



ACAN – E-Trial Tool Kit Technical Support – (5X001-22-0490)

Tender Notice

Status - Active,

Dates

Publication date: August 26, 2022

Amendment date - None

Date closing: September 13, 2022

Details:

Reference number: PW-22-01005626

Solicitation number: 5X001-22-0490

Region of opportunity: Canada

Region of delivery: NCR

Notice type: Advance Contract Award Notice (ACAN)

GSIN: D302AAP - Informatics Professional and Consulting Services, Software Development and Implementation

Trade agreements: This requirement is exempt from all trade agreements based on the proprietary rights of the Contractor

- **Canada-Korea Free Trade Agreement (CKFTA)**
- **Canada-Chile Free Trade Agreement (CCFTA)**
- **Canada–Colombia Free Trade Agreement (CCFTA)**
- **Canada-Honduras Free Trade Agreement (CHFTA)**
- **Canada-Panama Free Trade Agreement (CKFTA)**
- **Canadian Free Trade Agreement (CFTA)**
- **Canada-Peru Free Trade Agreement (CPFTA)**

Tendering procedure -ACAN

Procurement entity -Courts Administration Service

End user entity - Courts Administration Service

Contact Information

Email: Procurement.Approvisionnement@cas-satj.gc.ca

Attention : Charles Warnes

Address: 90 Sparks Street, Ottawa, On, K1A 0H9, CAN



1. **Advanced Contract Award Notice**

An advanced contract award notice (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 meet the requirements set out in the ACAN, on or before the closing date and time stated in the ACAN, the contracting officer may then proceed with the award to the pre-identified supplier.

2. **Definition of requirement**

Maintenance and Support Services for Evidence Management System

3. **Objectives**

The purpose is to procure professional services on an “as and when required” basis to help maintain, support and enhance the Evidence Management System “E-trial toolkit”, used by Courts Administration Service (CAS).

The objectives for this requirement are:

- a. Support and maintenance of Evidence Management System “E-trial toolkit”;
- b. Modifications to configuration of Evidence Management System “E-trial toolkit” modules / functionality already in use at CAS; and
- c. Help CAS in planning and communication of a full deployment of Evidence Management System “E-trial toolkit” in all e-court rooms who have identified the need to do so.

4. **Background**

After the successful implementation of a trial electronic court room (e-court) and in response to the ever changing environment in response to the pandemic, the need for an Evidence Management System has become a necessity for Court Operations. This solution is now in use by 2 of the Federal Courts, and is likely continue it’s growth within CAS.

ITSD has installed and configured the “E-trial toolkit” on its infrastructure which enables Judges, Law Clerks, Registrar and the Parties to a proceeding to manage, and conduct, hearings electronically. The “E-trial toolkit” is under improvement to simplify a wide range of activities from document submissions through to the drafting of decisions using the documents used in hearings. In addition, the solution enables the Registrar to develop and standardize its document and file management procedures to support this solution.

5. **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 minimum essential requirements and is able to carry out all Tasks and Constraints:

5.1 **Minimum Essential Requirements**

- Filemaker using the Filemaker Pro platform (minimum 8 years)
- Courts Systems such as Electronic systems to support judicial or quasi-judicial organisations and processes (minimum 8 years)
- Providing specialized technical expertise in the overall analysis of the design and architecture of judicial or quasi-judicial solutions (minimum 8 years)
- Business analysis, systems analysis and technical leadership skills in judicial or quasi-judicial solutions (minimum 8 years)



- Planning, scheduling, estimating resources, providing technical expertise, co-ordination, monitoring progress and providing management with project status updates in judicial or quasi-judicial solutions (minimum 8 years)
- Providing training related the protocols, procedures and application support in judicial or quasi-judicial solutions and Filemaker Pro (minimum 8 years)
- Experience in the development, integration, testing, and implementation of judicial or quasi-judicial solutions (minimum 8 years)
- Expert knowledge of the practice areas noted above specifically as they relate to the established rules of procedures associated with these activities. This also includes knowledge of the day-to-day activities and requirements of Registry, Law Clerks, Judges and Parties. Respondent must demonstrate a proven record of accomplishment of implementing and delivering judicial or quasi-judicial initiatives for other courts or tribunals
- Experience with client management skills

6. Tasks/Scope

6.1 Tasks

The CAS is seeking additional expertise on an “as and when required” basis for Maintenance and Support Services for Evidence Management System and provide a combination of court process expertise, as well as experience in developing and maintaining an electronic system to support the court hearing process. The required resource will perform the following tasks which are grouped into four categories and are all related to the support, maintenance, enhancements and communication of the “E-trial toolkit”.

