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**Revision to a Request for a Standing Offer**

**Révision à une demande d'offre à commandes**

National Master Standing Offer (NMSO)

Offre à commandes principale et nationale (OCPN)

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Offer remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'offre demeurent les mêmes.

**Comments - Commentaires**

**Vendor/Firm Name and Address**

**Raison sociale et adresse du  
fournisseur/de l'entrepreneur**

**Issuing Office - Bureau de distribution**

Business Management and Consulting Services  
Division / Division des services de gestion des  
affaires et de consultation  
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K1A 0S5

<b>Title - Sujet</b> Investigative services Services d'enquêtes	
<b>Solicitation No. - N° de l'invitation</b> E60ZG-220399/A	<b>Date</b> 2021-09-15
<b>Client Reference No. - N° de référence du client</b> 20220399	<b>Amendment No. - N° modif.</b> 004
<b>File No. - N° de dossier</b> 411zg.E60ZG-220399	<b>CCC No./N° CCC - FMS No./N° VME</b>
<b>GETS Reference No. - N° de référence de SEAG</b> PW-\$\$ZG-411-39874	
<b>Date of Original Request for Standing Offer</b> <b>Date de la demande de l'offre à commandes originale</b> 2021-09-01	
<b>Solicitation Closes - L'invitation prend fin</b> <b>at - à 02:00 PM</b> Eastern Daylight Saving Time EDT <b>on - le 2021-10-27</b> Heure Avancée de l'Est HAE	
<b>Address Enquiries to: - Adresser toutes questions à:</b> Baker(411zg), Roxane	<b>Buyer Id - Id de l'acheteur</b> 411zg
<b>Telephone No. - N° de téléphone</b> (613) 858-8291 ( )	<b>FAX No. - N° de FAX</b> ( ) -
<b>Delivery Required - Livraison exigée</b>	
<b>Destination - of Goods, Services, and Construction:</b> <b>Destination - des biens, services et construction:</b>	
<b>Security - Sécurité</b> This revision does not change the security requirements of the Offer. Cette révision ne change pas les besoins en matière de sécurité de la présente offre.	

**Instructions: See Herein**

**Instructions: Voir aux présentes**

<b>Acknowledgement copy required</b>	<b>Yes - Oui</b>	<b>No - Non</b>
<b>Accusé de réception requis</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>The Offeror hereby acknowledges this revision to its Offer.</b> <b>Le proposant constate, par la présente, cette révision à son offre.</b>		
<b>Signature</b>	<b>Date</b>	
Name and title of person authorized to sign on behalf of offeror. (type or print) Nom et titre de la personne autorisée à signer au nom du proposant. (taper ou écrire en caractères d'imprimerie)		
<b>For the Minister - Pour le Ministre</b>		

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## Amendment #004

### Request for Standing Offers (RFSO), Investigative Services, Work Place Harassment and Violence and Disclosures of Wrongdoing

The purpose of this amendment is to provide the following Questions and Answers and amend the solicitation as follows.

#### PART A - QUESTIONS AND ANSWERS

##### QUESTION 001

We would like to clarify if the above RFSO is a re-tender of E60ZG-180493/A or is this totally different RFSO?

##### ANSWER 001

The new Work Place Harassment and Violence Prevention Regulations bill C-65 came into force on January 1, 2021. This means that Canada need to start a new tender process to become compliant with the new law. In order to do so, Canada needs to replace existing Standing Offer E60ZG-180493 with a new one.

##### QUESTION 002

Regarding **Part 7 - Standing Offer and Resulting Contract Clauses**, item 7.16 Additional Resources. We note that the validity period for this Refresh is 200 days prior to expecting the award of the NMSO. Will Vendors who submit a proposal in response to this Refresh also be able to submit additional resources after the due date has closed and prior to contract award? Or should vendors anticipate responding to this procurement with all previously appointed Investigators from the original NMSO SA?

##### ANSWER 002

In Part 2 – Offeror Instructions, reference to the 200 days is the bid validity period for the Request for Standing Offers (RFSO). This is part of the 2006 – Standard Instructions – Request for Standing Offers – Goods or Services – Competitive Requirements.

