# Temporary Help Services (THS) for the National Capital Region (NCR) Request for Supply Arrangement (RFSA)

# Amendment 007 June 2024

# **NCR THS Website:**

https://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/index-eng.html

# Summary of changes made in this version:

- 1. Removal of Security Requirements applicable to the resulting Supply Arrangement
- 2. Removal of Corporate Changes to Suppliers clause
- 3. Addition of Technical Difficulties of Bid Transmission, and Completeness of the Bid clauses
- 4. Addition of Anti-forced Labour clause
- 5. Update of Ineligibility and Suspension Policy clauses
- 6. Minor administrative changes

All other terms and conditions remain unchanged.

This version replaces any previous THS Request for Supply Arrangement.

Suppliers are reminded of the importance of reading this document in its entirety, as well as all documents or information incorporated by reference.

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#### **PART 1 - GENERAL INFORMATION**

#### 1.1 Introduction

The Request for Supply Arrangements (RFSA) is divided into six parts plus attachments and annexes, as follows:

- Part 1 General Information: provides a general description of the requirement;
- Part 2 Supplier Instructions: provides the instructions applicable to the clauses and conditions of the RFSA;
- Part 3 Arrangement Preparation Instructions: provides suppliers with instructions on how to prepare the arrangement to address the evaluation criteria specified;
- Part 4 Evaluation Procedures and Basis of Selection: indicates how the evaluation will be conducted, the evaluation criteria which must be addressed in the arrangement and the basis of selection;
- Part 5 Certifications and Additional Information: includes the certifications and additional information to be provided; and
- Part 6 6A, Supply Arrangement, 6B, Bid Solicitation, and 6C, Resulting Contract Clauses:
  - 6A, includes the supply arrangement (SA) with the applicable clauses and conditions;
  - 6B, includes the instructions for the bid solicitation process within the scope of the SA, that details how client departments (i.e. "Identified Users") use the supply arrangement to solicit bids;
  - 6C, includes general information for the conditions which will apply to any contract entered into pursuant to the SA.

# 1.2 Summary

1.2.1 Public Services and Procurement Canada (PSPC) invites interested suppliers to respond to the Request for Supply Arrangements (RFSA) for Temporary Help Services (THS) within the National Capital Region (NCR). Temporary Help Services (THS) is a mandatory method of supply that offers federal departments the ability to compete their requirements to pre-qualified suppliers.

Subject to signing a Master Level User Agreement, the Federal Department Users include any government department, agency or Crown Corporation listed in Schedules I, I.1, II, III, IV or V of the *Financial Administration Act* (FAA) and any other party for which the Department of Public Works and Government Services has been authorized to act from time to time under section 16 of the *Department of Public Works and Government Services Act*.

The resulting Supply Arrangements from this solicitation document can be used by Federal Department Users for requirements containing an Indigenous set aside under the federal government's Procurement Strategy for Indigenous Business (PSIB).

Two pilot projects were introduced in the THS for the NCR method of supply on 1<sup>st</sup> August 2019 and remain ongoing:

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- The first pilot project is designed to promote greater tendering opportunities for suppliers from underrepresented groups (such as indigenous, women, people with disabilities and visible minorities), in federal government procurement. Refer to PART 2, Article 2.6 for details.
- The second pilot project introduced the Right-fit basis of selection. Within specific
  parameters, Identified Users have the option of choosing either the lowest priced bid or the
  bid representing the best value within a certain price band. Refer to PART 6B, Article 6.2
  for details. These pilot projects will continue to be monitored closely.

The subsequent RFPs resulting from this RFSA could be subject to the new procurement requirements for accessibility under the <u>Accessible Canada Act</u>. Business Owners/Technical Authorities (TA)/Clients are responsible for considering accessibility criteria in their procurements as part of the specifications when appropriate.

By submitting an arrangement, suppliers are acknowledging that they agree to the process as well as the terms and conditions as described in this solicitation.

The THS SA for the NCR is to be used in the following situations only:

- 1. When a public servant is absent for a temporary period of time;
- 2. When there is a temporary workload increase and there is an insufficient number of public servants available to meet the requirement; or
- 3. A position is vacant and staffing action is being completed.

The THS method of supply for the NCR has a total of 14 streams. A full description of the streams and their categories can be found on the Temporary Help Services website (<a href="http://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/index-eng.html">http://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/index-eng.html</a>)

Canada reserves the right to add, modify or remove streams and categories at any time.

The period of the Supply Arrangements is from the date of issuance until March 31, 2028, or until such time as Canada chooses to re-compete the Supply Arrangement or no longer deems the Supply Arrangements necessary. The Contractor grants to Canada the irrevocable option to extend the term of the Supply Arrangement by up to 5 additional year periods under the same conditions. The option may only be exercised by the Contracting Authority, and will be evidenced for administrative purposes only, through a Supply Arrangement amendment.

1.2.2 A notice will be posted on the Government Electronic Tendering Service (GETS) for the duration of this requirement to allow new suppliers to become qualified and existing SA holders to qualify for additional streams and categories.

Canada reserves the right to conduct the evaluation of supplier bids in cycles, not less than quarterly. Supplier bids received over a calendar year will be evaluated in accordance with the schedule below. The schedule may require a revision due to operational requirements. Interested bidders must consult the Solicitation Dashboard of the Centralized Professional Services System, (CPSS) to keep up to date on the refresh schedule opening and closing dates. More information with regards to the evaluation of arrangements may be disclosed on the RFSA Notice, under the section "Important Information". Canada reserves the right to also conduct ad hoc refresh cycles to cover any operational needs.

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# **Quarterly Refreshes**

FY Quarter:	Opening Date (first business day of the month):	Closing Date (last business day of the month):	Estimated Award Date (Subject to Change)
Q1	April	June	End of September
Q2	July	September	End of December
Q3	October	December	End of March
Q4	January	March	End of June

- 1.2.3 The requirement is subject to the provisions of the Canadian Free Trade Agreement (CFTA) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) only.
  - i. Any subsequent Request for Proposal (RFP) stemming from the RFSA will require publishing a Notice of Proposed Procurement (NPP) above the CPTPP threshold for services. For more information on the thresholds, please refer to the consolidated text of the agreement at the following link: <a href="https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/tpp-ptp/text-texte/15-a3.aspx?lang=eng&ga=2.241314242.136793382.1666270793-1993073807.1664216565</a>
- 1.2.4 The requirement covered by the bid solicitation of any resulting supply arrangement may be subject to a vaccination requirement pursuant any Vaccination Policy for Supplier Personnel, when any related policies are in force.

#### 1.3 Security Requirement

There is no security requirement applicable to the resulting Supply Arrangement. All security verifications and possible sponsorships will be done by client departments at the Request for Proposal (RFP) stage.

#### 1.4 Debriefings

Suppliers may request a debriefing on the results of the request for supply arrangements process. Suppliers should make the request to the Supply Arrangement Authority within 15 working days of receipt of the results of the request for supply arrangements process. The debriefing may be in writing or by telephone.

#### 1.5 Use of an e-Procurement Solution (EPS)

Canada is now using an e-procurement solution (EPS) to foster convenient ordering of goods and services. THS for the NCR has transitioned to this system and will now use it to award and amend SAs. We require potential bidders to register for an ARIBA account now at the following link: <a href="How to register your business">How to register your business</a> | CanadaBuys

Please note that the Centralized Professional Services System, (CPSS) will remain active for Bidders to submit their bids, and suppliers to manage their account, streams and categories offered as well as to access the reporting function.

If the Supplier chooses not to fully register, with a validated 'Business Number' the Supply Arrangement may be set aside by Canada.

# 1.6 Key Bidding Terms

<u>Centralized Professional Services System (CPSS)</u>: is the ePortal for Professional Services: https://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/spc-cps-eng.html .

**Data Collection Component (DCC):** the part of the CPSS where suppliers can input and submit data as part of a response to a solicitation.

**National Capital Region (NCR):** the Regional Municipality of Ottawa-Carleton boundary in the Province of Ontario and the Outaouais Regional Community in the Province of Quebec

**Refresh Solicitation:** a solicitation that allows new suppliers to qualify for arrangements and existing suppliers to qualify for additional streams or categories throughout the period of the Supply Arrangement.

**New Bidder:** a supplier that does not currently have a valid supply arrangement (beginning EN578-172870) and is bidding to be awarded one.

**Existing SA Holder:** a supplier with a valid supply arrangement (beginning EN578-172870) bidding for additional categories beyond what they have currently been awarded.

**Refresh Period Bid Closing Date:** Date of bid closing for each quarter that are identified in the CPSS bidding module.

#### 1.7 Acronyms

	ACRONYMS				
CFTA	Canada Free Trade Agreement				
CSP	Contract Security Program, formerly known as Canadian Industrial Security Directorate				
CPSS	Centralized Professional Services System				
СРТРР	Comprehensive and Progressive Agreement for Trans-Pacific Partnership				
DCC	Data Collection Component				
DOS	Designated Organizational Screening				
EPS	Government of Canada Electronic Procurement Solution, also known as SAP-ARIBA				
FCP	Federal Contractors Program				
FSC	Facility Security Clearance				
NPP	Notice of Proposed Procurement				
PSIB	Procurement Strategy for Indigenous Business				
PSPC	Public Services and Procurement Canada, legally known as Public Works and Government Services				
QUR	Quarterly Usage Report				
RFP	Request for Proposal				
RFSA	Request for Supply Arrangement				
SA	Supply Arrangement				
SRCL	Security Requirement Check List				
SRI	Supplier Registration Information				

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See cover page/ voir page couverture
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#### **PART 2 - SUPPLIER INSTRUCTIONS**

# 2.1 Standard Instructions, Clauses and Conditions

All instructions, clauses and conditions identified in the Request for Supply Arrangements (RFSA) by number, date and title are set out in the <u>Standard Acquisition Clauses and Conditions Manual</u>. Suppliers who submit a bid agree to be bound by the instructions, clauses and conditions of the RFSA and accept the clauses and conditions of the supply arrangement and any resulting contract(s).

