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Gatineau, Québec K1A 0S5

Bid Fax: (819) 997-9776

**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

Raison sociale et adresse du
fournisseur/de l'entrepreneur

Issuing Office - Bureau de distribution

Fuel & Construction Products Division
L'Esplanade Laurier,
140 O'Connor Street,
East Tower, 4th floor,
Ottawa
Ontario
K1A 0S5

Title - Sujet Water Tank Trailers	
Solicitation No. - N° de l'invitation W8476-216377/A	Amendment No. - N° modif. 002
Client Reference No. - N° de référence du client W8476-216377	Date 2021-05-28
GETS Reference No. - N° de référence de SEAG PW-\$\$HL-673-79965	
File No. - N° de dossier hl673.W8476-216377	CCC No./N° CCC - FMS No./N° VME
Solicitation Closes - L'invitation prend fin at - à 02:00 PM Eastern Daylight Saving Time EDT on - le 2021-06-21 Heure Avancée de l'Est HAE	
F.O.B. - F.A.B. Plant-Usine: <input type="checkbox"/> Destination: <input type="checkbox"/> Other-Autre: <input type="checkbox"/>	
Address Enquiries to: - Adresser toutes questions à: Feagan, Shaun	Buyer Id - Id de l'acheteur hl673
Telephone No. - N° de téléphone (613) 295-9018 ()	FAX No. - N° de FAX () -
Destination - of Goods, Services, and Construction: Destination - des biens, services et construction:	

Instructions: See Herein

Instructions: Voir aux présentes

Delivery Required - Livraison exigée	Delivery Offered - Livraison proposée
Vendor/Firm Name and Address Raison sociale et adresse du fournisseur/de l'entrepreneur	
Telephone No. - N° de téléphone Facsimile No. - N° de télécopieur	
Name and title of person authorized to sign on behalf of Vendor/Firm (type or print) Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie)	
Signature	Date

This amendment is raised to answer questions from potential bidders and amend the Request for Proposal.

Questions and answers:

Q1. At paragraph 6.1.4 of Annex A of the above-referenced RFP, the following three web links return a message "HTTP Error 404 – Not Found":

- Accelerated Reduction/Elimination of Toxics (ARET, <http://www.ec.gc.ca/nopp/aret/en/list.cfm>)
- National Pollutant Release Inventory (NPRI, http://www.ec.gc.ca/pdb/npri/npri_home_e.cfm)
- List of Challenge Substances (http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/list_e.html)

Could Canada provides the proper links for these documents?"

A1. Refer to amendment of Annex A, paragraph 6 below.

Q2. On page c-4/10 of Annex C at 2.2.4 - the document describes the manner in which the Bidder's Team or member's experience is to be presented in the bidder's submission. However, in the mandatory section that follows, the requirements only reference the Bidder or the manufacturer (See: M1, M2, M4, M5, M6, M7). Are we to assume that "Bidder", Manufacturer" or other references extend to include the Bidder's Team or members and not just the Bidder?

A2. Refer to amendment of Annex C, paragraph 2.2.4 below.

Q3. Regarding Mandatory M1 "The Bidder must hold the internationally recognized Quality Management System (QMS) standard, ISO 9001"; Would the Crown accept the ISO certifications from the bidders Team, along with an attestation from our ISO Auditor as sufficient to meet the ISO requirement at the time of submission?

A3. No the Bidder must hold the internationally recognized Quality Management System (QMS) standard, ISO 9001 at the time of bidding.

Q4. We note that DID A4.9 – Operator Manual and DID A4.10 – Repair Manual both call out C-01-100-100/AG-008 Writer's Guide for Technical Documentation.

Reading the SOW and these DIDs, we interpret that Canada is not requesting CFTO format (C-01-100-100-AG-006) and that commercial manuals are acceptable. Can you please confirm?

A4. Formal CFTO-format are not requested by Canada. Commercial publications that comply with the requirements of the contract are acceptable.

