



National Defence  
National Defence Headquarters  
Ottawa, Ontario  
K1A 0K2

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

## **Advanced Contract Award Notice (ACAN)**

### **1. Advanced Contract Award Notice**

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 National Defence has a requirement for an Endoscope Reprocessing Solution (ERS). The ERS will be used to provide high level decontamination for flexible endoscopic devices prior to and after use on patients. In support of patient safety, the device must meet or exceed self-diagnostic capabilities outlined in Canadian Standards Association (CSA) guideline: CAN/CSA-Z314-18, Canadian Medical Device Reprocessing.

The initial ERS unit purchased will be installed at Canadian Armed Forces (CAF) Base Halifax. Options for up to three (3) additional ERS units over three years will be included. If purchased, these ERS units will be delivered to different CAF bases located in different regions throughout Canada. The operator and technical services training will be held at the location of each ERS ordered.

### **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:

- a) The Bidder must demonstrate that their proposed Endoscope Reprocessing Solution (ERS) has the following Certification and Compliance:

Canadian Standards Association (CSA) certification ([www.csagroup.org/global/en/about-csa-group/certification-marks-labels](http://www.csagroup.org/global/en/about-csa-group/certification-marks-labels)); or an equivalent proof of certification or proof of equivalency must be recognized by SCC (Standard Council of Canada) ([www.scc.ca](http://www.scc.ca)).



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Proof of certification must be included with the statement of capabilities.

b) The Bidder must demonstrate that their proposed ERS has a valid, active, medical device license issued by Health Canada.

The Canadian Armed Forces reserves the right, at its discretion, to verify the validity of the device license through Health Canada.

The Bidder must provide a copy of the medical device license or the device license number as part of their statement of capabilities.

c) The Bidder must demonstrate that their proposed ERS is capable of concurrently and asynchronously processing two (2) or more flexible endoscopic devices. The proposed ERS must allow one flexible endoscopic device to be connected, and processed, with capability for another ERS to be connected and processed at a separate time (i.e. asynchronous processing).

The bidder must provide documentation (specification, manual, pamphlet, etc.) as part of their statement of capabilities.

d) The Bidder must demonstrate that their proposed ERS is compatible with multiple scope systems, including but not limited to Olympus scopes.

The bidder must provide documentation (specification, manual, pamphlet, etc.) as part of their statement of capabilities.

e) The Bidder must demonstrate that their proposed ERS can be installed in a space with key dimensions as follows:

- I. Entry doorways measuring eighty-three (83) centimeters in width; and
- II. The installation location measures one hundred thirty (130) centimeters in width and seventy (70) centimeters in depth.

The bidder must provide documentation (specification, manual, pamphlet, etc.) as part of their statement of capabilities.

f) The Bidder must demonstrate that their proposed ERS has visible and/or audible alarms for:



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- I. Cycle error, with a code to be interpreted by a technician.
- II. Completion of endoscope reprocessing cycle.
- III. Other error codes, unrelated to active cycle, to be interpreted by technician.

The bidder must provide documentation (specification, manual, pamphlet, etc.) as part of their statement of capabilities.

#### **4. Applicability of the Trade Agreements to the Procurement**

This procurement is subject to the following trade agreements:

- (a) Canadian Free Trade Agreement (CFTA)
- (b) Canada-Colombia Free Trade Agreement
- (c) Canada-Honduras Free Trade Agreement,
- (d) Canada-Panama Free Trade Agreement
- (e) Canada-Korea Free Trade Agreement (CKFTA)
- (f) Canada-Peru Free Trade Agreement
- (g) Canada-European Comprehensive Economic and Trade Agreement (CETA)
- (h) World Trade Organization - Agreement on Government Procurement (WTO-AGP)
- (i) Canada - Ukraine Free Trade Agreement (CUFTA)
- (j) Canada - Chile Free Trade Agreement (CCFTA)
- (k) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

#### **5. Justification for the pre-identified supplier**

The ERS must be capable of concurrently and asynchronously processing two (2) or more flexible endoscope devices. If the ERS cannot meet this requirement it will limit the operational capability for the DND. The size of the ERS must fit within the space available at the CAF clinics. The doorways have a width of eighty-three (83) centimeters. The installation area is one-hundred and thirty (130) centimeters in width and seventy (70) centimeters in depth.

Cantel Canada Inc, the pre-identified supplier, supplies the DSD EDGE Automated Endoscope Re-processor and it is the only device available in Canada that can meet the aforementioned requirements.

#### **6. Government Contracts Regulation Exception**

The following exception(s) to the Government Contracts Regulations is invoked for this procurement under subsection:



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subsection 6(d) - only one person is capable of performing the work

## **7. Exclusions and/or Limited Tendering Exceptions**

This procurement is not subject to the international trade agreement(s), due to the following exclusion(s) and/or limited tendering reasons:

- (a) Canadian Free Trade Agreement (CFTA), Article 513 (1) (b) (iii): due to an absence of competition for technical reasons;
- (b) Canada-Colombia Free Trade Agreement, Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
- (c) Canada-Honduras Free Trade Agreement, Article 17.11 (2) (b) (iii): due to an absence of competition for technical reasons;
- (d) Canada-Panama Free Trade Agreement, Article 16.10 (1) (b) (iii): because of the absence of competition for technical reasons;
- (e) Canada-Korea Free Trade Agreement (CKFTA), referencing the WTO Protocol Amending the GPA, Article XIII (1) (b) (iii): due to an absence of competition for technical reasons;
- (f) Canada-Peru Free Trade Agreement, Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
- (g) Canada-European Comprehensive Economic and Trade Agreement (CETA), Article 19.12 (1) (b) (iii): due to an absence of competition for technical reasons;
- (h) World Trade Organization - Agreement on Government Procurement (WTO-AGP), Article XIII (1) (b) (iii): due to an absence of competition for technical reasons;
- (i) Canada - Ukraine Free Trade Agreement (CUFTA) Article 10.13: limited tendering, (1) (b) due to an absence of competition for technical reasons;
- (j) Canada - Chile Free Trade Agreement (CCFTA) Article Kbis-16 (2) (c): necessary to protect intellectual property; and
- (k) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Article 15.10 (2) (b) (iii): due to an absence of competition for technical reasons.

## **8. Period of the proposed contract of delivery date**

The delivery and installation of the initial ERS system is requested for August 1, 2021 or as soon as possible. One (1) Operator Training Session to be performed within sixty (60) calendar days of the request by DND, or at a date and time agreed upon between the Contractor's representative and the Technical Authority.

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The duration of the contract will be three (3) years from the contract award date, with options to procure up to three (3) additional units, four (4) Technical Training sessions and three (3) Operator Training sessions over the validity of the contract.

### **9. Cost estimate of the proposed contract**

The estimated value of the contract including options is \$401,436.30, including taxes.

### **10. Name and address of the pre-identified supplier**

Cantel (Canada) Inc.  
6-88B East Beaver Creek Road  
Richmond Hill, ON  
L4B 4W2  
Canada

### **11. Supplier's 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.

### **12. Inquiries and closing date for a submission of a statement of capabilities**

All enquiries must be submitted in writing to the Contracting Authority no later than five (5) calendar days before the ACAN closing date. Enquiries received after that time may not be answered.

The closing date and time for accepting statements of capabilities is July 28, 2021 at 2:00 p.m. EST.

### **13. Inquiries and the Submission of Statements of Capabilities**

Inquiries and statements of capabilities are to be directed to:

Safiya Motala, D Svcs C 3-5-4  
Department of National Defence  
E-mail: [safiya.motala@forces.gc.ca](mailto:safiya.motala@forces.gc.ca)