Item 7.16 Additional Resources is for additional resources that can be provided over and above the ones provided with the bid response after individual SOs are awarded.

It is not mandatory for vendor to respond to this procurement with all previously appointed investigators from the original NMSO as it is not a refresh. Please refer to Question and Answer 001 above.

##### QUESTION 003

Can you please confirm if there is a limit to the amount of resources we are able to submit and propose for the RFSO?

##### ANSWER 003

There is no limit to the amount of resources that can be submitted and proposed.

**QUESTION 004**

The bid for the above noted project, are you requiring the contractor to be able to conduct investigations in both English and French or just one. If I only can provide in English does that disqualify my submission?

**ANSWER 004**

The services must be delivered in either English or French (official languages of Canada) as requested by the Project Authority and by the individual being interviewed. Please refer to the Statement of Work Section 1 and Attachment 2 to Part 3 – Offeror Geographic Locations and Language Capabilities Table.

**QUESTION 005**

Please refer to answer 002 in amendment #2 stating the following *“It is not mandatory for vendor to respond to this procurement with all previously appointed investigators from the original NMSO as it is not a refresh.”* Are the Offerors who have successfully qualified investigators under the original National Master Standing Offer (NMSO) required to submit a response to this RFSO E60ZG-220399/A in order to continue to provide the required services?

**ANSWER 005 and clarification of answer 002**

Yes. To clarify, RFSO E60ZG-220399/A is to put in place a **NEW** NMSO that will replace and not refresh the NMSO E60ZG-180493. For the current RFSO (E60ZG-220399/A) Offerors must submit a response. The NMSO E60ZG-180493 will no longer exist once the new one is in place.

**QUESTION 006**

We note that the Pricing Schedule requires Bidders to submit an all inclusive daily rate that includes the total estimated cost or all travel and living expenses. Can Bidders submit the same resource with different all-inclusive daily rates for various Canadian Cities?

**ANSWER 006**

No. The all-inclusive per diem rates are exempt of Travel & Living Expenses for the cities listed by the offeror/ investigator in the last column of Attachment 2 to Part 3 of the solicitation document. All Travel and living expenses are the responsibility of the offeror/ investigator unless authorized and approved by the Project Authority.

**QUESTION 007**

Based on the quantity of information required to fully meet the requirements of the MNSO, we respectfully request a 2 week extension to the submission.

**ANSWER 007**

The closing date has been changed, please see page 1 of the RFSO amendment.

**QUESTION 008**

"I have a question related to Attachment 2 to Part 3 (found on page 13) of the solicitation document.

In the far-right column, we are asked to list all Canadian Cities where the proposed resource would be prepared to work....

Would Canada accept a response such as: All of the Cities in the Province of Alberta and all of the Cities in the Province of Ontario and so on? Or does Canada want us to list a hundred or more individual cities.

Note: the reason for the question is that I have been awarded contracts where the city was in Rural Saskatchewan and another in the Eastern Townships of Québec. Those city names had not been identified in my submission but I was still awarded the contract. It seems to me that it would be easier for contract administrators to determine if the offeror is willing to work within the Province."

**ANSWER 008**

Yes you can include all Cities in any Province as long as the offeror/ investigator do no charge for Travel and Living expenses for work being done in those cities. All Travel and living expenses are the responsibility of the offeror/ investigator unless authorized and approved by the Project Authority.

**QUESTION 009**

Regarding Stream 1 WHV, RTA2 Relevant Training, will procurement please consider adding Adjudication and Ombudsman to the Arbitration training row?

**ANSWER 009**

No. We are looking for investigators to conduct harassment and violence investigations under the *Work Place Harassment and Violence Prevention Regulations*, not adjudicators or ombudsperson.

**QUESTION 010**

Regarding Stream 1 WHV, **RTA4 Professional License/Designation**, row "Law" kindly confirm that procurement will accept any combination of the following: Barrister a/or Solicitor Designation, a License to Practice Law as a Corporation, Solicitor of the Court of Appeal, Professional Certified Investigator, ESDC Labour Programs HVP Roster of Investigators Appointment a/o a Private Investigator License?

**ANSWER 010**

We are looking for a Professional Designation/Accreditation or Licence obtained with respect to Law. There is a separate row for "Investigators" however we are still seeking professional designation or accreditation for an investigator, under this element.