Q5. The documents reference NATO STANAG 2601 which is the covering document for AEP 2601. The AEP is a NATO UNCLASSIFIED document and is only available from a government source. Could Canada please provide a copy?

A5. Canada will not provide the STANAG 2601 or AEP 2601 documents. Bidders should contact NATO Standardization Organization to obtain copies of the documents as they are commercially available.

Q6. The subject DID (First Article Acceptance Plan) asks the contractor to specify various verification methods for the technical requirements of the contract. Other than the mandated acceptance tests specified in article 4.1.6 of Annex A, Canada has not specified or assigned any specific verification method against the requirements (i.e. certification, analysis, examination, demonstration and / or test). Does Canada intend on specifying the verification method for each of the requirements?

A6. No, as identified in the question, other than the mandated acceptance testing, all other verification methods are up to the contractor to select. These methods and the rationale as to why the proposed verification methods were chosen, and how it will prove to Canada that the equipment offered for acceptance meets the specific technical specification will be reviewed by DND when the First Article Acceptance Plan is submitted.

Q7. This SOW clause indicates the contractor is to add "...one of the following notices...", but then only one notice is provided at 5.3.4.1.1. Could Canada please provide the other notice?

Additionally, this clause identifies what is viewed as a new and unique request by Canada. It has not been seen on other defence contract. Could Canada please clarify the need for this marking? As large portions of the drawing package is existing background information, is Canada asking contractors to bid the effort to apply these new and unique markings on existing drawings?

A7. A paragraph was deleted from the SOW in error. Refer to amendment of Annex A, paragraph 5.3.4.1

This application of the Copyright mark only applies to the Technical Publications produced in 5.3. Canada's intent is to be able to use, reproduce, modify, and translate deliverables in 5.3 - either by Canada or by contractors on Canada's behalf - for any purpose Canada requires. The marking only needs to be applied once, in the area of the Technical Publication's Front Matter or Title page. Note: SPTD are not Technical Publications.

This clause addresses the fact that the requirement to include a Notice of Intellectual Property Rights on these deliverables is not included in SACC 4006.

Q8. In the Resulting Contract Clauses, we propose changes to the following sections: 6.1, 6.2.1 – 2030 26, & 6.2.2 – 4006

A8. Canada is not considering changes to these sections.

Q9. In the Resulting Contract Clauses, 6.2.1 – 2030 11 – Canada has included their standard clause for Excusable Delay, we would suggest paragraphs 3 and 5 of this clause be removed and Canada's right to terminate be relegated to clause 2030 31 and 2030 32.

A9. At 2030 11, paragraph 3, **Delete** "30 days" and **Insert** "120 days".

Q10. Could Canada please provide the following referenced GFI?

- 1) C-30-K77-000/MB-000 OPERATOR MANUAL MSVS SMP;
- 2) C-30-K86-000/TE-000 DATA SUMMARY/SPEC SHEET MSVS SMP;
- 3) C-32-F42-000/MA-000 2009-11-30 DATA SUMMARY TRUCK, 8 TONNES, 6X6, CARGO, MSVS MILCOTS, CANADIAN SERIES.

A10. The Technical Data Package (TDP) will be provided to the bidders by DSCO upon request to the Contracting Authority. The TDP includes these required pubs:

1. C-30-K77-000/MA-000 Data Summary Cargo, MSVS SMP (available in English only);
2. C-32-F42-000/MA-000 Data Summary Cargo with TARP, MSVS.

The following will be deleted from Annex A, Section 2.1:

1. C-30-K86-000/TE-000;
2. C-30-K77-000/MB-000.

Q11. Paragraph 4.1.6.6 of Annex A of the above-referenced RFP lists the mandated Road and Cross-country test dictated by Canada. Will Canada support the Road and Cross-country test by providing the prime mover, test facilities, and personnel?

A11: No. DND will only provide Prime movers to verify trailer compliancy issues.