The <u>2008</u> (Latest version available from the SACC Manual at the quarter bid closing date) Standard Instructions - Request for Supply Arrangements - Goods or Services, are incorporated by reference into and form part of the RFSA.

Subsection 5.4 of <u>2008</u>, Standard Instructions - Request for Supply Arrangements - Goods or Services, is amended as follows:

Delete: 60 days

Insert: 250 calendar days

#### **Technical Difficulties of Bid Transmission**

This section applies despite anything to the contrary in (05), (06) or (08) of the Standard Instructions, where a Bidder has commenced transmission of its bid through bid through an electronic submission method (such as facsimile or Canada Post Corporation's (CPC) Connect service, CanadaBuys (SAP Ariba) or other online service) in advance of the bid solicitation closing date and time, but due to technical difficulties, Canada was unable to receive or decode the entirety of the Bid by the deadline, Canada may nonetheless accept the entirety of the Bid received after the bid solicitation closing date and time, provided that the Bidder can demonstrate the following:

- (i) The bidder contacted Canada in advance of the bid solicitation closing date and time to attempt to resolve its technical difficulties; OR
- (ii) The electronic properties of the Bid documentation clearly indicate that all components of the Bid were prepared in advance of the bid solicitation closing date and time.

# Completeness of the Bid

After the closing date and time of this bid solicitation, Canada will examine the Bid to determine completeness. The review for completeness will be limited to identifying whether any information submitted as part of the bid can be accessed, opened, and/or decoded. This review does not constitute an evaluation of the content, will not assess whether the Bid meets any standard or is responsive to all solicitation requirements, but will be solely limited to assessing completeness. Canada will provide the Bidder with the opportunity to submit information found to be missing or incomplete in this review within two business days of notice. Specifically, the bid will be reviewed and deemed to be complete when the following elements have been submitted by the bidder:

- 1. That certifications required at bid closing are included.
- 2. That bids are properly signed, that the bidder is properly identified.
- 3. Acceptance of the terms and conditions of the bid solicitation and resulting contract.
- 4. That all documents created prior to bid closing but due to technical difficulties Canada was unable to receive them, have been properly submitted and received by Canada.

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5. All certifications, declarations and proofs created prior to bid closing but due to technical difficulties Canada was unable to receive them, have been properly submitted and received by Canada.

# **Ineligibility and Suspension Policy**

- a. Mandatory Compliance. The <u>Ineligibility and Suspension Policy</u> (the "Policy") in effect on the date the solicitation of offers is issued, and all related Directives in effect on that date, are incorporated by reference into, and form a binding part of the solicitation of offers. The Offeror must comply with the Policy and Directives, which can be found at the <u>Office of Supplier Integrity</u> and Compliance website.
- b. **Policy Summary.** The Policy sets out the circumstances under which Canada may determine that the Supplier is ineligible to enter, or is suspended from entering into a Contract with Canada. The list of ineligible and suspended Suppliers is maintained on the <a href="Office of Supplier Integrity">Office of Supplier Integrity and Compliance</a> website.
- c. Offeror Responsibilities. The Offeror must provide the following:
  - a. a <u>List of names for integrity verification</u> that includes all information required by the Policy (section 13 Disclosure); and
  - if the Offeror is unable to certify all of the statements in subsection d, a completed
     Integrity declaration form providing all requested information and details of any
     material event that may affect the status of itself, its affiliates or its proposed first-tier
     subcontractors under the Policy.
- d. **Offeror Certifications.** Subject to subsection e, by submitting an offer in response to this solicitation of offers, the Offeror certifies that:
  - c. it has read and understands the *Ineligibility and Suspension Policy*;
  - d. it understands that certain circumstances, as described in the Policy, will or may result in a determination of ineligibility or suspension under the Policy:
  - e. it is aware that Canada may request additional information, certifications, and validations from the Offeror or a third party for the purpose of making a determination of ineligibility or suspension;
  - f. none of the circumstances described in <a href="Appendix 2">Appendix 2</a> of the Policy that will or may result in a determination of ineligibility or suspension, apply to itself, its affiliates or its proposed first tier subcontractors; and
  - g. it is not aware of a determination of ineligibility or suspension issued by Canada that applies to it.
- e. **Integrity Declaration Form.** Where an Offeror is unable to provide any of the certifications required by subsection d, at the time of its offer it must submit a completed <u>Integrity declaration</u> form.
- f. Compliance with Certifications. Canada will declare non-compliant any offer in respect of which the information requested is incomplete or inaccurate, or in respect of which the information contained in a certification or declaration is found by Canada to be false or misleading in any respect. If Canada establishes after award of the Contract that the Offeror provided a false or misleading certification or declaration, Canada may terminate the Contract for default. Pursuant to the Policy, Canada may also determine the Offeror to be ineligible for award of a Contract for providing a false or misleading certification or declaration.

#### 2.2 Submission of Bids

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The following is reflective of the current bidding process but remains subject to change.

- 2.2.1 Suppliers are requested to refer to Attachment A, Step by Step Instructions on submitting a THS for the NCR response through the Data Collection Component (DCC) of the Centralized Professional Services System (CPSS) ePortal.
- 2.2.2 THS for the NCR will only accept electronic submissions through the DCC of the Centralized Professional Services System (CPSS) ePortal.

# 2.2.3 Requirements prior to bidding

#### Bidders must have:

- a) a Procurement Business Number (PBN) which is registered with the Supplier Registration Information (SRI) system, and
- b) a SAP Ariba account, and
- c) a Centralized Professional Services System (CPSS) supplier account in order to submit their electronic bid through the DCC.
  - 2.2.3.1 Obtaining a PBN through the SRI system
- a) Bidders must have a registered Procurement Business Number (PBN) with the Supplier Registration Information (SRI) system. To obtain a PBN, bidders can access the following website and register online:

https://srisupplier.contractscanada.gc.ca/indexeng.cfm?af=ZnVzZWFjdGlvbj1yZWdpc3Rlci5pbnRybyZpZD03&lang=eng

The SRI contact information is: Tel.: 1-800-811-1148

Email: SAC-PAC@tpsgc-pwgsc.gc.ca

b) In the case of a new bidder that is submitting as a Joint Venture (JV), a unique PBN representing the joint venture legal entity must be created in SRI and used when submitting a bid through the DCC. The business number (i.e. the first nine digits of the PBN) of the lead company is used to create a new PBN (i.e. account) for the JV.

All members of the JV must have their own PBN, and the Legal Name field of the JV must show the names of all companies participating in the JV. The registration of a JV account must be done by contacting an SRI agent.

- 2.2.3.2 Enrolling for an SAP ARIBA account through CanadaBuys
- a) Bidders must have a complete account within SAP Ariba, the procurement software platform used to bid on opportunities posted on the CanadaBuys website.
- b) When registering their account, bidders must ensure that all questions in their Supplier Profile Questionnaire are completed, including all of Section 9 Banking Information.
- c) For registration instructions, please visit: How to register your business | CanadaBuys
- d) For joint venture registration instructions, please visit Registering a joint venture supplier in SAP Ariba | CanadaBuys.
  - 2.2.3.3 Enrolling in the Centralized Professional Services System (CPSS) ePortal

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Instructions on how to enroll into the CPSS ePortal can be found at the following link: <a href="http://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/iffpe-seeps-eng.html">http://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/iffpe-seeps-eng.html</a>

When enrolling into the CPSS ePortal, bidders are to ensure the correct spelling of their Legal Name and the accuracy of their PBN. The bidder's Legal Name, Mailing Address and PBN identified in CPSS should match what is in their SRI account.

Enrolment into the CPSS ePortal is not a bid submission, nor does it pre-qualify a bidder under a method of supply. Enrolment provides bidders/existing suppliers access to their CPSS Supplier Module account, where they can access their company's profile as well as submit a bid through the Data Collection Component (DCC).

Suppliers are responsible for safeguarding their credentials (i.e. userid and password) which are sent via email to their main supplier contact in order to access their CPSS Supplier Module account.

THS will not delay or cancel any solicitation process due to a supplier's inability to access, modify or validate such credentials.

Bidders can contact the CPSS ePortal team directly for any enrolment questions at TPSGC.SSPC-CPSS.PWGSC@tpsqc-pwqsc.qc.ca.

- 2.2.4 Existing SA Holders may submit bids or qualify for additional streams or categories according to the schedule outlined in 1.2.2 above.
- 2.2.5 One legal entity may participate in the submission of:
  - i. one bid from the legal entity alone; or
  - ii. one bid from the legal entity alone and one bid in a joint venture with another legal entity; or
  - iii. two bids in joint venture with other legal entities

If a legal entity participates in bids for more than two arrangements, Canada will choose at its discretion which bids to consider and which supply arrangements to award.