**QUESTION 011**

Regarding Stream 1 WHV, **RTA4 Professional License/Designation**, row "Mediation / Conciliation" will procurement accept Appointed Arbitrator, Designation in ADR a/o Designation in Conflict Resolution/Negotiation as well?

**ANSWER 011**

We will accept any designation/accreditation or licence with respect to ADR or Conflict resolution/negotiation, however simply being appointed as an arbitrator would not meet this criteria.

**QUESTION 012**

Regarding Stream 1 WHV, **RTA4 Professional License/Designation**, we have several Investigators who are Designed Inspectors (under MGS) a/o retired RCMP or Provincial Senior Police Investigators. Will procurement kindly consider adding a row to illustrate License a/o Designation in Policing or Anti-Corruption?

**ANSWER 012**

No. As the type of investigators we are seeking for the NMSO are investigators who can make preventative measure recommendations in relation with Harassment and workplace violence and are not investigating to find fault or lay blame.

**QUESTION 013**

Regarding Stream 1 WHV, **RTA2 Relevant Training**, kindly clarify what training would meet Industrial Psychology and Self-Management. A definition for these two criteria would be very helpful for vendors.

**ANSWER 013**

Industrial Psychology as a discipline is the science of human behaviour relating to work and applies psychological theories and principles to organizations and individuals in their places of work. Self-Management refers to the abilities of an individual to curb or control their emotions and to perform activities which are under their control.

**QUESTION 014**

Regarding Stream 1 WHV, **RTA2 Relevant Training** and **RTA3 Formal Education** please confirm whether or not Proof of Training/Facilitation a/o Education is required to be submitted with the offer.

**ANSWER 014**

The offer **should demonstrate**, for each proposed resource which courses/training/workshops and education **were facilitated or completed**.

**QUESTION 015**

Regarding Stream 1 **WHV, MTA1. Mandatory Experience**, Evaluation Indicator 2 and 3 and "*The application of [F-P-T or CHRA] will be assessed by how the information is used in situations to solve problems; transferring abstract or theoretical ideas to practical solutions; identifying connections and relationships and how they apply.*" This is subjective criteria rather than objective criteria, which is risky when it comes to evaluation, meaning that without clear instruction on how to evaluate the criteria, persons conducting the evaluation may apply their own burden of proof. Is procurement looking for narrative answers for all 5 projects illustrated in the mandatory? Does this criteria also apply to the Rated projects? How does one illustrate 'transferring abstract or theoretical ideas to practical solutions' w/r to CHRA and F-P-T when documenting investigative projects? Given that each project documented should already clearly illustrate the Policies, Procedures, Acts and Legislation used when conducting the investigation, we respectfully ask that this criteria be removed.

**ANSWER 015**

See modification 001 in PART B – MODIFICATIONS TO RFSO below.

**QUESTION 016**

Regarding Stream 1 **WHV, MTA2. Mandatory Training**, Evaluation Indicator CHRA and CLC and the requirement to be "... providing information and by being able to define, recall, describe, label, identify, match, name and state what they know" kindly clarify how resources should respond to this criteria? As with the above question, this is subjective criteria rather than objective criteria, which introduces procurement evaluation risks. Is procurement looking for narrative answers for all 5 projects illustrated in the mandatory? Does this criteria also apply to the Rated projects? Does procurement want to see a detailed analysis against each line item in the CHRA and CLC (match, name and state)? How shall a resource respond to the 'recall' aspect of the question? Given that proof of training (facilitated or completed) must be provided, and that this proof will clearly illustrate compliance with the requirement itself, we respectfully ask that this criteria be removed.

**ANSWER 016**

See modification 002 in PART B – MODIFICATIONS TO RFSO below.

**QUESTION 017**

Given the size, scope and complexity of this procurement, that significant involvement is required from vendor's Investigative resources (who are, for the most part, very busy on active engagements under the existing NMSO) and that answers to questions are firmly required prior to formulating the majority of the proposal submissions, would procurement kindly extend the due date by 10 business days?

**ANSWER 017**

Please refer to answer 007 above.