Q12. Serial M10 of Annex C of the above-referenced RFP refers to water heating system requirements of "Para A1.2.2.8". Should this read "Para A1.2.2.9" instead?

A12. Yes, "Para A1.2.2.9" is correct reference instead of "Para A1.2.2.8" for the M10. Refer to amendment of Annex C, M10 below.

Q13. Appendix 1.0 paragraph A2.5.1 of Annex A of the above-referenced RFP states that "the WTT is expected to operate in any environment and experiencing temperatures from -40°C, to +49°C". Can Canada confirm that the lower boundary for C2 conditions in paragraphs A1.3.2, and A1.3.3 is also measured at -40°C?

A13. Yes, the lower boundary for C2 conditions in paragraphs A1.3.2, and A1.3.3 is also measured at -40°C.

Q14. Appendix 1.0 paragraph A1.2.2.10 of Annex A of the above-referenced RFP states: "The fire extinguisher NSN 4210-21-904-1381 and accompanying bracket NSN 4210-01-345-8175 must be mounted on the WTT." Will this item be provided by Canada as government supplied material?

A14. No, the Contractor must provide and mount the fire extinguisher NSN 4210-21-904-1381 and accompanying bracket NSN 4210-01-345-8175.

Q15. Annex C M8 requires bidders to provide a Test Report showing compliancy of the air brake system designed for the WTT. In order to provide a test report the bidder must already have a trailer meeting the WTT requirements that has or can be tested prior to the bid closing date. This suggests that Canada requires responses from only that bidder(s) that has/have an existing product meeting all requirements of the WTT. We believe that there are no existing trailers that meet the WTT requirements in their totality or Canada would not require the Contractor to conduct a Critical Design Review process described in Annex A 3.3.4. In addition there are a series of tests required to be performed after contract award to demonstrate compliance of the proposed WTT at Annex A 4.1.6. This requirement further suggests that there is no existing WTT that meets all of the specified requirements of Annex A or each of these tests could be included as mandatory bid requirements. In addition and to support our request that M8 be removed, it is noted that M3 requires the bidder to meet Canada Motor Vehicle Safety Regulations, Schedule III which among other requirements includes the requirement to meet CMVSS Technical Standards Document 121. It should be noted that there is a legal requirement of the manufacturer/importer to meet all specified CMVSS regulations as a condition of their right to apply the Canada Safety Mark on their vehicles. Should Canada wish to obtain test reports specifically pertaining to CMVSS 121 for a WTT meeting all requirements of the solicitation, this bidder suggests that Canada request this testing be conducted as part of First Article Acceptance and a requirement for air brake testing be added to Annex A 4.1.6.

A.15. Both M8 and M9 must be re-written. Refer to amendment of Annex C, M8 & M9 below.

The Solicitation is hereby amended as follows.

- At Annex A – Statement of Work, para 2.1 – **Delete**:

1. C-30-K86-000/TE-000;
2. C-32-F42-000-MB-Z01;
3. C-30-K77-000/MB-000.

- At Annex A – Statement of Work, para 5.3.4.1, **Insert**:

"5.3.4.1.2: Intellectual Property (IP) in Background information: "© (insert year) (insert IP owner). This deliverable was delivered under Contract no. XXXX and contains Background Intellectual Property (IP). Her Majesty the Queen in Right of Canada has a royalty-free and perpetual license to the Background IP for the purpose of exercising its rights in the Contract deliverables and Foreground information. The license includes the rights to use, reproduce, modify, and translate this deliverable and further includes the right to authorize others to use, reproduce, modify, and translate, in whole or in part the deliverable for all government purposes including competitive tendering. Refer to the contract terms for additional details as required."

- At Annex A – Statement of Work, **Delete** para 6.0 in its entirety and **Insert**:

6.0 ENVIRONMENTAL HEALTH AND SAFETY

6.1 General

6.1.1 Environmental Health and Safety (EHS) consideration must be incorporated and documented into the decision making process for the Work performed under this Contract. EHS documentation must be maintained within the project file throughout the life of this Contract. The Contractor must provide for and allow DND inspection and monitoring of EHS documentation throughout the life of the contract.