6.1.1 Activity 1 - Document Requirements / Protocol

Consult with Courts, Registry, Members of the Courts, and Parties to:

- a. Gather and document requirements/protocol, supporting procedures and support of the application to allow for electronically collecting all hearing related materials that are received in digital formats;
- b. Gather and document requirements/protocol, supporting procedures and support of the application to display filed and/or referred to material to different monitors, projectors and screens in the hearing room;
- c. Gather and document requirements/protocol, supporting procedures and support of the application to reduce the Court’s use of paper and the administrative effort in collecting, assembling, reviewing and storing hearing materials. This includes modifying, amending or developing procedures associated with these activities when digital files replace existing paper material;
- d. Gather and document requirements/protocol, supporting procedures and application support to provide for post hearing requirements relating to court reporting requirements, providing parties with a copy of the record, judicial reviews, referrals and public access requests; and
- e. Gather and document filing protocol requirements, and develop direction on how the files should be accessed and by whom.

6.1.2 Activity 2 - Support, Guidance and Training

- a. Provide support and guidance to the Parties for the use of the application during the hearing and in support of preparation for the hearing and presenting evidence in the hearing;
- b. Provide support and guidance to Judges and Law Clerks for the use of the application in hearings, deliberations and decision writing, which includes the development of practice guidelines and training material:
 - 1) To support the use of the Intuitive Searching;
 - 2) To develop analytical frameworks for the annotating of documents during the hearing, evidence analysis and deliberations;
 - 3) To secure and make confidential electronic note taking, issue tagging and document annotating;



- 4) To develop reports to consolidate notes and annotation;
- c. Provide support and guidance to Parties for the use of the application in hearings, which includes the development of practice guidelines and training material:
- 1) Preparing submissions for the e-filing with the Court;
 - 2) Trial strategy support and preparation;
 - 3) Using the application for document/exhibit retrievals;
 - 4) Searching;
 - 5) Witness preparation;
 - 6) In hearing use of tools for presentation and examination of witnesses in chief and cross;
 - 7) Secure and confidential electronic note taking, issue tagging and document annotating;
 - 8) Developing reports to consolidate notes and annotation;
 - 9) Ad hoc submitting of trial documents;
 - 10) Develop training documentation on how to use the Evidence Management System “E-trial toolkit”; and
- d. Deliver training sessions to specific users as requested by Project Authority.

6.1.3 Activity 3 - Support & Maintenance of “E-trial toolkit”

- a. Develop Standard Operation Procedures (SOP) for the application support and maintenance to make the daily work of the Registrar easier by providing intuitive and practical instructions and procedures and a user friendly interface allowing documents to be imported, managed, retrieved, displayed, labeled and searched;
- b. Develop Standard Operation Procedures (SOP) for the application support and maintenance to provide for account creation, role based security permissions and user authentication. This will include the distribution of accounts to the parties who are using the application;
- c. Work closely with ITSD staff and develop Standard Operation Procedures (SOP) for the application support and maintenance for Information Technology (IT) related activities. These include, and not limited to:
- 1) Installation of the eTrial ToolKit and FileMaker Pro;
 - 2) Back end server set up, configuration and support;
 - 3) Security and encryption;
 - 4) Back up strategies and back up scheduling;
 - 5) Disaster Recovery;
 - 6) Web integration;
 - 7) FileMaker Server Admin support;
- d. Assist CAS in the installation of any new instance in other e-court rooms, and regular patches, updates, upgrades and new releases to “E-trial toolkit” including copy/transfer of files when applicable;
- 1) Support CAS to address errors, problems and bugs with “E-trial toolkit” and make sure that the system is up and running properly in the production environment;
 - 2) Develop and update documentation regarding the configuration of “E-trial toolkit” including a detailed guide on how to make changes to the configuration; and
 - 3) Assist the Project Authority to establish and document procedures for change management of the configuration of “E-trial toolkit”; and
- e. Assist ITSD in modifications to configuration of “E-trial toolkit” already in use by CAS as per the business requirements