#### QUESTION 018

Stream 1 – Work Place Harassment and Violence Incidents – Mandatory Criterion #3 states “**Experience applying the *Canadian Human Rights Act*”**. Given that the Human Rights Acts that are in place in most provincial and territorial jurisdictions are mirror legislation of the *Canadian Human Rights Act*, will evidence of applying a Human Rights Act in a territorial or provincial jurisdiction be accepted as equivalent?

#### ANSWER 018

No. We are looking for specific experience in the application of the CHRA under Federal Jurisdiction.

#### QUESTION 019

In RTGB4, there are a number of Professional Designation/Licence

For example, the first one is 'Private Investigator' - I have been police officer for 27 years and was a professional investigator in my role as a Peace Officer. I don't have an accreditation per se but I was trained as an investigator and I plied my trade (investigator) throughout my career. Can I add my experience as a police investigator in this category?

Under Management, I was an EX-01 in the Public Service. Does this experience count as a Professional Designation even though I don't have a certificate.

Under Human Resources, I was responsible for a staff of 144 individuals and I had my delegated Human Resources authority to initiate and process staffing actions. Does this count as Professional Designation as an HR person?

Under the 'Law' rubric, as I was a police officer responsible for investigating crime and laying charges under the Criminal Code and other Federal Legislation, does that qualify as Professional Designation?

As an E X (Executive Management) in the Federal Government, I had a budget of 10 million dollars that I needed to manage. Does this count against the 'Accounting' requirement for Professional designation? Or would this be more a matter 'Finance'?

I am a Certified Business Continuity Management Professional. Does this count towards a Professional Certification and if so under which category?

#### ANSWER 019

For all of these elements under criteria RTB4, we are looking for a **professional designation, accreditation or licence**. Experience is evaluated on other elements and is directly related to work place harassment and violence investigations.

**QUESTION 020**

Regarding MTA1 and RTA1, the requirement states that each proposed resource must have completed projects "... relating to harassment and violence in the workplace". The previous NMSO for Investigative Services contained three streams: Harassment, Wrongdoing, and Violence. Under contracting rules, and for Quarterly Usage Reports, there could only be one (1) stream used per investigation, and clients and vendors had to choose between Stream 1: Harassment or Stream 3: Violence based on the nature of the allegations. Given this, would the client kindly consider amending the criteria to include projects in violence or harassment and change the criteria to "... relating to harassment **OR** violence in the workplace"

**ANSWER 020**

The legislation has changed to include work place harassment and violence in one definition under the Work Place Harassment and Violence Prevention Regulations where in the past violence and harassment were split between Part XX of the COHS Regulations and the TBS Harassment Policy. If the offeror submits a project related to harassment and/or violence in the workplace, that would be an acceptable project for consideration.

**QUESTION 021**

Regarding MTA2 Mandatory Training, Evaluation Indicator, Training in Administrative Investigative Techniques, and Training related to Harassment and Violence in the Workplace. The criteria state that "The credential has to be from one or more of the following...4. Other relevant associations (human resources, occupational health, and safety, psychology, workplace investigators)" - We understand that due diligence must be applied throughout the appointment process, however, there are several Senior Investigators on our Roster who are currently conducting investigations under the existing NMSO that were unable to locate copies of their training and achieved appointment via the submission of a Self-Attestation Letter (reference Amendment 5 of the previous NMSO procurement, Answer 29). Will the client allow the use of the Self-Attestation Letter's again for this procurement, only in the event that copies of the Training cannot be located?

**ANSWER 021**

Vendors need to reapply and provide all relevant documentation to support the offer including a self-attestation in the event training records cannot be located.

**QUESTION 022**

Regarding MTA2 Mandatory Training, and "The Canadian Labour Code or other relevant Canadian employment or labour law" will Canada please clarify what relevant employment and labour law substantiation will be accepted? Otherwise, vendor resources may be deemed non-compliant due to a misalignment in understanding.

**ANSWER 022**

We would accept demonstration of training in provincial/territorial labour law equivalent to the Canada Labour Code. Please note that the criteria being assessed is Relevant Canadian Labour Law and Employment Law, **including the Canada Labour Code Part II.**

**QUESTION 023**

The current NMSO that Solicitation E60ZG-220399 is replacing end on 31 JUL 2023.