# 2.3 Enquiries - Request for Supply Arrangements

All enquiries must be submitted in writing to the Supply Arrangement Authority at <a href="mailto:TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca">TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca</a>. Enquiries may be responded to until eight (8) calendar days prior to the solicitation closing date or five (5) calendar days prior to the quarterly refreshes closing date. Enquiries received after that time may not be answered.

Suppliers should reference as accurately as possible the numbered item of the RFSA to which the enquiry relates. Care should be taken by suppliers to explain each question in sufficient detail in order to enable Canada to provide an accurate answer

Technical enquiries that are of a proprietary nature must be clearly marked "proprietary" at each relevant item. Items identified as "proprietary" will be treated as such except where Canada determines that the enquiry is not of a proprietary nature. Canada may edit the question(s) or may request that suppliers do so, so that the proprietary nature of the question(s) is eliminated, and the enquiry can be answered to all suppliers. Enquiries not submitted in a form that can be distributed to all suppliers may not be answered by Canada. Enquiries received at quarterly refreshes may not be distributed to all suppliers.

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#### 2.4 Former Public Servant - Notification

Service contracts awarded to former public servants in receipt of a pension or a lump sum payment must bear the closest public scrutiny and reflect fairness in the spending of public funds. Therefore, upon the award of a contract, the status with respect to being a former public servant in receipt of a pension or a lump sum payment, will be reported on the departmental websites as part of the published proactive disclosure reports generated in accordance with TB Directive on the Management of Procurements on contracts with former public servants, Contracting Policy Notice 2012-2 (<a href="https://www.canada.ca/en/treasury-board-secretariat/services/policy-notice/2012-2.html">https://www.canada.ca/en/treasury-board-secretariat/services/policy-notice/2012-2.html</a>) and the Guidelines on the Proactive Disclosure of Contracts (<a href="http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=14676">http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=14676</a>). Also, this bid solicitation requires that a bidder submits information through the DCC regarding the bidder's status with respect to being a former public servant in receipt of a pension or a lump sum payment.

The names of Supply Arrangement holders who are in receipt of a pension or a lump sum payment will be posted on the THS for the NCR website.

# 2.5 Federal Contractors Program for Employment Equity - Notification

The Federal Contractors Program (FCP) for employment equity requires that some contractors make a formal commitment to Employment and Social Development Canada (ESDC) - Labour to implement employment equity. In the event that this supply arrangement would lead to a contract subject to the Federal Contractors Program (FCP) for employment equity, the bid solicitation and resulting contract templates would include such specific requirements. Further information on the Federal Contractors Program (FCP) for employment equity can be found on <a href="Employment and Social Development Canada(ESDC)">Employment Canada(ESDC)</a> - Labour's website at: <a href="https://www.canada.ca/en/employment-social-development.html">https://www.canada.ca/en/employment-social-development.html</a>

## 2.6 Underrepresented Suppliers – Notification

THS for the NCR is participating in a pilot project to promote greater inclusiveness and opportunities for participation of Indigenous owned businesses (including PSIB registered businesses) and businesses owned by other underrepresented groups (i.e. women, persons with disabilities and visible minorities to participate in federal government procurement). Indigenous owned businesses (including PSIB registered businesses) and other underrepresented groups will have the opportunity to self-identify when submitting their arrangement; they will be referred to the Certification - Diverse Status section of the CPSS system to check their underrepresented profile. Other underrepresented groups may be considered in the future.

#### Underrepresented supplier

An underrepresented supplier is a business owned or led (i.e., operated or controlled) by an underrepresented group (i.e. Indigenous People, women, persons with disabilities, visible minorities).

#### **Underrepresented Supplier Ownership**

Ownership, operation or control means an enterprise that is subject to 51% majority control and effective management of the business by an underrepresented supplier.

#### **UNDERREPRESENTED GROUP DEFINITIONS:**

#### Women

Women are an underrepresented group in the Canadian workforce. As per the Canada *Employment Equity Act*, women are defined as an "an employment equity designated group".

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# **Indigenous Supplier**

An Indigenous Supplier is an entity which simultaneously complies with three criteria:

- It is owned or led (controlled or operated) in majority (51%) by one or many individual(s) of Canadian Indigenous heritage whether Inuit, Métis or First Nation, whether Status or non-status, whether registered or non-registered, whether on or off-reserve and whether registered under PSIB or not. The word Indigenous is here understood in a similar way as for the purpose of the Indigenous Business and Entrepreneurship Development program of CIRNAC (https://www.canada.ca/en/indigenous-northern-affairs.html), and
- 2. It is owned or led (controlled or operated) in majority (51%) by one or many a Canadian citizen or legal resident of Canada, and
- 3. The entity physically resides in Canada

#### **Persons with Disabilities**

The *Employment Equity Act* (S.C. 1995, c. 44), refers to persons with disabilities as persons "who have a long-term or recurring physical, mental, sensory, psychiatric, or learning impairment, and who (a) considers themselves to be disadvantaged in employment by reason of that impairment, or (b) believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment." This also includes persons "whose functional limitations owing to their impairment have been accommodated in their current job or workplace". Moreover, the Public Services Commission provides examples of disabilities such as: impairments related to co-ordination or dexterity, mobility, blind or visual impairment, deaf or hard of hearing, speech impairment, and other forms of disability such as learning disability, developmental disability, etc.

#### **Visible Minorities**

The *Employment Equity Act* (S.C. 1995, c. 44), defines visible minority as "persons, other than Indigenous peoples, who are non-Caucasian in race or non-white in color". Statistics Canada, however, provides a detailed explanation of visible minority, referring to persons who are non-Caucasian in race or non-white in color and who do not report being Indigenous. Visible minority groups include Chinese, Black, South Asian, Filipino, Latin American, Southeast Asian, Arab, West Asian, Korean, Japanese, etc.

# Identification in the Centralized Professional Services System (CPSS)

Within the Centralized Professional Services System (CPSS), these underrepresented suppliers will be referred to as diverse suppliers, and will have the opportunity to voluntarily self-identify when submitting their bid. A joint venture (JV) consisting of at least 1 underrepresented supplier with lead responsibilities will be considered a diverse supplier.

When "Identified Users" of the THS for the NCR supply arrangement generate the bidder's list for their individual requirements (see 6B, Bid Solicitation for details), 5 underrepresented suppliers will randomly be included in the list, ensuring at least 5 underrepresented suppliers are invited to bid on every solicitation. 3 of the underrepresented suppliers chosen will be low volume suppliers.

# **LOW VOLUME SUPPLIERS:**

THS for the NCR will monitor business volume on a regular basis. Underrepresented suppliers with business volume of less than \$50,000.00 annually under the THS for the NCR method of supply will be flagged as a "low volume supplier" in the CPSS ePortal.

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The business volume calculation will be conducted on a yearly basis in the month of April of each fiscal year to determine the business volume received in the previous fiscal year (April to March).

# 2.7 Applicable Laws

The supply arrangement (SA) and any contract awarded under the SA must be interpreted and governed, and the relations between the parties determined, by the laws in force in Ontario. However, suppliers may, at their discretion, substitute the applicable laws of a Canadian province or territory of their choice without affecting the validity of the bid, by selecting an alternate Canadian province or territory in their electronic submission via CPSS under the "Company Information" section. The substitution will take effect at the beginning of every new refresh period. If no change is made, this acknowledges that the applicable laws specified are acceptable to the Bidder.

# 2.8 Bid Challenge and Recourse Mechanisms

- (a) Several mechanisms are available to potential suppliers to challenge aspects of the procurement process up to and including contract award.
- (b) Canada encourages suppliers to first bring their concerns to the attention of the Contracting Authority. Canada's <u>Buy and Sell</u> website, under the heading "Bid Challenge and Recourse Mechanisms" at: <a href="https://buyandsell.gc.ca/for-businesses/selling-to-the-government-of-canada/bid-follow-up/bid-challenge-and-recourse-mechanisms">https://buyandsell.gc.ca/for-businesses/selling-to-the-government-of-canada/bid-follow-up/bid-challenge-and-recourse-mechanisms</a>. It contains information on potential complaint bodies such as the:
  - Office of the Procurement Ombudsman (OPO)
  - Canadian International Trade Tribunal (CITT)
- (c) Suppliers should note that there are **strict deadlines** for filing complaints, and the time periods vary depending on the complaint body in question. Suppliers should therefore act quickly when they want to challenge any aspect of the procurement process.

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#### **PART 3 - BID PREPARATION INSTRUCTIONS**

# 3.1 Technical Bid and Certifications

Suppliers must submit their technical bid and certifications electronically through the Data Collection Component (DCC) of the CPSS ePortal by the closing date and time of the refresh solicitation period listed in 1.2.2 above. The DCC allows suppliers to save and re-submit their arrangement multiple times. Instructions on how to submit an electronic arrangement can be found in Attachment A of this document.

When a bid is submitted, a supplier's CPSS Main Supplier Contact account holder will receive an email confirming the receipt of the electronic submission. Only the last bid received by PSPC prior to the solicitation closing date and time or closing date and time of the quarterly refresh being submitted against will be evaluated.

Only the Main Supplier Contact account holder can submit the electronic arrangement. IMPORTANT: <u>The main account holder must use the <Submit Response> button and not just <Save> to successfully submit the bid to PSPC!</u>

THS for the NCR will request by return email, all supporting documentation required to complete the evaluation.