6.1.2 Polychlorinated Biphenyls (PCBs), halocarbons (as identified within the Federal Halocarbon Regulations, SOR/2003-289 & Ozone-depleting Substances and Halocarbon Alternatives Regulations: SOR/2016-137) and asbestos are not to be incorporated into the design, operation and maintenance of the equipment, and products used in equipment support activities.

6.1.3 The Contractor must identify and report all sources of mercury contained and used within the design, operation and maintenance of the equipment, and products used in equipment support activities.

6.1.4 In accordance with the Prohibition of Certain Toxic Substances Regulations (SOR/2012-285), the substances listed under this regulation must not be incorporated in any part of the equipment.

6.1.5 Contractors must identify the use of all regulated products and heavy metals (heavy metals are those identified within Schedule 1 of the Canadian Environmental Protection Act (CEPA)) to the technical authority for approval.

6.1.6 Canada Labour Code, Part II dictates that the least hazardous materials should be used at the workplace. Therefore, the Contractor is to strive to use the least hazardous product that meets the requisite performance requirements.

6.1.7 The Contractor must incorporate EHS warnings and instructions in direct relation of the EHS risks presented in the contents into documentation.

6.1.8 It is the Contractor's responsibility to ensure that specifications, standards, support documents and test programs are reviewed for EHS compliance.

6.2 Environmental Management System

6.2.1 The Contractor must have a management system in place to control environmental, health and safety impacts resulting from their activities, products and services.

6.2.2 The Contractor must have a formalized set of procedures and control measures in place to achieve conformance with the requirements of this Work, while ensuring environmental, health and safety protection and pollution prevention.

6.2.3 The Contractor must also make reasonable effort to monitor that all subcontractors are in compliance with applicable environmental laws and regulations.

6.3 EHS Packaging Labels and SDS

6.3.1 The Contractor must label and ship goods falling within the Hazardous Products Act, R.S.C. 1985, C. H-3 and regulation(s) there under, in accordance with the said Act and regulation(s).

6.3.1.1 The Contractor must ship goods accompanied by the required Safety Data Sheet(s) (SDS), completed in either English or Canadian French.

6.3.1.2 The Contractor must clearly identify the contents of the hazardous material with labels, and the SDS must explain what those hazards are.

- At Annex A, A4.22 para 6.1.1, English version only, **Delete** all and **Insert**:

“The R&O Plan must include the following information:”

- At Annex C – Technical Proposal Requirement and Bid Evaluation, **Delete** para 2.2.4 and **Insert**:

“2.2.4 For the purpose of this solicitation, the “Bidder” is the “Company” within the “Bidder’s Team” that is submitting this bid.”

- At Annex C – Technical Proposal Requirement and Bid Evaluation M4, M6 and M7 only, **Delete** “the Bidder” and **Insert** “the Bidder’s team”

- At Annex C, Serial M8, **Delete** all and **Insert**:

M8 - The Air Braking System proposed for the WTT must be compliant with Transport Canada’s Technical Standards Document 121.

Supporting Documentation: Details of proposed WTT air braking system confirming compliance with above standard or details of system used on one of the 2 (two) fleets required to meet mandatory M4 that confirms compliance to above standard

- At Annex C, Serial M9, **Delete** all and **Insert**:

M9 - The Trailer Lighting System proposed for the WTT must be compliant with STANAG 2601 ED.3.

Supporting Documentation: Details of the proposed WTT lighting system confirming compliance with above standard or details of system used on one of the 2 (two) fleets required to meet mandatory M4 that confirms compliance to above standard.

- At Annex C, Serial M10, **Delete** "Para A1.2.2.8" and **Insert** "Para A1.2.2.9"

All other terms and conditions remain unchanged