At Annex B – Basis for Payment – Section 1.0, Year 1 is described as Date of issuance to 2022.

Question: Given that the current NMSO in place finishes on 31 JUL 2023, shouldn't the Year 1 date of the Solicitation E60ZG-220399 say: Date of issuance to 2024? Assuming year one starts on August 1st, 2023, the first year would end on 31 JUL 2024. If my assumption is correct, each subsequent year would also need to be adjusted as required.

Alternatively, was it Canada's intention to conclude the current NMSO as soon as the Solicitation E60ZG-220399 has been processed and new contractors/investigators have been identified?

**ANSWER 023**

The dates included in the Basis of Payment table are approximate and will be revised upon issuance of the individual SOs. As mentioned in question and answer 005 above, the NMSO E60ZG-180493 will be replaced by NMSO E60ZG-220399 once the process is completed and individual SOs are awarded.

**QUESTION 024**

Kindly clarify the following:

***"It is anticipated that multiple standing offers will be established for these services. The Offeror may bid for only 1 or 2 Stream(s)"***

Can the offeror or only bid on Stream 1 or Stream 2? Or can they bid on both streams?

**ANSWER 024**

Please refer to Attachment 1 to Part 4 – Technical Evaluation Criteria for Investigative Services, under "General Instructions".

**QUESTION 025**

Should we put the financial statuses and geographic regions individually for each resource or can I put them in a general RFSO format with the names in a table, but all together?

**ANSWER 025**

As stated in Part 3 – Offer preparation instructions, Section I and Section II, the Offerors should complete the tables in Attachment 1 to Part 3 – Pricing Schedule and Attachment 2 to Part 3, Offeror Geographic Locations and Language Capabilities. All proposed resources should be listed in these tables.

**QUESTION 026**

Regarding MTA1. Mandatory Experience, item 5, **Experience writing investigation reports**. The possibility of obtaining past reports is unlikely for internal Investigators; virtually impossible in high-security organizations like Public Safety Canada and the RCMP. For those Investigators who obtained their experience as internal employees of organizations, it is inequitable to demand the same requirements for those having worked internally versus externally in the last ten years. As communicated by one Senior Investigator "Being judged by where an Investigator gained experience is not in line with procedural fairness or natural justice and requesting redacted reports, which are the IP of the previous employer, ensures that internal Investigators are not being considered equal to external Investigators or given the same opportunities to qualify on this Refresh." We understand that it is not PSPC's intention to disqualify Investigators that have obtained their project experience as permanent employees. Where it is impossible to provide Redacted Reports, would Canada allow for a client reference letter instead?

**ANSWER 026**

Yes. This would be acceptable as documented support as long it supports the experience criteria.

**QUESTION 027**

Regarding MTA2. Mandatory Training, item 1, **Training in administrative investigation techniques** and item 4, **Training related to harassment and violence in the workplace** and the criteria "... received or given training... The credential has to be from one of the following". We would like confirmation from Canada that training given (as an Instructor, Facilitator, Professor, Lecturer, etc.) does not have to be provided, in an educational context, for one of the 4 industries listed (post-secondary, law firm, etc.) given that this would severely limit the pool of otherwise qualified Investigators. Please kindly confirm that the training given can be for any organization, as long as the subject matter was relevant to the requirement and that the required substantiation has been provided.

**ANSWER 027**

No. If the training is given, then it can be for any organization. If the training is received, then the credential must be from one of the 4 noted bodies for training in administrative investigative techniques.

**QUESTION 028**

Regarding MTA2. Mandatory Training, item 1, **Training in administrative investigation techniques** and item 4, **Training related to harassment and violence in the workplace** and the criteria "... submitting a proof of participation (certificate/outline)". In the case of training given, would Canada accept a confirmation letter from the organization in lieu of an outline (keeping in mind that all material produced while on assignment is the IP of the client and not the Investigator). In the case of training taken, this applies to training that was completed a very long time ago, wherein records retention laws may have elapsed, would Canada accept an invoice as evidence as long as the invoice clearly states the training topic, the organization, and the date?