In April 2006, Canada issued a policy directing federal departments and agencies to take the necessary steps to incorporate environmental considerations into the procurement process; the <a href="Policy on Green">Policy on Green</a>
<a href="Procurement-Canada.ca">Procurement-Canada.ca</a>
To assist Canada in reaching its objectives, bidders must submit their electronic bid submission online through the DCC of the CPSS ePortal.

Please note that Security sponsorship is no longer offered by THS. All security verifications and possible sponsorships will be done by client departments at the Request for Proposal (RFP), stage. Although this certification can still be found in the DCC of the CPSS ePortal, it does not require any input by the bidder (i.e. it can be left blank).

#### 3.2 Financial bid

There is no financial arrangement required for this solicitation. All financial aspects will be negotiated by the Identified Users when issuing the subsequent RFP.

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#### 3.3 **Submission Grid**

Description of DCC	New THS for the NCR Supplier	Existing THS for the NCR Supplier	Reference Point in RFSA Document
	Technical	Bid	
Company Information	DCC	DCC	Attachment A
Regional Information	DCC	DCC	Attachment A
Contact Information	DCC	DCC	Attachment A
Local Offices	DCC	DCC	Attachment A
Language Preferences for Identified Users communication	DCC	DCC	Attachment A
M1 Minimum Months in Business	DCC+	DCC	Attachment A
M2 Newly Substantiated Categories References must be provided in the DCC.	DCC	DCC	Attachment A
Services Offering for a Supply Arrangement	DCC	DCC	Attachment A
	Certification	ons	
Security	N/A	N/A	Attachment A
Federal Contractors Program for Employment Equity	N/A	N/A	Attachment A
Former Public Servant	DCC	DCC	Attachment A
PSIB Indigenous Certification	DCC+	DCC+	Attachments A and B
Grandfather Certification	N/A	DCC+	Attachments A and B
Work Force Reduction Program	DCC	DCC	Attachments A
Integrity Provisions – Associated Information	DCC+	DCC+	Attachments A and B
Security Sponsorship	N/A	N/A	Attachments A and B
Diverse Supplier Self-Attestation	DCC+	DCC+	Attachments A and B
Supplier's Statement	DCC+	DCC+	Attachments A and B

DCC: Data Collection Component DCC+: Additional information will be requested by email after bid closing

N/A: Not applicable

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#### PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION

#### 4.1 Evaluation Procedures

- a) Bids will be assessed in accordance with the entire requirements of this Request for Supply Arrangement, including but not limited to the mandatory technical evaluation criteria, certifications, and other requirements. All elements of this RFSA solicitation that are mandatory requirements are identified specifically with the words "must" or "mandatory".
- b) When THS for the NCR requests clarification, verification, or additional information, the supplier will have 2 business days (longer if specified in writing) to provide the requested information. Failure to meet this requirement may result in the bid being declared non-responsive.

#### 4.2 Evaluation Criteria

# 4.2.1 Mandatory Technical Criteria

No.	Mandatory Technical Criterion	Submission Instructions
M1	This criterion applies to all bidders.  The supplier or each member of a JV must have done business as the same legal entity for a minimum of 24 months prior to the closing date of this solicitation or of the quarterly refresh being submitted against.	Suppliers must complete the DCC of the CPSS ePortal following the instructions in Attachment A.  At the request of the THS for the NCR team, New Bidders must provide documents as proof (letters of incorporation, tax returns, etc.) by email.  Existing SA Holders may not be requested to provide proof.
<b>M</b> 2	This criterion applies to all bidders.  Suppliers must complete their bid within the DCC of the CPSS ePortal following the instructions provided in Attachment A – Section F: Mandatory Criteria.  M2.1 Substantiating New Categories  For each new category to be substantiated, the supplier must demonstrate that they have provided similar services to those described on the THS web site. To do this:  • the supplier must identify all new categories being sought as "Newly Substantiated"  • The supplier must provide a reference that can substantiate that the supplier provided said services to them matching the category description;	Canada may proceed with reference checks as follows:  Canada may contact the primary reference using the email address in the "E-mail 1" field of CPSS and give them 7 calendar days to respond (longer, if specified). If a primary reference responds "No" to a category, the category will be deemed non-compliant. If a primary reference responds "Unable" to a category, the category may be deemed non-compliant, but Canada reserves the right to ask the supplier for an alternate reference.  If no response is received by the due date given by Canada, and if the supplier has not provided a second reference in the "E-mail 2" field of CPSS, the supplier may, at Canada's discretion, be given the opportunity to provide an alternate reference within two business days. If the supplier has already provided a second
	<ul> <li>the services must have been provided within the last 5 years prior to the quarterly refresh closing date.</li> <li>Bidders should note that awarded categories under another method of supply have no weight in this evaluation.</li> </ul>	reference in the "E-mail 2" field of CPSS, Canada will contact that alternate reference, even in case of a duplicated e-mail address.  If an email address results in an undeliverable email being returned, the supplier will have the opportunity to supply an alternate e-mail address within two business

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# M2.2 Stream And Category Qualification

A single substantiated category within any one stream is sufficient for the award of a supply arrangement. However:

- After a supplier has successfully substantiated three categories within a stream using M.2.1, all additional categories within that stream may be considered substantiated if the supplier bid includes them.
- In order to include additional categories suppliers must select them as either "Newly Substantiated" or "Currently Substantiated" during bidding.
- Canada recommends that suppliers mark additional categories as "Newly Substantiated" and to provide references whenever possible in order to provide additional chances to substantiate the entire stream.
- If a supplier does not wish to offer a category it should be marked as "Not Offered".

## M2.3 References Check Procedures

References must be from an "Outside Client" (an Outside Client is any legal entity that is not a parent, subsidiary or an affiliate of the bidder, a member of a joint venture with the bidder or any other entity or person that does not deal at arm's length with the bidder).

The same reference may be used for multiple categories. However, references <u>must not be</u> individuals who have been at any time:

- employed by the supplier
- sub-contracted by the supplier
- on the supplier's Board of Directors
- a busines's partner

#### **M2.4 Joint ventures**

One or more members must have provided the services for any category they bid for.

In order to qualify for the whole stream, members must either individually or jointly qualify for a minimum of 3 categories within that stream.

#### days.

If any alternate reference responds "No" or "Unable" to the request, the category will be deemed noncompliant. In the case that neither the primary nor any alternate reference responds, Canada reserves the right to contact references by phone to get a verbal confirmation, if required by circumstances.

If no response is received from the reference or the alternate reference, Canada may still decide to accept the bid where contract information can be otherwise validated.

The supplier should inform references that Canada may be in contact with them by e-mail or phone. In cases where other professional services are being bid for by the supplier during the same refresh period, and where the same reference is being used across bids, additional care should be taken to ensure that all communications are answered by the reference for each MOS separately.

THS for NCR reserves the right to request additional information in order to validate a reference's response. Should a copy of a specific contract/project be requested, the bidder must submit the requested copy and indicate the parts thereof which demonstrate compliance of the type of work that their company offers as per the tasks outlined for that category.

In a bid to add new categories to their existing supply arrangement, any Existing SA Holder must confirm the validity of all streams and categories previously substantiated in an earlier refresh bidding opportunity, and provide a Grandfather Certification to Canada.

# **Example of Reference Email**

Hello,

**Bidder's Legal Name o/a Bidder's Operating Name** has provided your name to the Government of Canada's Temporary Help Services team as a reference. Can you please confirm by **(DD-MM-YYYY)** if in the last five years they have performed under contract for you (or your client) any services commensurate with those listed in the table below:

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Category Title	Contract/Project Reference Number	Reply		oly
Category Title	Contract/Froject Reference Number	Yes	No	Unable
Category name inserted	Reference information provided by bidder inserted			

Note: The text in the "Contract/Reference number" column appears exactly as input by the company's representative and may not appear translated.

You cannot serve as a reference if you:

- have been employed by the firm who submitted your name, sub-contracted to it, served on its Board of Directors or have had any type of business relationship with any member of the Board of Directors;
- Is a family member of someone on the Board of Directors, its administrators or the owners.

If you have any questions about the definition of these service categories, please visit our website's categories page for full descriptions: <a href="https://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/sat-thc-26112018-eng.html">https://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/sat-thc-26112018-eng.html</a>

Please note that this reference check is on behalf of Temporary Help Services for the National Capital Region only. You may receive other reference checks of a similar nature that may require a separate reply. For any other questions, please contact us at <a href="mailto:TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca">TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca</a>

# 4.2.2 Other Mandatory Requirements

i. Physical Office Address

The supplier must maintain a physical street address that is not a Post Office Box. The supplier must have a phone number and a professional email address.

# 4.3 Basis of Selection

A bid must comply with the requirements of this Request for Supply Arrangement and meet all mandatory evaluation criteria to be declared responsive.

All responsive suppliers will be awarded a supply arrangement for the qualified streams and categories.

# 4.4 Financial Viability

SACC Manual clause S0030T (Latest version available from the SACC Manual at the quarter bid closing date ) Financial Viability

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#### PART 5 - CERTIFICATIONS AND ADDITIONAL INFORMATION

Suppliers must provide the required certifications and additional information to be issued a supply arrangement (SA). The certifications listed below must be completed through the DCC per instructions in Attachment A. Evidence must be submitted when requested.

The certifications provided by suppliers to Canada are subject to verification by Canada at all times. Unless specified otherwise, Canada will declare an arrangement non-responsive, or will declare a contractor in default if any certification made by the supplier is found to be untrue whether made knowingly or unknowingly during the arrangement evaluation period, or during the period of any supply arrangement arising from this RFSA and any resulting contracts.