6.1.4 Activity 4 - Planning and Communication of “E-trial toolkit”

- a. Assist the Project Authority to promote and provide knowledge transfer to explain “E-trial toolkit” capabilities to various types of users such as CAS Executives, System Administrators, Team Members, and end users;



- b. Provide and document advice and recommendations regarding the planning of roll-out of “E-trial toolkit” capabilities; and
- c. Assist the Project Authority to run a survey for the end users on the usage of “-trial toolkit”, and provide support for the analysis of the feedback and make recommendations for the long-term application configuration and enhancements.

6.2 Deliverables

All deliverables are subject to the Project Authority’s approval and all final versions of deliverables must include the Project Authority’s feedback. The contractor shall submit the following deliverables in English.

6.2.1 Activity 1 - Document Requirements / Protocol

- a. Document containing business requirements;
- b. Document containing filing protocol, presented and approved by clients; and
- c. List of feedback from clients collected on functionality.

6.2.2 Activity 2 - Support, Guidance and Training

- a. Training documentation on how to use the evidence management system;
- b. Users Guides for the evidence management system;
- c. Training sessions to end users; and
- d. Feedback from users from the training sessions and from using the system in general.

6.2.3 Activity 3 - Support & Maintenance of “E-trial toolkit”

- a. Release notes regarding the installation of patches and upgrades to “E-trial toolkit” indicating what is being installed;
- b. Errors/problems/bugs resolution reports indicating errors/problems/bugs that occurred and the solution implemented;
- c. Any software code as part of the maintenance and bug fixes;
- d. “E-trial toolkit” support and maintenance guide containing Back end server set up, Server and client configuration design, Security and encryption, Back up strategies and back up scheduling, Disaster Recovery, Web integration, iPad integration, FileMaker Server Admin support, etc.;
- e. CAS “E-trial toolkit” configuration document including a detailed guide to make changes to the configuration and procedures for change management of the configuration of “E-trial toolkit”; and
- f. SOPs for the application support and maintenance related to account creation, role based security permissions and user authentication.

6.2.4 Activity 4 - Planning and Communication of “E-trial toolkit”

- a. Recommendations document (such as lessons learned and best practices etc...) regarding how to promote and explain “E-trial toolkit” capabilities to various type of users; and
- b. Recommendations document regarding rollout of “E-trial toolkit” capabilities.



6.2.5 Others

- a. Work plans describing activities to execute in order to produce the deliverables required; and
- b. Status reports on a weekly basis unless otherwise specified by the Project Authority.

6.3 Software

“E-trial toolkit” system installed in place at CAS is based on Filemaker V.19 using the Filemaker Pro platform.

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In support to the project, CAS will provide the contractor with access to a database administrator, a resource in network and infrastructure, the “E-trial toolkit” administrator, and a project management coordinator. The project authority will provide the contractor with required documents for changes to be made from existing configuration to new configuration of modules/functionality. CAS will take care of the translation of documentation to French if required.

6.5 Schedule

The contractor shall adhere to the schedule determined by the Project Authority.

7. Government Furnished Equipment / Information

Work accomplished will require that the contractor work within the offices of CAS or remotely to support the e-court rooms, and thus will be furnished with a cubicle if the work require on premises presence, desktop computer, and appropriate software for his/her development efforts.

8. CONSTRAINTS

- a. The proposed resource must have a valid security clearance at the reliability level.
- b. Must be willing to work in the National Capital Region on CAS premises and remotely to support all four Courts.
- c. Prior to starting any work and based on CAS’s priorities, the contractor shall submit to the CAS authority a work plan describing the activities to execute in order to produce the deliverables required, including the timeline of each activity, a knowledge transfer plan to enable the project authority and “E-trial toolkit” administrator the ability to enhance and maintain the system; no work shall be performed before being approved by the Project Authority.
- d. No change to the work plan shall be implemented without the written permission from the CAS Project Authority.
- e. The contractor must include a description of its maintenance and support services for “E-trial toolkit”, which must be consistent with the requirements described in this contract. At a minimum, the contractor must describe the following:
 - 1) On-Site and remote support availability;
 - 2) Problem reporting and response procedures including estimated response time;
 - 3) A proposed draft configuration and release strategy; and
 - 4) Escalation procedures.
- f. The contractor shall submit progress reports to the CAS Project Authority of the work accomplished and the work planned for the coming period using the project status template that will be provided by the Project authority to the contractor;



- g. At the completion of each of group of changes to the configuration, a user acceptance testing will be performed by CAS with the contractor's support; any defect will have to be corrected by the contractor to the project authority's satisfaction and the related document must be updated accordingly.