**ANSWER 028**

A letter from the organization would be acceptable if the letter demonstrates the course content provided, when the course was delivered, and that the offeror was indeed the facilitator of the course. In the case of training taken, the offer must demonstrate that they have completed at a minimum an investigative training course by submitting proof of participation (certificate/outline of the course material). An invoice would not demonstrate proof of participation and completion.

**QUESTION 029**

In the stream H and V, the evaluation team request two written reports in regards of past investigations. There are several issues with this request.

1. The report once submitted does not belong to the investigating agency but to the federal dept. that requested it. We are talking about ownership.
2. The new resources coming also have to supply reports which were not linked into the old RFSO, so the report again belongs to the client(s) and not to them.

Because we have to ask permission to the OWNER, the client, to release one of their reports (even vetted) the end date of the RFSO may be a problem, as this will become a legal issue and there will be several back and forth with their legal teams as to legalize the release of any reports, to others than themselves. If TBS has thought of that, great, otherwise, what do we do?

**ANSWER 029**

The vendor is the author of the investigative reports and therefore should be able to submit the required documentation. The other option is for the client to provide a reference letter for a particular investigation as documented support as long as it supports the experience criteria being evaluated.

**QUESTION 030**

This being a new RFSO does it automatically cancelled the old RFSO? My point for this question is this. Resources that qualified under the old RFSO are still qualified to investigate all complaints prior to January 1, 2021. However, some of these resources may not want to qualify under the new RFSO. Can they still received a contract for any complaints, pre-2021, after the new RFSO is issued?

**ANSWER 030**

The new RFSO will replace the old RFSO with three streams of investigative services as harassment and violence are now one stream with one definition. Any complaint under Part XX of the COHS Regulations or the now rescinded TBS Harassment policy that needs to be investigated as they were filed prior to January 1, 2021, would have to be resolved or negotiated with the contracting authority.

**QUESTION 031**

How can we use the Human Rights Act to "solve problems" during the investigations when we have not been doing Human Rights Act complaints? Some may have sexual harassment or discrimination, but harassment and violence are not all CHRA cases. And how many CHRA considerations do we have to put into our examples? Is one enough to qualify?

**ANSWER 031**

There are two criteria with respect to the CHRA. MTA1 and MTA2. The experience criteria is a recognition or application of the concepts of the 13 prohibited grounds noted in the CHRA in an investigative setting. As knowledge of the CHRA is a requirement of investigators under the work place harassment and violence regulations, both the knowledge and experience criteria must be assessed.

### QUESTION 032

5 qualifying examples need to have harassment and violence in each example. As they were two different streams in the past, this might be difficult for some to achieve unless they were all sexual harassment. The RFSO does not qualify this as harassment and/or violence. I think we are making a big assumption if we can put one or the other and have them qualify, although that would make sense. Could you please, state exactly how many, harassment and how many violence examples are required, in the past it was either one or the other?

### ANSWER 032

The legislation has changed to include work place harassment and violence in one definition under the Work Place Harassment and Violence Prevention Regulations where in the past violence and harassment were split between Part XX of the COHS Regulations and the TBS Harassment Policy. If the vendor submits a project related to harassment **and/or** violence in the workplace, under RTA1 "Relevant Experience", that would be an acceptable project for consideration.

### QUESTION 033

Based on our review of this National Master Standing Offer (NMSO), Canada is seeking bidders to provide investigation services. Canada already has a supply arrangement process in place under the Professional Audit Support Services (PASS) and Supply Arrangement terms and conditions. Specifically, Stream 4: Forensic Audits covers the following investigation activities:

- "Fraud and allegation investigations
  - Attestation of testimony in the courts
  - Administrative inquiries"
- (emphasis added)

As an approved service provided under PASS Workstream 4, we have conducted numerous investigations with respect to Work Place Harassment and the Disclosures of Wrongdoing.

We respectfully request why Canada is not seeking the investigation services pursuant to PASS Workstream 4 and proceeding with this NMSO?

### ANSWER 033

This NSMO is a new NSMO due to the changes to the *Canada Labour Code* and the *Work Place Harassment and Violence Prevention Regulations* (stream 1) that came into force and effect on January 1, 2021, dealing with investigations pertaining to work place harassment and violence prevention. Such investigations do not fall within "Forensic Audits" in Stream 4 of PASS

### QUESTION 034

The MNSO is seeking investigation services. Please confirm designations such as Certified Fraud Examiner (CFE) and Certified in Financial Forensics (CFF) which provide extensive training on investigations and other topics, will qualify for RTA2/RTB2 and RTA4/RTB4.