The Supply Arrangement Authority will have the right to ask for additional information to verify the supplier's certifications. Failure to comply with any request will render the bid non-responsive, and in the case of an Existing SA Holder, may result in their supply arrangement being suspended or cancelled.

# 5.1 Federal Contractors Program for Employment Equity – not applicable

This is now a notice included in Part 2, 2.5 of this solicitation. Although this certification is still in the DCC of the CPSS ePortal, it does not require any input by the bidder (i.e. it can be left blank).

#### 5.2 Former Public Servant

Refer to Part 2, 2.4 for information concerning Former Public Servants. Suppliers must submit their status with respect to being a former public servant in receipt of a pension. If, as a result of this solicitation, a Supply Arrangement is awarded, the name of the supplier who is in receipt of a pension will be posted on the THS web site.

# 5.3 PSIB - Indigenous Suppliers

In accordance with the Procurement Strategy for Indigenous Business (PSIB), requirements designated by federal government departments as set aside under PSIB will be restricted to qualified Indigenous businesses.

Suppliers should ensure that they are listed in the Indigenous and Northern Affairs Canada's Indigenous Business Directory at: <a href="https://services.sac-isc.gc.ca/REA-IBD">https://services.sac-isc.gc.ca/REA-IBD</a>

Information on becoming an Indigenous supplier can be found at the same link.

A joint venture (JV) consisting of a least 1 PSIB Indigenous supplier with lead responsibilities will be considered an indigenous joint venture.

# 5.4 Work Force Reduction Program

As a result of programs to reduce the public service, suppliers must provide information regarding their status as former public servants in receipt of a lump sum payment.

To demonstrate compliance with this certification, all bidders must:

- i. Answer the question to confirm if the bidder is a former public servant in receipt of a lump sum payment. If yes, complete the remainder of these fields within this certification in the DCC of the CPSS ePortal (See Attachment A).
- ii. Provide if requested by THS for the NCR, additional information concerning this certification.

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# 5.5 Grandfather Provision (upon request by Canada)

Existing THS Suppliers must provide a signed Grandfather Certification by email.

# 5.6 Integrity Provisions - Associated Information

By submitting a bid, the bidder certifies that:

- i. It has read and understands the Ineligibility and Suspension Policy.
- ii. It understands that certain circumstances, as described in the Policy, will or may result in a determination of ineligibility or suspension under the Policy.
- iii. It is aware that Canada may request additional information, certifications, and validations from the Offeror or a third party for the purpose of making a determination of ineligibility or suspension.
- iv. None of the circumstances described in <u>Appendix 2 of the Policy</u> that will or may result in a determination of ineligibility or suspension, apply to itself, its affiliates or its proposed first tier subcontractors.
- v. it is not aware of a determination of ineligibility or suspension issued by Canada that applies to it.
- vi. Where an Offeror is unable to provide any of the above certifications, at the time of its offer it must submit a completed Integrity Declaration Form

# 5.7 Underrepresented Suppliers

In order to be considered an underrepresented\* supplier, the supplier must certify compliance with the definition of underrepresented supplier in Section 2.6 and submit evidence when requested. To be considered an underrepresented JV, at least one member of the JV must certify as an underrepresented supplier and be identified as the JV lead (representative).

\* In the CPSS system, underrepresented suppliers are considered to be Diverse Suppliers (i.e. Indigenous peoples, women, persons with disabilities and visible minorities)

# 5.8 Supplier's Statement

The bidder's Statement is a certification whereby bidders are certifying that all the information being provided in their electronic submission is true.

To demonstrate agreement with this certification, the bidders must:

- i. Select the checkbox applicable to this certification in the DCC of the CPSS ePortal (See Attachment A)
- ii. Provide when requested by THS for the NCR the Bidder's Statement that can be found in Attachment B.

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#### PART 6 - SUPPLY ARRANGEMENT AND RESULTING CONTRACT CLAUSES

#### A. SUPPLY ARRANGEMENT

# 6.1 Arrangement

The Supply Arrangement covers the <u>Streams and Categories</u> described at the following website: <a href="http://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/index-eng.html">http://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/index-eng.html</a>

# 6.2 Security Requirements

There is no security requirement applicable to the resulting Supply Arrangement, Contracts issued under an SA are subject to the requirements in the Security Requirement Check Lists (SRCL's) identified in each individual Request for Proposal issued by Clients. Common SRCL's are accessible through the CPSS web site at Common centralized professional services: Security requirement check lists - Centralized Professional Services ePortal - Professional Services - Buying and Selling - PSPC (tpsgc-pwgsc.gc.ca) (https://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/31-eng.html) but other SRCLS may be used. Each Request for Proposal will identify the SRCL that will apply to any resulting contract.

#### 6.3 Standard Clauses and Conditions

All clauses and conditions identified in the Supply Arrangement and resulting contract(s) by number and title are set out in the <a href="Standard Acquisition Clauses and Conditions Manual">Standard Acquisition Clauses and Conditions Manual</a> (<a href="https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual">https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual</a>) issued by Public Works and Government Services Canada.

#### 6.3.1 General Conditions

<u>2020</u> (Latest version available from the SACC Manual at the quarter bid closing date inserted at time of SA issuance) General Conditions - Supply Arrangement - Goods or Services, apply to and form part of the Supply Arrangement.

2020 (2022-12-01) 19 Anti-forced labour requirements

 Canada may suspend or cancel the Supply Arrangement in accordance with section 2020 09 - Suspension or cancellation of qualification by Canada if the Supplier has, in the past three years been convicted of any of the following offences under the <u>Criminal Code</u> or the <u>Immigration and Refugee Protection Act</u>:

# Criminal Code

- i. section 279.01 (Trafficking in persons);
- ii. section 279.011 (Trafficking of a person under the age of eighteen years);
- iii. subsection 279.02(1) (Material benefit trafficking);
- iv. subsection 279.02(2) (Material benefit trafficking of person under 18 vears):
- v. subsection 279.03(1) (Withholding or destroying documents trafficking);
- vi. subsection 279.03(2) (Withholding or destroying documents trafficking of person under 18 years); or Immigration and Refugee Protection Act
- vii. section 118 (Trafficking in persons).
- 2. Canada may suspend or cancel the Supply Arrangement in accordance with section 2020 09 Suspension or cancellation of qualification by Canada if the Supplier has, in the past

three years, been convicted of an offence in a jurisdiction other than Canada that, in Canada's opinion, is similar to any of the offences identified in paragraph 1.

- 3. For purposes of determining whether a foreign offence is similar to a listed offence, PWGSC will take into account the following factors:
  - i. in the case of a conviction, whether the court acted within its jurisdiction;
  - ii. whether the supplier was afforded the right to appear during the court's proceedings or to submit to the court's jurisdiction;
  - iii. whether the court's decision was obtained by fraud; or
  - iv. whether the supplier was entitled to present to the court every defence that the supplier would have been entitled to present had the proceeding been tried in Canada.
- 4. Where Canada intends to suspend or cancel the Supply Arrangement under this section, Canada will inform the Supplier and may provide the Supplier an opportunity to make written representations before making a final decision. Written representations must be submitted within 30 days from receiving a notice of concern unless Canada establishes a different deadline.

# 6.3.2 Changes to the supply arrangement (evergreen clause)

As a result of the SA being perpetual, on occasion, PWGSC may also amend any part of the supply arrangement as a result of a policy notification, legislation, or procedural change. Any such change will not affect existing contracts in place prior to the date of change. Notification of such change will be sent to suppliers via a generic email. Should a supplier not be in agreement with such modifications, and no longer wishes to be considered for requirements issued under the supply arrangement framework as a result of the changes, the supplier will notify the supply arrangement authority and this supplier will no longer be included on the list of qualified suppliers.

#### 6.3.3 Supply Arrangement Reporting

The Supplier must compile and maintain records on its provision of goods, services or both to the federal government under contracts resulting from the Supply Arrangement. This data must include all purchases paid for by a Government of Canada Acquisition Card.

The Supplier must provide this data in accordance with the reporting requirements detailed in the Quarterly Usage Report Instructions (<a href="http://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/ocannexd-soannexd-eng.html">http://www.tpsgc-pwgsc.gc.ca/app-acq/spc-cps/ocannexd-soannexd-eng.html</a>) goods or services are provided during a given period, the Supplier must still provide a "NIL" response.

The quarterly reporting periods are defined as follows:

Quarter Period to be covered		Due on or before	
Q1	April 1 to June 30	July 15	
Q2 July 1 to September 30 Q3 October 1 to December 31		October 15	
		January 15	
Q4	January 1 to March 31	April 15	

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PWGSC reserves the right to suspend the supply arrangement without notice, if reports are not submitted on time or are inaccurate or incomplete.

# 6.4 Term of Supply Arrangement

# 6.4.1 Period of the Supply Arrangement

The period of the Supply Arrangement is from the date of issuance until March 31, 2028 and will remain valid until such time as Canada no longer considers it to be advantageous to use it.

Canada may, with at least 30 days written notice and by posting on the Government Electronic Tendering System (<a href="https://canadabuys.canada.ca/en/tender-opportunities/tender-notice/cb-6278-65400524">https://canadabuys.canada.ca/en/tender-opportunities/tender-notice/cb-6278-65400524</a>) cancel this Supply Arrangement or individual categories or streams.

# 6.4.2 Delivery Points

Delivery of the requirement and services is limited to the National Capital Region (NCR).

