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INVITATION TO QUALIFY /

INVITATION À SE QUALIFIER

**RETURN RESPONSES TO /
RETOURNER LES RÉPONSES À:**

TransportationContracting@forces.gc.ca

Attention to /À l'attention de:
Andrew Desrochers

Title / Titre: Rail Transportation Services in support of the Exercise MAPLE RESOLVE 23/ Services de transport ferroviaire en appui à l'exercice MAPLE RESOLVE 23		Solicitation No / No de l'invitation: W2023-R002F/A	
Date of Solicitation / Date de l'invitation: 7 December 2022 / 7 décembre 2022			
Address Enquiries to – Adresser toutes questions à: TransportationContracting@forces.gc.ca Attention to /À l'attention de: Andrew Desrochers			
Telephone No. / N° de téléphone: 613-614-0319		FAX No / No de fax: N/A	
Destination: See herein - Voir ci-inclus			

Delivery required / Livraison exigée: See herein - Voir ci-inclus		Delivery offered / Livraison proposée:	
Vendor Name and Address / Raison sociale et adresse du fournisseur:			
Name and title of person authorized to sign on behalf of vendor (type or print) / Nom et titre de la personne autorisée à signer au nom du fournisseur (caractère d'imprimerie):			
Name / Nom: _____		Title / Titre: _____	
Signature: _____		Date: _____	

<p>Solicitation Closes / L'invitation prend fin:</p> <p>At / à : 14:00 Eastern Standard Time (EST) / 14:00 heure normal de l'est (HNE)</p> <p>On / le : 21 December 2022 / 21 décembre 2022</p>
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Invitation to Qualify for the Procurement Process for the Rail Transportation Services in support of the Exercise MAPLE RESOLVE 23

1. General Information

1.1 Definitions

The following definitions apply for the purpose of this Invitation to Qualify (ITQ):

- a) **“Rail Operator”** means who at the ITQ submission date, is the direct operator for the rail transportation services.
- b) **“Qualified Supplier”** is a Respondent that successfully meets all the mandatory requirements of the ITQ. Only Qualified Suppliers will be invited to participate in any subsequent phases of this procurement process.
- c) **“Respondent”** includes Rail Operators within Canada.

1.2 Introduction

- a) **Purpose of this ITQ:** The purpose of Phase 1 - ITQ (see Section 1.4.a) is to identify Qualified Suppliers that will be invited to participate in the subsequent rail transportation services procurement process.
- b) **Phase 1 of Procurement Process:** This ITQ is the first phase of a procurement process led by the Department of National Defense (DND) for the rail transportation requirement. Respondents are invited to pre-qualify in accordance with the terms and conditions of this ITQ. Only Qualified Suppliers will be permitted to participate and bid on any subsequent solicitation issued as part of this procurement process.
- c) **Further Evaluation of Qualified Suppliers:** Even though certain Respondents may be prequalified by Canada as a result of this ITQ, Canada reserves the right to re-evaluate an aspect of the qualification of any Qualified Supplier at any time during the procurement process.
- d) **Additional Qualified Suppliers:** Canada may, at its sole discretion, re-open Phase 1 – ITQ.
- e) **ITQ is not a Bid Solicitation:** This ITQ process is not a solicitation of bids or tenders. No contract will be awarded as a result of the activities during the ITQ Phase. Canada reserves the right to cancel any of the qualification requirements included as part of the Project at any time during the ITQ Phase. The ITQ process may be partially or completely cancelled by Canada and it may not result in any of the subsequent procurement processes described in this document. Respondents and Qualified Suppliers may withdraw from the procurement process at any time. Therefore, Qualified Suppliers can choose not to bid on any subsequent solicitation.

1.3 Overview of the Project and the Competition Scope

- a) Rail transportation services are required to facilitate rail movements of oversized military equipment such as vehicles, trailers and containers (TEUS) in support of the Exercise MAPLE RESOLVE 23.

1.4 Overview of Anticipated Procurement Process

- a) This ITQ is the first phase in this procurement process. Although the procurement process remains subject to change, Canada currently anticipates that the procurement process will be conducted in the following phases:

Phase 1 - Invitation to Qualify (ITQ) Phase: This ITQ will be used to qualify Respondents to participate in any subsequent phases of the procurement process. Canada will publish the list of Qualified Suppliers, including all entities, after the ITQ Phase.