9. LANGUAGE OF WORK

The resource must be fluent in the English language.

10. TRAVEL REQUIREMENTS

There are no requirements for travel outside of the National Capital Region.

11. LOCATION OF WORK

The primary work location will be the National Capital Region (NCR). Space at the CAS Ottawa office may be made available at the discretion of the project authority at either 90 Sparks St or 200 Kent St depending on the need. The work will be predominantly done remotely.

12. SECURITY REQUIREMENT

Reliability Clearance

13. Applicability of the Trade Agreements to the Procurement

This procurement is not subject to any trade agreements.

14. Set-aside under the Procurement Strategy for Aboriginal Business

This procurement is not subject to any set-asides for Aboriginal Suppliers.

15. Comprehensive Land Claims Agreement (s)

This procurement is not subject to a Comprehensive Land Claims Agreement.

16. Justification for the Pre-Identified Supplier

The Supplier provides a unique combination of skills and experience to deliver on an evidence management system as a key functionality to deliver on the mandate for Court Administration Services. Evidence management is used by 2 federal Courts to allow for the creation, management and display of evidence by both parties as part of the hearing process. This is unique functionality only available through a combination of this product, and support by this company.

17. Government Contracts Regulations Exception

The following exception to the Government Contracts Regulations invoked for this procurement under subsection: Only one person is capable of performing the contract. (6 (d)).

18. Exclusions and/or Limited Tendering Reasons

Exclusions and/or limited tendering reasons invoked under the following agreements:

- Canada-Korea Free Trade Agreement (CKFTA)- For your purposes, the relevant provision of Canada-Korea is Article 14.3, which points to the procedural rules in the WTO-GPA;
- Canada-Chile Free Trade Agreement (CCFTA) - Chapter K, Article kbis 16-2c
- Canada-Colombia Free Trade Agreement (CCFTA) - Article 1402: Security and General Exceptions
- Canada-Honduras Free Trade Agreement (CHFTA) - Chapter 17 –Government Procurement – Article 17.11 –Limited Tendering – 2 (b) (ii)



- Canada-Panama Free Trade Agreement (CKFTA) - Chapter 16 Government Procurement - Article 16-10 Limited Tendering - (b) ii)
- Canadian Free Trade Agreement (CFTA) Articles 513.b) ii) and c) i); - the protection of patents, copyrights, or other exclusive rights
- Canada-Peru Free Trade Agreement (CPFTA) - Chapter 14 Government Procurement-Article 14 - Security and General Exceptions - 2 c

19. Ownership of Intellectual Property

Ownership of any foreground intellectual property arising out of the proposed contract will vest with the Contractor.

20. The Period of the Proposed Contract

The proposed contract is for a period of one (1) year inclusive, from the date of award, with an irrevocable option to extend the period by up to two (2) additional periods of one (1) year each.

21. Cost Estimate of the Proposed Contract

The total estimated value of the contract for one year is estimated at \$90,000.00
Option Years 1 & 2 estimated at \$180,000.00
The total including option years estimated at \$270,000.00. (\$305,100.00 with taxes).

22. Name and Address of the Pre-identified Supplier

Name: REDI Analysis Inc.
Address: 214 Larimar Circle, Gloucester, ON, K1X 0B7

23. 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 and time of this notice. This statement of capabilities must clearly demonstrate how the supplier meets the advertised requirements.

24. Closing Date and Time for a Submission of a Statement of Capabilities

The closing date and time for accepting statements of capabilities is September 13, 2022 at 2:00 p.m. Eastern Daylight Time.

25. Inquiries and Submission of Statement of Capabilities

Enquiries and statement of capabilities are to be directed to:

Procurement.Approvisionnement@cas-satj.gc.ca
Attention: Charles Warnes