

ADVANCE CONTRACT AWARD NOTICE (ACAN)

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 Canadian Food Inspection Agency has a requirement to

On May 20th, 2003, a case of bovine spongiform encephalopathy (BSE), commonly known as "mad cow disease", was confirmed in an animal born and raised in Canada. On January 9th, 2004, the Government of Canada announced that it would increase BSE surveillance as part of the national strategy on this file. The CFIA is committed to promoting the collection of sufficient samples to meet the objectives of the National BSE Surveillance Program.

To be eligible for the CFIA's BSE surveillance program, the Contractor must, among other things, identify and track (record keeping) the carcasses selected for sampling. It must also provide and maintain suitable sampling facilities for the CFIA to collect the appropriate samples on-site, as well as provide storage and containment services for carcasses pending the results of screening tests. BSE.

For the sole purpose of this Annex A, "carcass" means any carcass of a bovine 30 months of age or over, the age of which has been confirmed by the CFIA, corresponding to the objectives and requirements of the National Safety Program. BSE surveillance.

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 its product/equipment/system (as appropriate) meets the following requirements:

- Have the capacity to receive, recover, transport, process bovine carcasses and to take any disposition action in respect of them, in accordance with all federal, provincial and municipal requirements including containment requirements;
- Maintain a record system acceptable to the CFIA. The Contractor must also be able to provide the CFIA with any register or other document containing information useful for the application of the Health of Animals Act and the National BSE Surveillance Program for review, in order to verify the existence of diseases, by virtue of article 38 of the aforementioned Law. These records or documents include information on the Producers, the identification and origin of the carcasses, including the number of approved Tags, the name of the owner or the person who owned, kept or had control of the animal or the carcass, the mailing address and telephone number of that person, the date the carcass was collected and the name of the farm of origin (if available);
- Identify and pre-screen carcasses for sampling, including bovine carcasses received from federally approved slaughterhouses, recognizing that samples taken from carcasses received from federally licensed slaughterhouses are not Eligible Samples and will not be considered for payment under this Service Agreement; by the CFIA. or by the provincial authority authorized by the CFIA.
- Present heads of pre-selected carcasses on a table for sampling by the CFIA or by the provincial authority authorized by the CFIA, recognizing that the final selection of carcasses for sampling is made by the CFIA, at in its sole and absolute discretion, depending on the goals, objectives and requirements of the National BSE Surveillance Program and its amendments;
- Be able to receive a volume of five thousand (5000) or seven thousand two hundred (7200) carcasses annually and have storage facilities capable of containing all carcasses and parts of carcasses from which samples are taken and which must be retained pending results, in accordance with the objectives established for the region under the National BSE Surveillance Program;

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- Designate an appropriate work area(s) where samples will be taken and keep the work area(s) clean and orderly; this/these work area(s) is (are) subject to CFIA approval and acceptance

 - Provide potable water in sufficient quantity and under sufficient pressure to meet sampling needs and to ensure that water is readily available; these requirements will be determined at the sole and absolute discretion of the CFIA

 - Clean the table(s) used to collect samples, company equipment and the sampling area(s) after each CFIA or provincial authority sampling visit authorized by the CFIA in a manner pre-approved by the CFIA

 - Ensure that each carcass is identified, traced and that adequate disposal measures are taken for it, in one of the following ways:
 - In the event that the Contractor does not use a rendering or destruction facility for specified risk materials (SRM):
 - while awaiting the results of the analyzes, set apart, keep and store separately the heads and carcasses and other parts of the carcasses analyzed, in accordance with a written protocol that the Contractor must present to the CFIA for examination, verification and approval before its implementation. This protocol should also outline the procedure required by the CFIA's multiple sampling site quality control program.
 - if the CFIA confirms to the Contractor that the analysis performed on the brainstem from a particular carcass is positive for BSE, dispose of all carcasses and all parts of the carcasses that have been in contact or have been in the immediate vicinity of that carcass or parts thereof, in accordance with the Health of Animals Act and Health of Animals Regulations as well as federal, provincial and municipal environmental requirements.

 - In the event that the Contractor uses an MRS rendering plant:

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- while awaiting the results of the analyzes, separate, keep and store the heads in a place different from that where the rest of the carcasses analyzed are located, and keep them intact;

 - while awaiting the analysis results, transfer the rest of the carcasses analyzed and all the parts (other than the head) to an SRM rendering plant, where the tallow (fat), the SRM flour, the "crackling" and the other by-products (hereinafter "By-products") must be segregated, preserved and stored.

 - The Contractor must present to the CFIA a protocol for review, verification and approval before its implementation and cover the activities as determined by the CFIA, including storage of heads, processing, storage of By-products in the rendering facility, their transportation to the rendering facility, and the procedure required by the CFIA multiple sampling site quality control program. This protocol should also outline the procedure required by the CFIA's multiple sampling site quality control program.