Phase 2 - Invitation to Tender (ITT) Phase: Canada will release the ITT to those Qualified Suppliers who remain qualified at the time the ITT is released. Canada reserves the right to negotiate directly with a supplier should only one Rail Operator be capable of providing the services.

- b) Canada will normally make its procurement documents available for download through the Government Electronic Tendering Service (GETS) on CanadaBuys. However, after establishing a list of Qualified Suppliers, Canada will make the procurement documents only available to those Qualified Suppliers, rather than making them available through CanadaBuys.
- c) The estimated timeline for each phase is as follows:

Phase 1 - Invitation to Qualify (ITQ): closing 21 December 2022

Phase 2 - Invitation to Tender (ITT): 4 to 10 January 2023

2. Instructions for Respondents

2.1 Standard Instructions, Clauses and Conditions

The 2003 (2022-03-29) Standard Instructions – Goods or Services – Competitive Requirements, (as amended by this Section 2.1) are incorporated by reference into and form part of the ITQ as though they were expressly set out here in full. If there is a conflict between the provisions of the 2003 Standard Instructions and this document, this document prevails. The 2003 Standard Instructions can be found at: <https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual/1/2003/26>

- a) The "Invitation to Qualify" is a solicitation of interest, not a request for bids or tenders. There is no bid validity period, since an Invitation to Qualify invites Respondents simply to qualify. Canada will assume that all Respondents wish to qualify unless they withdraw in writing.

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- b) Section 01 (2016-04-04) Integrity provisions – bid in the 2003 Standard Instructions is deleted.
- c) Section 04 (2007-11-30) Definition of Bidder in the 2003 Standard Instructions is deleted.
- d) Terminology for Invitation to Qualify:
- i) the word “bidder(s)” in the 2003 Standard Instructions is replaced with the word “Respondent(s)”;
 - ii) the word “bid(s)” in the 2003 Standard Instructions is replaced with the word “response(s)”;
 - iii) the phrase “solicitation closing” in the 2003 Standard Instructions is replaced with the phrase “ITQ closing”; and
 - iv) the phrase “bid solicitation” in the 2003 Standard Instructions is replaced with the phrase “Invitation to Qualify”.
- e) Section 05 (2018-05-22), Submission of bids, Subsection 2.d, is deleted and replaced with the following: It is the Respondent’s responsibilities to:
- send its response only to the Department of National Defence organization receiving the bids as specified on page 1 of this ITQ;
- f) Section 06 (2022-03-29), Late Bids, is deleted in its entirety.
- g) Section 07 (2022-03-29), Delayed Bids, is deleted and replaced with the following:
- It is the Respondent’s responsibility to ensure that the Department of National Defence has received the entire submission. Misrouting or other electronic delivery issues resulting in late submission of responses will not be accepted.
- h) Section 08 (2022-03-29), Transmission by facsimile or by epost Connect, is deleted in its entirety.
- i) Subsection 2 of Section 20 (2017-04-27), Further Information, is deleted.
- j) Section 21 (2022-01-28) Code of Conduct for Procurement—bid in the 2003 Standard Instructions is deleted and replaced with the following:
- “21 Code of Conduct for Procurement
The procurement process is subject to the Code of Conduct for Procurement
(<http://www.tpsgc-pwgsc.gc.ca/app-acq/cndt-cndct/cca-ccpt-eng.html>)”

2.2 Questions, Comments and Communications

- a) **Single Point of Contact:** To ensure the integrity of the competitive procurement process, questions and other communications regarding this ITQ must be directed only to the Contracting Authority identified in the ITQ at: TransportationContracting@forces.gc.ca. Failure to comply with this requirement may result in the response being disqualified from further consideration.
- b) **Deadline for Asking Questions:** All questions and comments regarding this ITQ must be submitted by email to the Contracting Authority no later than three (3) business days before the ITQ closing date. Questions received after that time may not be answered.
- c) **Content of Questions:** Respondents should reference as accurately as possible the

numbered item of the ITQ to which the question relates. Respondents should explain each question in sufficient detail in order to allow Canada to provide an accurate answer. Any questions that a Respondent believes include proprietary information must be clearly marked "proprietary" at each relevant item. Items identified as proprietary will be treated as such unless Canada determines that the question is not of a proprietary nature. Canada may edit the questions or may request that the Respondent do so, so that the proprietary nature of the question is eliminated, and the edited question and answer can be provided to all Respondents. Questions not submitted in a form that can be published on CanadaBuys may not be answered by Canada.