Services provided by a resource located outside the NCR may be accepted if the position to be covered is in the NCR and the Identified User authorizes full-time telework. The authorization of full-time telework is at the sole discretion of the Identified User where it's clearly identified in each subsequent RFPs.

#### 6.5 Authorities

# 6.5.1 Supply Arrangement Authority

The Supply Arrangement Authority is:

Supply Team Leader Public Works and Government Services Canada Acquisitions Branch, 10 Wellington Street, Terrasses de la Chaudière, 5<sup>th</sup> floor Gatineau, Québec K1A 0S5

E-mail address: TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca

The Supply Arrangement Authority is responsible for the issuance of the supply arrangement, its administration and its revision, if applicable.

# 6.5.2 Supplier's Representative

The individual identified as the main supplier contact in the CPSS ePortal is considered the supplier's representative and is the central point of contact for the supplier on all matters pertaining to the supply arrangement. By submitting the bid, the supplier confirms that this individual has the authority to bind the supplier. It is the supplier's sole responsibility to ensure that the information related to the supplier's representative is correct. If a change is required to this information, the supplier will inform CPSS by email at:

TPSGC.SSPC-CPSS.PWGSC@tpsgc-pwgsc.gc.ca

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# 6.5.3 Supplier's CPSS ePortal Information

Suppliers are responsible for the maintenance and safeguarding of their tombstone data in the CPSS ePortal. Suppliers must also safeguard the credentials released to the Main Supplier Contact (MSC) and Supplier's Contacts that enable access to the Supplier Module.

Canada will not delay or cancel any solicitation or contract process due to a supplier's inability to access, modify or validate such credentials, or because of any claim that such credentials were used without proper authorization.

#### 6.6 Identified Users

The Identified Users include any government department, agency or Crown Corporation listed in Schedules I, I.1, II, III, of the *Financial Administration Act*, R.S.C., 1985, c. F-11.

# 6.7 On-going Opportunity for Qualification

A Notice will be posted on the Government Electronic Tendering Service (GETS) for the duration of the supply arrangement to permit new suppliers to become qualified and pre-qualified suppliers to qualify for streams and categories for which they are not already qualified.

Canada reserves the right to conduct the evaluation of arrangements in cycles, not less than quarterly. Bids received over a calendar year will be evaluated in accordance with the schedule below. The schedule may require a revision due to operational requirements, in which case suppliers will be advised.

# **Quarterly Refreshes**

Fiscal Quarter	Opening Date (first business day of the month)	Closing Date* (last business day of the month)	Estimated Award Date (subject to change)
Q1	April	June	End of September
Q2	July	September	End of December
Q3	October	December	End of March
Q4	January	March	End of June

<sup>\*</sup>Dates may be subject to change due to holidays or any unforeseen events that may affect the government's ability to close the quarter on those dates. When applicable, the precise closing date of each quarter will be specified in the CPSS system via the Solicitation Dashboard.

# 6.8 Priority of Documents

If there is a discrepancy between the wordings of any documents that appear on the list, the wording of the document that first appears on the list has priority over the wording of any document that subsequently appears on the list.

- (a) the articles of the supply arrangement;
- (b) the <u>2020 General Conditions</u> (Latest version available from the <u>SACC Manual</u> at the quarter bid closing date at time of SA issuance), General Conditions Supply Arrangement Goods or Services
- (c) the supplier's arrangement received in response to the Request for Supply Arrangement EN578-172870.

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#### 6.9 Certifications and Additional Information

# 6.9.1 Compliance

Compliance with the certifications and related documentation provided by the Supplier in the arrangement is a condition of the Supply Arrangement (SA) and subject to verification by Canada during the term of the SA and of any resulting contract that would continue beyond the period of the SA. If the supplier does not comply with any certification, provide the related documentation or if it is determined that any certification made by the supplier in the arrangement is untrue, whether made knowingly or unknowingly, Canada has the right to terminate any resulting contract for default and suspend or cancel the SA.

#### 6.9.2 Vendor Performance

In accordance with <u>Article 09 of the General Conditions 2020</u> (Latest version available from the SACC Manual at the quarter bid closing date inserted at contract award), Canada may by written notice to the supplier, suspend or cancel the supply arrangement.

Resulting supply arrangements may be subject to the Vendor Performance Management Regime, where specific elements of the work will be subject to performance evaluation. The supplier may be required to collect, compile and present performance information and the supplier will be evaluated on specific aspects of its performance.

The RFSA and any resulting supply arrangements could be amended to incorporate any resulting Vendor Performance Management Regime.

# 6.9.3 Physical Office Address

The supplier must maintain a physical street address that is not a Post Office Box. The supplier must have a valid phone number and email address.

#### 6.10 Applicable Laws

The Supply Arrangement (SA) must be interpreted and governed, and the relations between the parties determined, by the laws in force in Ontario. However, suppliers may, at their discretion, substitute the applicable laws of a Canadian province or territory of their choice without affecting the validity of the bid, by selecting an alternate Canadian province or territory in their electronic submission via CPSS under the "Company Information" section. The substitution will take effect at the beginning of every new refresh period. If no change is made, this acknowledges that the applicable laws specified are acceptable to the Bidder.

# 6.11 Compliance with on-site measures, standing orders, policies and rules

The Contractor must comply and ensure that its employees and subcontractors comply with all security measures, standing orders, policies or other rules in force at the site where the Work is performed.

# 6.12 Suspension or Cancellation of qualification by Canada

In addition to the circumstances identified in General Conditions 2020 - Supply Arrangement - Goods or Services Canada may, by sending written notice to the Supplier, suspend or cancel the Supply Arrangement where the Supplier has made public any information that conflicts with the terms, conditions, pricing or availability of systems identified in this Supply Arrangement, or where the Supplier is in default in carrying out any of its obligations under this Supply Arrangement, including any violations of the Code of Conduct for Procurement.

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If an identified user (also known as a client department) notifies the Supply Arrangement Authority that they have terminated a contract for default with a pre-qualified supplier, under General Conditions – Supply Arrangement – Goods or Services 2020 09 1(b), the Supply Arrangement Authority may do the following:

- 1) First default: provide a written warning to the pre-qualified supplier, outlining the repercussions should this happen again.
- 2) Second default: suspend the Supply Arrangement of the pre-qualified Supplier for a period of three months upon written notification to the pre-qualified Supplier. The written notification will indicate the date on which the suspension will be complete.
- 3) Third default: suspend the Supply Arrangement of the pre-qualified Supplier for a period of six months upon written notification to the pre-qualified Supplier. The written notification will indicate the date on which the suspension will be complete, and in the case of multiple suspensions, confirm the number of suspensions the pre-qualified Supplier has already received;

Once each suspension is over, the pre-qualified Supplier will be advised in writing that their SA will be reactivated.

If Canada gets notified of a fourth default, Canada will terminate the Supply Arrangement with the prequalified Supplier who now becomes a former pre-qualified supplier. The former pre-qualified supplier must then wait one (1) year before they may apply to pre-qualify under the Request for Supply Arrangement. For the purpose of re-qualification, they are considered to be a 'new bidder'. As a 'new bidder', the former pre-qualified supplier must substantiate that they meet all the mandatory criteria outlined in the Request for Supply Arrangement (RFSA) documentation.

#### 6.13 Indigenous Business Certification

Where an Indigenous Business Certification has been provided, the Supplier warrants that its certification of compliance is accurate and complete and in accordance with the "Requirements for the Set-aside Program for Indigenous Business" detailed in <a href="Annexes for Chapter 9 - Special procurements">Annexes for Chapter 9 - Special procurements</a> CanadaBuys.

If such a Certification has been provided, the Supplier must keep proper records and documentation relating to the accuracy of the certification provided to Canada. The Contractor must obtain the written consent of the Contracting Authority before disposing of any such records or documentation before the expiration of six (6) years after final payment under the Contract, or until settlement of all outstanding claims and disputes, under the Contract, whichever is later. All such records and documentation must at all times during the retention period be open to audit by the representatives of Canada, who may make copies and take extracts. The Supplier must provide all reasonably required facilities for any audits.

Nothing in this clause must be interpreted as limiting the rights and remedies which Canada may otherwise have pursuant to the Contract.

# 6.14 Transition to an e-Procurement Solution (EPS)

PSPC is now using an e-procurement solution (EPS). THS has transitioned to this system and will now use it to award and amend SAs. It is mandatory that potential bidders and existing suppliers register for an ARIBA account at the following link: <a href="How to register your business">How to register your business</a> | CanadaBuys</a>. Please note that the Centralized Professional Services System (CPSS) will remain active for bidders to submit their bid, and suppliers to manage their account as well as access the reporting function.

If the Supplier chooses not to fully register, with a validated 'Business Number' the Supply Arrangement may be set aside by Canada.

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# ANNEX "A" - Streams and Categories

The streams and categories each supplier is qualified for, form a part of their individual supply arrangement.

The THS method of supply has a total of 14 streams. A full description of the streams and their categories can be found on the Temporary Help Services website at the following link:

https://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/sat-thc-26112018-eng.html

Canada reserves the right to add, modify or remove streams and categories.