 - if the CFIA confirms to the Contractor that the analysis performed on the brainstem from a particular carcass is positive for BSE, dispose of all heads that have been in contact or have been in the vicinity of the head of this carcass, as well as the By-products, in accordance with the Health of Animals Act and the Health of Animals Regulations as well as federal, provincial and municipal environmental requirements.
 - In the event that the Contractor uses an SRM destruction facility:

 - while awaiting the results of the analyses, separate, keep and store the intact heads, and the tallow (fat) in a place different from that where the rest of the carcasses analysed are located;

 - dispose of the rest of the carcasses analysed and all parts other than the head and tallow (fat) in an SRM destruction facility. The Contractor shall present to the CFIA a written protocol for review, verification and approval prior to its

implementation and cover the activities as determined by the CFIA, including head storage, processing and carcass storage. and parts in the destruction facility, their transportation to the destruction facility, the processing and storage of tallow (fat) as well as the procedure required by the CFIA multiple sampling site quality control program . This protocol should also outline the procedure required by the CFIA's multiple sampling site quality control program.

- if the CFIA confirms to the Contractor that the analysis performed on the brainstem from a particular carcass is positive for BSE, dispose of all heads and tallow (fat) that have been contact or have been in the immediate vicinity of the head or tallow (fat) of this carcass, in accordance with the Health of Animals Act and Health of Animals Regulations as well as federal, provincial and municipal environmental requirements .

- Be able to provide the CFIA with information on the disposition of sampled carcasses, including date, time and method used.

- Present to the CFIA any carcass bearing a numbered blue CFIA / ACIA sign for audit and record keeping by the CFIA.

- **The Contractor must ensure that their establishment:**

- Has a designated work area where BSE surveillance samples can be taken; the work area must meet the following requirements:
 - is located in Quebec, in an easily accessible municipality;
 - is well ventilated and adequately lit;
 - is of adequate size and suitably equipped for the number of employees working there and the sampling activities required therein, including the ergonomic qualities acceptable for a sampling table;
 - is sufficiently removed from incompatible activities, equipment and machinery;

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- meet occupational health and safety standards, including those relating to access to the establishment and designated sampling area;

Meets and operates in accordance with federal, provincial and municipal requirements.

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

- 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
- Canada-Honduras Free Trade Agreement
- Canada-Korea Free Trade Agreement
- Canada-Panama Free Trade Agreement
- Canada-Peru Free Trade Agreement (CPFTA)
- Canada-Ukraine Free Trade Agreement (CUFTA)

5. Justification for the Pre-Identified Supplier

There are no other dead stock operators in Canada that suit the CFIA's requirements for BSE Surveillance. The requirement concerns the admissibility of carcasses based on age and identification. The quantity of selected carcasses must allow CFIA personnel to choose those that correspond to BSE program criteria and the quality of these carcasses needs to permit quality samples. Furthermore, the suggested supplier is the only known operator that can provide sufficient facilities to meet the requirements of the National BSE Surveillance program to fulfill CFIA needs.

6. Government Contracts Regulations Exception(s)

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

Government Contracts Regulations (GCR) – Section 6(d)

“only one person or firm is capable of performing the contract”

Contract subject to WTO-AGP - Article XXIII: paragraph 2

“...nothing in this Agreement shall be construed to prevent any Party from imposing or enforcing measures: necessary to protect public morals, order or safety, human, animal...”

Contract subject to CFTA: Chapter 5, Article 513, Section 1 (b): “if the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons: (iii) due to an absence of competition for technical reasons...”

7. Exclusions and/or Limited Tendering Reasons

- 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
- Canada-Honduras Free Trade Agreement
- Canada-Korea Free Trade Agreement
- Canada-Panama Free Trade Agreement
- Canada-Peru Free Trade Agreement (CPFTA)
- Canada-Ukraine Free Trade Agreement (CUFTA)

8. Period of the proposed contract or delivery date

The proposed contract is for a period of 3 years, from Contract award and will include 2 options to increase the sampling amounts.

9. Cost estimate of the proposed contract

The estimated value of the contract is \$1,248,000.00 (GST/HST extra).

10. Name and address of the pre-identified supplier

Jean Paul Fortier & Fils Inc. 479 route Begin, Ste-Claire, QC, G0R 2V0

11. 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.

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

The closing date and time for accepting statements of capabilities is

September 1, 2021 at 3pm EST.

13. Inquiries and submission of statements of capabilities

Inquiries and statements of capabilities are to be directed to:
Robert Smith
Telephone: 613-884-9802
E-mail: Robert.smith@inspection.gc.ca