- d) **Publication of Answers:** To ensure the consistency and quality of information provided to suppliers, all questions (as per this Section) and the answers will be posted on CanadaBuys.

2.3 Submission of Responses

- a) It is the Respondent's obligation to submit all required information requested by this ITQ (W2023-R002F/A).
- b) Unless specified otherwise in this ITQ or otherwise directed by the Contracting Authority, responses must be submitted to the Department of National Defence organization by electronic mail by the date and time indicated on page 1 of the ITQ.
- c) **Electronic Submissions:** Individual e-mails that may include certain scripts, formats, embedded macros and/or links, or those that exceed five (5) megabytes may be rejected by Canada's e-mail system and/or firewall(s) without notice to the respondent or Contracting Authority. Larger responses may be submitted through more than one e-mail. Canada will confirm receipt of documents. It is the Respondent's responsibility to ensure that their entire submission has been received. Respondents should not assume that all documents have been received unless Canada confirms receipt of each document. In order to minimize the potential for technical issues, respondents are requested to allow sufficient time before the closing date and time to confirm receipt. Response documents submitted after the closing time and date will not be accepted.

2.4 Rights of Canada

In addition to any other rights that Canada has as described in this ITQ, including those incorporated by reference, Canada reserves the right, at its sole discretion, to:

- a) reject and not consider further a response if, in Canada's opinion, any component of the response presents potential, perceived or real issues or matters that may be injurious to the national security of Canada;
- b) remove at any time, any Qualified Supplier, if, in Canada's opinion, it presents potential, perceived or real issues or matters that may be injurious to the national security of Canada;
- c) cancel this ITQ at any time;
- d) reissue this ITQ;

- e) at any time during Phase 2 – **Invitation to Tender (ITT)**, suspend Phase 2 and reopen Phase 1 – ITQ; and
- f) If there is only one responsive Respondent to this ITQ that becomes a Qualified Supplier, negotiate with the sole Qualified Supplier to procure rail transportation services while ensuring best value to Canada.

3. Preparing and Submitting a Response

3.1 Language for Future Communications

Each Respondent is requested to identify, in Form 1 - Response Submission Form, which of Canada's two official languages the Respondent chooses to use for future communications with Canada regarding this ITQ and any subsequent phases of the procurement process.

3.2 Content of Response

A complete response to this ITQ consists of the following:

- a) **Annex B - Form 1, Response Submission Form (Requested at ITQ Closing):** Respondents are requested to include a completed Response Submission Form with their responses.

4. Process for Evaluating Responses

4.1 Evaluation of Respondent Qualifications

Canada will evaluate whether each response satisfies all the mandatory requirements described in this ITQ. A response must comply with all the mandatory requirements and requirements of the ITQ in order for the Respondent to be declared qualified.

4.2 Conduct of the Evaluation

- a) **Assessment of Responses:**
 - i) Responses will be assessed in accordance with all the requirements described in this ITQ, including the mandatory qualification requirements in Annex A.
 - ii) Each response will be reviewed to determine whether it meets the mandatory requirements of this ITQ. Any element of this ITQ identified with the words "**must**" or "**mandatory**" or "**required**" is a mandatory requirement. Responses that do not comply with each and every mandatory requirement will be declared non-compliant and be disqualified. Once a response has been disqualified, Canada will have no obligation to evaluate the response further.
- b) **Evaluation Team:** An evaluation team composed of representatives of Canada will evaluate the responses. Canada may hire any independent consultant, or use any

Government of Canada resources, to evaluate any response. Not all members of the evaluation team will necessarily participate in all aspects of the evaluation.

- c) **Discretionary Rights during Evaluation:** In addition to any other rights described in this ITQ, in conducting its evaluation of the responses, Canada may, but will have no obligation to request additional information substantiating the compliance of the response with any mandatory requirement; and
- d) **Requests for Clarifications:** If Canada seeks clarification or verification or additional information from a Respondent about the response, the Respondent will have three 3 working days (or a longer period if specified in writing by the Contracting Authority) to provide the necessary information to Canada. Depending on the nature of the request, failure to meet this deadline may result in the response being disqualified.
- e) **Extension of Time to Respond:** If additional time is requested by a Respondent, the Contracting Authority may grant an extension in his or her sole discretion.