**ANSWER 034**

For Stream 1 (Work Place Harassment and Violence Prevention) we are looking for designations/accreditations in fields related to work place investigations dealing with harassment and/or violence.

**QUESTION 035**

Based on our experience in conducting workplace investigations, there has been a requirement for us to conduct analysis of emails and mobile devices, which has provided important factual findings in relation to the allegations. The completion of a fulsome investigation is critical to all stakeholders (complainant, alleged wrongdoer, employer) and question why the MNSO is not seeking Bidders to demonstrate this experience?

**ANSWER 035**

This will be assessed in criteria MTA1.

**QUESTION 036**

I have a question concerning the wording at 4.1.1.1 Mandatory Technical Criteria (MT) at paragraph 1 of the Evaluation Indicator.

Given that in the previous NMSO WorkPlace Violence and Harassment were in separate streams and that investigations were either WorkPlace Violence or Harassment, I am having difficulty understanding the wording:

Experience related to **harassment and violence** investigation in the workplace.

Question: Am I to understand that you are asking for our past experience related to harassment **OR** Violence investigation in the workplace as these two streams were dealt with individually in the current NMSO? It is understood that will be dealt with together in this future NMSO.

**ANSWER 036**

The legislation has changed to include work place harassment and violence in one definition under the Work Place Harassment and Violence Prevention Regulations where in the past violence and harassment were split as noted, between Part XX of the COHS Regulations and the TBS Harassment Policy. If the vendor submits a project related to harassment **and/or** violence in the workplace, under RTA1 "Relevant Experience", that would be an acceptable project for consideration.

**QUESTION 037**

As it relates to article 4.1.1.1 Mandatory Technical Criteria (MT), it is mentioned that the "**Evaluation will be conducted based on the new Work Place Harassment and Violence Prevention Regulations**"

Question: Given that the law (Bill-C-65) has just recently come into effect, many investigators will not even have had the opportunity to investigate an occurrence based on the new law let alone 5 investigations. Did Canada mean that the evaluation will be conducted on the Previous Part XX investigations of WorkPlace Violence as well as the new Bill C-65 investigations?

**ANSWER 037**

The legislation has changed to include work place harassment and violence in one definition under the Work Place Harassment and Violence Prevention Regulations where in the past violence and harassment were split between Part XX of the COHS Regulations and the TBS Harassment Policy. If the vendor submits a project related to harassment **and/or** violence in the workplace, under mandatory technical criteria, that would be an acceptable project for consideration.

**QUESTION 038**

We have received the details of the tender and I have a question. You request two copies of reports that each investigator wrote. Do I understand that we will have to redact the reports ourselves? These are Protected B reports and I don't think we can share them without the redaction...

**ANSWER 038**

The information is submitted to Canada and we have an obligation to protect any information received in accordance with the Access to Information and Privacy Acts. If the offeror wishes to redact the identities of those involved, that would be acceptable and their responsibility to do so.

**PART B – MODIFICATIONS TO RFSO**

**MODIFICATION 001**

After review, Stream 1, MTA1 Mandatory experience criteria 2 is modified as follows:

The Offer will demonstrate their experience by giving examples of situations where they applied federal, provincial or territorial labour acts or regulations. They will be evaluated based on the relevance and significance of their experience and the impact of the results they achieved.

~~The application of F P T labour acts will be assessed by how the information is used in situations to solve problems; transferring abstract or theoretical ideas to practical situations; identifying connections and relationships and how they apply.~~

**MODIFICATION 002**

After review, Stream 1, MTA1 Mandatory experience criteria 3 is modified as follows:

The Offer will demonstrate their experience by giving examples of situations where they applied the Canada Human Rights Act. They will be evaluated based on the relevance and significance of their experience and the impact of the results they achieved.

~~The application of the Canada Human Rights Act will be assessed by how the information is used in situations to solve problems; transferring abstract or theoretical ideas to practical situations; identifying connections and relationships and how they apply~~