The following is for demonstration purposes:

	Basis Of Payment			
Legal Name : A System Test PBN : 739226520PG9999 Reference # : 002-D	Supply Arrangement			
Tier 0 National Capital Region (NCR) Stream 1 - Office Support Categories Category		Junior	Intermediate	Senior
1.1 Clerk, General     1.2 Administrative Assistant, General     1.3 Executive Assistant     Stream 2 – Operational Services Categories		Yes	Yes	Yes Yes
Category 2.1 General Labourer 2.2 Trade Helper		Junior Yes	Intermediate Yes Yes	Senior Yes Yes

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# **ANNEX "B"- Validation for Diverse Suppliers**

# **Background**

THS is participating in a pilot program which intends on creating greater inclusiveness and opportunities for participation of Indigenous owned businesses (including PSIB registered businesses) and businesses owned by other underrepresented groups (e.g. women, persons with disabilities and visible minorities), in federal government procurement. In the THS system, underrepresented suppliers have the opportunity to voluntarily, self-identify when submitting their arrangement; they will be referred to the Certification - Diverse Status section of the CPSS system to check their underrepresented profile. For THS purposes, a diverse supplier is the same as an underrepresented supplier as defined the THS RFSA, section 2.6.

Suppliers who self-attest must comply with the definitions found at article 2.6, in Part 2 of the RFSA. Diverse suppliers agree to provide to Canada within 2 business days, such evidence as may be requested by Canada from time to time, corroborating this self-attestation. Such evidence will be open to audit during normal business hours by a representative of Canada, who may view the evidence to ensure compliance with the requirements.

# Validating supplier status:

- 1. During the evaluation period, which includes quarterly refreshes, the THS Team will review supplier's completed self-attestation forms and identify them as a diverse supplier;
- 2. The THS Team may conduct quarterly audits during the life cycle of the supply arrangements to validate that the information provided is true and to ensure suppliers are complying with the diverse requirements.

# Consequences

The consequences of making an untrue statement in the bid documents regarding the diverse status, or of not maintaining compliance with the requirements, may include, but are not limited to the following ramifications:

- Removal of Diverse status under the SA;
- Cancellation or suspension of the SA; and/or
- Termination of any contract awarded pursuant to the Diverse SA.

# I. Validation process to maintain status as a supplier who self-identifies as belonging to an underrepresented group

At a select point during the lifecycle of a contract, a validation form can be sent to suppliers, who at the time of bid submission, have self-identified as belonging to an underrepresented group.

- 1. The validation form, sent to suppliers who self-identified as belonging to an underrepresented group, would serve to confirm that:
  - The supplier is still compliant with their underrepresented supplier status.
  - The supplier acknowledges the consequences of making an untrue statement in the bid documents which may include: disqualification of the business from participating in current and future government contracts; and/or termination of any contract awarded pursuant to the underrepresented status.
  - In the event that a contract is terminated because of an untrue statement or noncompliance with the requirements, Canada may engage another contractor to complete

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the performance of the contract and any additional costs incurred by Canada will, upon the request of Canada, be borne by the non-compliance supplier.

2. Upon reception of the validation form by PSPC, the supplier is confirmed as an underrepresented supplier for the purpose of the contract/procurement instrument.

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#### B. BID SOLICITATION

#### 6.1 Bid Solicitation Documents

Canada will use bid <u>solicitation templates</u> based on the estimated dollar value and complexity of the requirement. These templates are available at the following link:

https://www.tpsgc-pwgsc.gc.ca/app-acq/sat-ths/clients/modeles-templates-eng.html

The bid solicitation will contain as a minimum the following:

- (a) security requirements (including the applicable SRCL);
- (b) a complete description of the Work to be performed;
- (c) 2003, Standard Instructions Goods or Services Competitive Requirements; OR 2004, Standard Instructions Goods or Services Non-competitive Requirements;
- (d) bid preparation instructions;
- (e) instructions for the submission of bids (address for submission of bids, bid closing date and time);
- (f) evaluation procedures and basis of selection;
- (g) financial capability (if applicable);
- (h) certifications, as applicable to the evaluation of resources (including status and availability);
- (i) conditions of the resulting contract.

#### 6.2 Bid Solicitation Process

- **6.2.1** Bids will be solicited for specific requirements within the scope of the supply arrangement from suppliers who have been issued a supply arrangement.
- **6.2.2** Under this SA, the Identified User will be allowed to issue solicitations to pre-qualified Suppliers only in accordance with the following rules:

	Non-competitive	Competitive Method #1	Competitive Method #2
Contract Financial Limits	\$40K including applicable taxes and travel	\$400K including applicable taxes and travel	\$1M including applicable taxes and travel
(Over \$1M with PSPC THS Team Approval)	Multiple resources possible	Limit of 1 resource per contract	Multiple resources possible
Contract Period	The contract period must not exceed 48 consecutive weeks. Beyond that limit, the Contract can be amended to add a maximum of 24 consecutive weeks (maximum of 72 consecutive weeks) if the amendment to extend its duration is issued after the first 40 consecutive weeks of the contract period.  For your information, the identified user will notify the THS Authority of the issued amendment by email within 2 business days of issuing the amendment while		secutive weeks (maximum of duration is issued after the first
Evaluation	providing the contract ar		
Criteria in	No additional	Maximum of 2 additional	Additional mandatory and
addition to the	mandatory criteria.	mandatory criteria ONLY.	rated criteria allowed.

Minimum Mandatory Criteria for the SA category		No rated or asset criteria allowed.	
Basis of Selection	Directed to one supplier provided they are responsive to the Minimum Mandatory Criteria for the SA category.	1. Lowest Price responsive 2. Right-fit * (see rules below)	Lowest Price responsive     Highest Combined     Rating of Technical Merit     & Price     Minimum Point Rated     Any other option except     Right-fit
Financial Criteria for Right-fit*	N/A	Median Band +/- 20% of median rate	N/A
CPSS Search List of pre-qualified suppliers (expires at RFP issuance)	Identified User selects any supplier from the CPSS Search List	<ul> <li>Identified User chooses 0 to 4 suppliers</li> <li>System randomly chooses 5 suppliers that are certified a diverse suppliers; 3 being low volume</li> <li>System randomly chooses another 6 suppliers</li> <li>See rules for JV's under section 6.2.3 below.</li> </ul>	
Recommended Minimum Solicitation Period	N/A	Lowest price: 48 hrs     Right-fit: 96 hrs	Identified User's choice
Bid Validity Period	N/A	15 calendar days	60 calendar days
Publication of Notice of Proposed Procurement (NPP)	N/A	For requirements above the CPTPP thresholds	For requirements above the CPTPP thresholds

# \* Right-fit Selection Methodology:

- 1. Right-fit can only be used when:
  - the requirement is below \$400,000; and
  - the requirement is for one resource only
- 2. This right-fit selection methodology must be specified in the RFP and cannot be changed.
- 3. A band between -20% and +20% of the median total hourly rate will be used when three (3) or more bids are responsive to the mandatory technical criteria. Any bids outside of this band will be considered non-responsive.
- 4. When only two (2) bids are responsive to the mandatory technical criteria, the higher priced bid may be selected if the price is within 25% of the lower priced bid.

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- 5. Interviews may be administered to select the best resource among the bids adhering to the rules stated above.
- 6. When only one (1) bid is responsive to the mandatory technical criteria, the contracting officer should determine that the bid represents fair market value to Canada before awarding a contract.
- 7. One or more of the five (5) justifications below will be used by the Identified User to determine the successful bidder. The Right-fit justifications are as follows:
  - Specialized education which will improve the quality of services to be provided;
  - Additional certifications which will improve the quality of services to be provided;
  - Additional experience which will improve the quality of services to be provided;
  - Knowledge of relevant government policies or procedures which will improve the quality of services to be provided; and
  - <u>Better proficiency in one or both official languages</u> which will improve the quality of the services to be provided.
- 8. Unsuccessful bidders must be advised of the results as well as the supporting justification.
- **6.2.3** Creating the Bidders List for the subsequent RFPs: The Identified Users enter the categories they need in the CPSS and a search list of pre-qualified suppliers will be generated as indicated in the table above.

When a JV appears on the list of selected suppliers, the Identified Users will remove any of the individual JV members if they are also present on the list.

- **6.2.4 Bid Solicitation Issuance (Subsequent RFPs):** The Identified Users will email the bid solicitation directly to the selected suppliers from the final CPSS search list.
- **6.2.5 Bid Evaluation (Subsequent RFPs):** Bids will be assessed in accordance with the entire requirement of the Request for Proposal including the technical and financial evaluation criteria.
- **6.2.6 Interviewing Proposed Resources:** When using Right-fit basis of selection only, Identified Users may interview proposed resources to identify the most skilled based on the five (5) justifications above and also in accordance with the Right-fit rules.

For any other basis of selection, resources may only be interviewed to validate that the information submitted in response to the solicitation is accurate.

Canada won't reimburse bidders for interview time and telephone/virtual interviews are encouraged.

**6.2.7** Basis of Selection and Issuance of Contracts: The Identified Users will award contracts in accordance with the Basis of Selection identified in the Request for Proposal. All bidders will be advised of the solicitation results.

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#### C. RESULTING CONTRACT CLAUSES

#### 6.1 General

The conditions of any contract awarded under the Supply Arrangement will be in accordance with the resulting contract clauses used for the bid solicitation.