4.3 Basis of Qualification

- a) Each Respondent whose response meets all the requirements of this ITQ will become a Qualified Supplier for the next stage of the procurement process.
- b) Canada reserves the right to re-evaluate the qualification of any Qualified Supplier at any time during the procurement process. For example, if new information comes to the attention of Canada that calls into question any of the Qualified Supplier's qualifications under this ITQ, Canada may re-evaluate that Qualified Supplier. If Canada re-evaluates the qualification of any Qualified Supplier, Canada may request further information and, if the Qualified Supplier fails to provide it within three (3) business days (or a longer period provided by the Contracting Authority), Canada may disqualify the Qualified Supplier.
- c) All Respondents will be notified in writing regarding whether or not they have qualified. In addition, the list of Qualified Suppliers, including the entities forming them, will be published on CanadaBuys.

ANNEX A – MANDATORY QUALIFICATION REQUIREMENTS

Mandatory Qualification Requirements:

1. The Respondent must propose railyards for each location listed below:
 - a. Origin – 2 CDSB Valcartier, QC – Railyard within 250km of driving distance; and
 - b. Destination - 3 CDSB Edmonton Detachment Wainwright, AB - Railyard within 25km of driving distance

The proposed Railyards must have a minimum staging area of 1 acre and support a minimum of 10 railcars at a time.

2. The Respondent must have access to Railcars that can transport oversized military equipment such as vehicles, trailers and containers (TEUS) during the following periods:

Deployment: 15 February, 2023 to 15 April, 2023; and

Redeployment: 23 May, 2023 to 30 June 2023 (the period could be extended in July 2023 by DND if required).

Railcars such as HTTX 60' and ITTX 89' have been used in the past for similar requirements. Railcars containing raised side rails should be limited due to the potential for tire damage on wider vehicles during loading and unloading operations.

Respondent are to submit the following required information to demonstrate compliance with the above qualification requirements:

- a) Information confirming access to proposed railyards at Origin and Destination by completing Form 1 – Response Submission Form; and
- b) Information confirming access to Railcars during the periods indicated by completing Form 1 – Response Submission Form.

ANNEX B – FORM 1, RESPONSE SUBMISSION FORM

Invitation to Qualify No. W2023-R002F/A Response Submission Form		
Respondent's Name:		
Respondent's Full Legal Name: <i>(required)</i>		
Authorized Representative of Respondent for all Communications: <i>(required)</i>	Name:	
	Title:	
	Address:	
	Telephone #:	
	Email:	
Proposed Railyards		
Proposed Railyard at Origin 2 CDSB Valcartier, Quebec (within 250km of driving distance): <i>(required)</i> Address: 2 CDSB Valcartier 5 CMBG Valcartier, Building 110 Courcellette, QC G0A 4Z0	Name:	
	Address:	
	Staging Area size/capacity of railcar:	
Proposed Railyard at Destination – 3 CDSB Edmonton Detachment Wainwright, Alberta (within 25 km of driving distance) : <i>(required)</i> Address: 3 CDSB EDMONTON 5 th Canadian Division Support Base Edmonton Detachment Wainwright Building 624 (RAILHEAD) Gurkhali Rajmarg Road Denwood, Alberta, T0B 1B0	Name:	
	Address:	
	Staging Area size/capacity of railcar:	

Access to Railcars	
<p>Respondent confirm to have access to Railcars that can transport oversized military equipment such as vehicles, trailers and containers (TEUS) during the specified periods.</p> <p>Confirmation of availability of Railcars including the estimated quantity of railcars, types and estimated rotations during the period.</p> <p><i>(required)</i></p>	<p>Deployment:</p> <p>15 February, 2023 to 15 April, 2023</p>
	<p>Redeployment:</p> <p>23 May, 2023 to 30 June, 2023</p>
	<p>Possible extension (if required only):</p> <p>1 July, 2023 to 31 July, 2023</p>
<p>Requested Language for future communications regarding this procurement process: <i>(please indicate either French or English)</i></p>	
<p>On behalf of the Respondent, by signing below, I confirm that I have read the entire ITQ and I certify and agree that:</p> <ol style="list-style-type: none"> 1. The Respondent considers itself and its services able to meet all the mandatory requirements described in the ITQ; 2. The Respondent agrees to be bound by all the terms and conditions of this ITQ; and 3. All the information provided in the response is complete, true and accurate. <i>(required)</i> 	
<p>Date:</p> <p><i>(required)</i></p>	
<p>Signature of Authorized Representative of Respondent:</p> <p><i>(required)</i></p>	