

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 department of Natural Resources Canada (NRCan) has a requirement to review and analyze confidential industrial energy-use and production data collected by Statistics Canada. In addition, NRCan requires that this detailed information be maintained in a database so that NRCan can assess and report on the long-term impacts of energy efficiency and energy consumption trends in Canada's industrial sectors. This work will include the collection and analysis of industrial energy and production data, resulting in the preparation of a confidential industrial energy-use and production data document for NRCan; the review and testing of draft Energy Performance Indicators spreadsheet-based tools; and compiling results through a report of energy savings and GHG emission reduction estimates from NRCan project proponents. The energy data gathered would include the amount of energy used in industrial facilities from energy sources such as electricity and natural gas, typically expressed in gigajoules (GJ).

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 minimum of five (5) years of experience in conversing with industry, in at least ten (10) different industrial manufacturing sectors, on energy impacts with a view to building trust and credibility;
- At least five (5) years of experience in reviewing and analyzing industrial data generated by Statistics Canada;
- Experience in developing and maintaining an industry-focused database (minimum 1 platform);

ADVANCE CONTRACT AWARD NOTICE (ACAN)

- At least five (5) years of experience in handling and protecting confidential industrial data;
- Confirmation of having entered into a confidentiality agreement with industry.
- Evidence of a confidentiality agreement with Statistics Canada granting access to in-depth industry energy-use and production data.

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-UK Trade Continuity Agreement (Canada-UK TCA)
- 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.

ADVANCE CONTRACT AWARD NOTICE (ACAN)

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(s) 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, **Simon Fraser University**, is the only one able to meet all of the criteria identified in paragraph 3 above.

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.

ADVANCE CONTRACT AWARD NOTICE (ACAN)

11. Period of the proposed contract or delivery date

The proposed contract is for a period from the Date of Contract Award to March 31, 2022, with two (2) additional one-year optional periods.

12. Cost estimate of the proposed contract

The estimated value of the contract, including the option period(s) is **\$233,625.00** (GST/HST extra).

13. Name and address of the pre-identified supplier

Simon Fraser University
Canadian Energy & Emissions Data Centre
Office of Research Services
888 University Drive
Burnaby, BC V5A 1S8

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 September 17, 2021 at 2:00pm - Eastern Daylight Savings Time (EDT)

ADVANCE CONTRACT AWARD NOTICE (ACAN)

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@nrcan-rncan.gc.ca