data and analysis to NRCan within pre-determined time periods (monthly, quarterly, or annually), and forecasting reports over the balance of the decade.
- The supplier will provide NRCan with access to expert analysts.

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

Any interested supplier must demonstrate by way of a statement of capabilities that it meets the following requirements:

The supplier **must** have or possess a **database** that supplies the following:

- Quarterly forecasts and monthly price assessments for all **five (5)** main battery raw materials: lithium, cobalt, nickel, and graphite (natural and synthetic). These price assessments **must** include quarterly information about supply (at major facilities, including mines and battery plants) and demand (battery demand by sector) around the world.
- Monthly global cathode and anode market assessments.
- Quarterly assessments on the entire battery supply chain (from metal mine to the market) around the world, including a battery cell supply model (2015-2040) and a battery cell database.

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4. Applicability of the trade agreements to the procurement

This procurement is subject to the following trade agreements:

- Canadian Free Trade Agreement (CFTA)
- World Trade Organization - Agreement on Government Procurement (WTO-AGP)
- Canada-European Union Comprehensive Economic and Trade Agreement (CETA)
- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)
- Canada-Chile Free Trade Agreement (CCFTA)
- Canada-Colombia Free Trade Agreement (CCoFTA)
- Canada-Honduras Free Trade Agreement (CHFTA)
- Canada-Korea Free Trade Agreement (CKFTA)
- Canada-Panama Free Trade Agreement (CPaFTA)
- Canada-Peru Free Trade Agreement (CPFTA)
- Canada-Ukraine Free Trade Agreement (CUFTA)

5. Set-aside under the Procurement Strategy for Aboriginal Business

Not applicable.

6. Comprehensive Land Claims Agreement(s)

Not applicable.

7. Justification for the Pre-Identified Supplier

The supplier mentioned in section 13 below is the only known supplier that meets the mandatory criteria set out in section 3 above.

Should Canada receive a statement of capabilities from a supplier that contains sufficient information to indicate that it meets the requirements set forth in this ACAN, a competitive process will be triggered with a technical and financial evaluation methodology of the bids proposed by the potential bidders

8. Government Contracts Regulations Exception(s)

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

The identified supplier, **Benchmark Mineral Intelligence (BMI)**, is the only one able to meet all of the criteria identified in paragraph 3 above

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9. Exclusions and/or Limited Tendering Reasons

The following exclusion(s) and/or limited tendering reasons are invoked under the:

- Canadian Free Trade Agreement (CFTA) – Article: 513.1(b) (iii);
- World Trade Organization - Agreement on Government Procurement (WTO-AGP) – Under the Revised GPA - Article XIII, 1 (b) (iii);
- Canada-European Union Comprehensive Economic and Trade Agreement (CETA) – Article(s) Article 19.12 (b) (iii)
- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – Article(s): 15.10 , 2 (b) (iii) (s)
- Canada-Chile Free Trade Agreement (CCFTA) – Article(s) Kbis-09 (b),Article Kbis-09 (c)
- Canada-Colombia Free Trade Agreement – Article(s): 1409 (b) (iii);
- Canada-Honduras Free Trade Agreement – Article(s): 17.11 2 (b) (iii)
- Canada-Korea Free Trade Agreement – Article 14.3, Under the Revised GPA - Article XIII, 1 (b) (iii);
- Canada-Panama Free Trade Agreement – Article(s) 16.10 (b) (iii)
- Canada-Peru Free Trade Agreement (CPFTA) – Article(s)1409 (b) (iii)
- Canada-Ukraine Free Trade Agreement (CUFTA) – Article(s) Article 10.13 (b) (iii);

10. Ownership of Intellectual Property

- Ownership of any Foreground Intellectual Property arising out of the proposed contract will vest in the Contractor.

11. Period of the proposed contract or delivery date

- The proposed contract is for a period of one (1) year, from April 1, 2021 to March 31, 2022, which also includes two (2) optional one-year contract periods.

12. Cost estimate of the proposed contract

The estimated value of the contract, including all option periods, is **\$255,000.00 USD**.

Initial year: \$85,000.00 USD

Option Year #1: \$85,000.00 USD

Option Year #2: \$85,000.00 USD

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13. Name and address of the pre-identified supplier

- Benchmark Mineral Intelligence (BMI)
- 49 Colehill Lane, London, United Kingdom SW6 5EF

14. Suppliers' right to submit a statement of capabilities

Suppliers who consider themselves fully qualified and available to provide the goods, services or construction 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.

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

The closing date and time for accepting statements of capabilities is February 25, 2021 at 2:00pm (EST).

16. Inquiries and submission of statements of capabilities

Inquiries and statements of capabilities are to be directed to:

Raymond Thai, Procurement Specialist

580 Booth Street, Ottawa, ON K1A 0E4

E-mail: raymond.thai@canada.ca