The Contract will contain as a minimum the following:

- a) Security Requirements (including the applicable SRCL)
- b) Statement of Work
- c) Authorization of full-time or part-time telework
- d) Standard Clauses and Conditions (includes General Condition 2010B)
- e) Term of Contract (max 48 consecutive weeks)
- f) Authorities
- g) Payment
- h) Invoicing Instructions
- i) Certifications and Additional Information
- j) Applicable Laws
- k) Insurance
- I) Priority of Documents

#### 6.2 Closure of Government Offices

Where the contractor, its employees, subcontractors, or agents are providing services on government premises or by telework using a secured government's network and equipment, and those premises, network or equipment are inaccessible or down because of the evacuation or closure of government offices, equipment or network failure the contractor will be paid for no more than three (3) working days, at the rates in the contract provided that the contractor submits with its invoice a certification, countersigned by the affected resource, stating that:

- the contractor has not received any other payment from any other client for the contracted resources for the period of the closure; and
- the affected resource will be paid at the rate they are entitled to had the services been provided.

#### 6.3 Staffing Arrangements

A transfer fee will be payable to the contractor by the Identified User when the "office" where the THS resource has been assigned during the contract period hires the resource without competition, either on a casual, term or indeterminate basis, prior to the passage of up to 20 calendar weeks measured from the start of services under the contract regardless of a change of duties.

Greater than 18 and up to 20 weeks from the start of services: 2%
Greater than 16 and up to 18 weeks from the start of services: 4%
Greater than 14 and up to 16 weeks from the start of services: 6%
Greater than 12 and up to 14 weeks from the start of services: 8%
Greater than 10 and up to 12 weeks from the start of services: 10%
Greater than 8 and up to 10 weeks from the start of services: 12%
Greater than 6 and up to 8 weeks from the start of services: 14%

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Greater than 4 and up to 6 weeks from the start of services: 16%
Greater than 2 and up to 4 weeks from the start of services: 18%
Greater than 0 and up to 2 weeks from the start of services: 20%

#### Notes:

"Office" is interpreted as an organization in a department, agency, or crown corporation under the supervision of a Director General (DG) or equivalent. Where there is no DG or equivalent level, the next highest rank is applicable.

Transfer fees apply whether the contract is active or not (i.e.: terminated, expired) at the time the resource is hired by the Identified User.

Transfer fees are based on the annualized salary offered to the temporary help resource. For the purposes of this clause, annualized salary offered to the THS resource means the starting annual salary of the position offered by the Identified User to the THS resource in effect at the time of the offer. This does not include any subsequent performance / incentive pay, bilingual bonus, collective agreement increases or other increases that may occur.

In the example of a THS resource being offered a casual, term or indeterminate employment starting at an annual salary of \$50,502, where the position is instead based on an hourly rate, then this hourly rate would be annualized, multiplied by 1950 (7.5 hour day), and further multiplied by the appropriate transfer fee percentage. (e.g.  $$18.00/hour \times 1950 hours = $35,100 and if hired at the 5 week mark $35,100 \times 16\% = $5,616 transfer fee).$ 

#### 6.4 Termination Notification

When a contract is terminated (with the exception of default or mutual consent) before its expiry and the estimated contract period was 3 months or longer, the Identified User must provide the contractor with a minimum of 7 calendar day's written notice.

If the required notification is not provided, the Identified User will pay a fee based on 7.5 hours per day at the rate charged by the contractor for each remaining day of the required notice. No written notification is required if the contract naturally expires.

#### 6.5 Overtime

Overtime must not be performed under the contract unless authorized in advance and in writing by the Identified User. Any request for payment must be accompanied by a copy of the overtime authorization, including any premium to be paid, and a report containing the details of the overtime performed pursuant to the written authorization.

Overtime is regulated by provincial legislation and is therefore calculated based on where the work is performed.

- In Ontario, overtime is payable for time worked in excess of 44 hours in a week.
- In Quebec, overtime is payable for time worked in excess of 40 hours in a week.

#### 6.6 Statutory Holidays

When an Identified User's office is closed due to a statutory holiday, the contractor will not be paid for that day and the resource must not report for work.

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When an Identified User's office is open on a day normally recognized as a statutory holiday, it is the contractor's decision whether to allow the resource to work or not. Agreement between the contractor and the Identified User should be documented in advance of the holiday.

# 6.7 Replacement of Specific Individuals (resource)

- If specific individuals are identified in the contract to perform the work, the contractor must provide the services of those individuals, unless the contractor is unable to do so for reasons beyond its control.
- 2) If the contractor is unable to provide the services of any specific individual identified in the contract, it must provide a replacement with qualifications and experience which equal or exceed those of the named individual, and at the same rate stipulated in the contract. The replacement must be acceptable to Canada.
- 3) The contractor must, as soon as possible, give notice to the contracting authority of the reason for replacing the individual and provide:
  - a) the name, qualifications and experience of the proposed replacement; and
  - b) proof that the proposed replacement has the required security clearance granted by Canada, if applicable.
- 4) The contractor must not, in any event, allow performance of the work by unauthorized replacement persons. The Identified User may order that a replacement stop performing the work. In such a case, the contractor must immediately comply with the order and secure a further replacement in accordance with subsection 2. The fact that the Identified User does not order that a replacement stop performing the work does not relieve the contractor from its responsibility to meet the requirements of the contract.

#### 6.8 Identification Protocol for Contractors and Resources

The contractor will be responsible for ensuring that any of its resources, representatives or subcontractors complies with the following self-identification requirements:

- a. Contractor resources who attend a Government of Canada meeting (whether internal or external to Canada's offices) must identify as a contractor resource prior to the commencement of the meeting, to ensure that each meeting participant is aware of the fact that the individual is not a Government of Canada employee;
- b. During the performance of any work at a Government of Canada site, the contractor's resource must be clearly identified at all times as being a contractor; and
- c. If a contractor resource requires the use of the Government of Canada's e-mail system in the performance of the Work, then the individual must clearly identify him or herself as a contractor resource in all electronic mail including the signature block as well as under "Properties". This identification protocol must also be used in all other correspondence, communication, and documentation.

If Canada determines that the contractor resource or the contractor is in breach of any obligation stated in this clause, upon written notice from Canada the contractor must submit a written action plan describing the corrective measures it will implement to eliminate the recurrence of the problem. The contractor will have 2 working days to deliver the action plan to the Identified User, and 10 working

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days to rectify the problem. In addition to any other rights it has under the contract, Canada may terminate the contract for default if the corrective measures required of the contractor described above are not met.

## 6.9 Vendor Performance Management

Any resulting contract awarded under the supply arrangement may be subject to the Vendor Performance Management Policy, where specific elements of the work will be subject to performance evaluation. The contractor may be required to collect, compile and present performance information and the contractor will be evaluated on specific aspects of its performance.

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## ATTACHMENT "A" - ELECTRONIC SUBMISSION INSTRUCTIONS

## Step by Step Instructions on submitting a THS arrangement through the Data Collection Component (DCC) the Centralized Professional Services System (CPSS).

The information seen in each of the screenshots is provided as an example only and is not intended to indicate what data is to be submitted to PSPC.

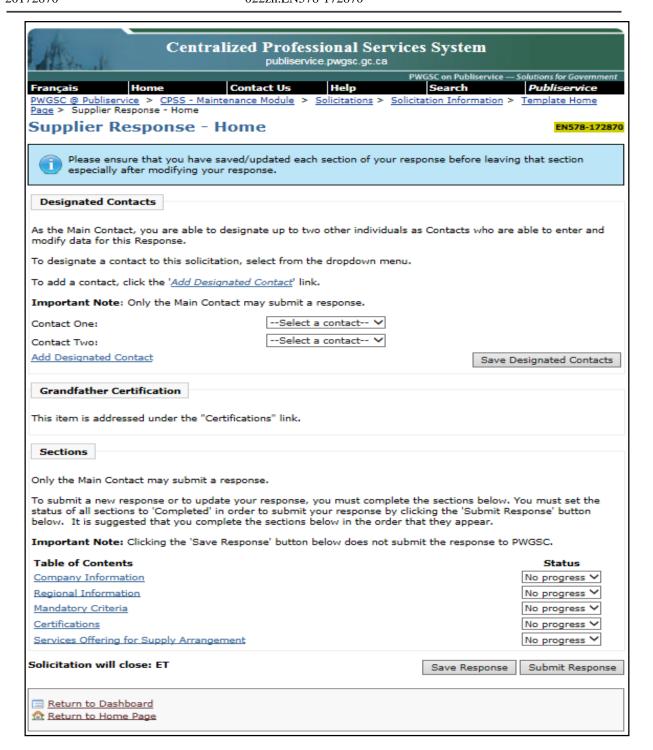
### A. Logging into the CPSS Supplier Module

- Using the user-id and password supplied by the <u>CPSS ePortal</u> at the time of enrolment, log into the system at <a href="https://sspc-fournisseur-cpss-supplier.tpsgc-pwgsc.gc.ca/Indiquerouverturesession-ShowLogin-Eng.action">https://sspc-fournisseur-cpss-supplier.tpsgc-pwgsc.gc.ca/Indiquerouverturesession-ShowLogin-Eng.action</a>
- 2. Once logged in, click on <Solicitation Dashboard> in the left hand navigational bar.
- 3. On the Solicitation Dashboard page, click on the corresponding solicitation number.
- 4. This opens up the THS for the NCR online solicitation template that must be completed to submit an arrangement.

## B. The THS Online Bidding Template for the NCR – Home Page:

**Note**: The submission can be saved anytime by clicking on <Save Response> at the bottom of the home page, allowing you to come back at any time prior to the closing date and time to complete your submission.

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Buyer ID - Id de l'acheteur 022ZN CCC No./N° CCC - FMS No./N° VME

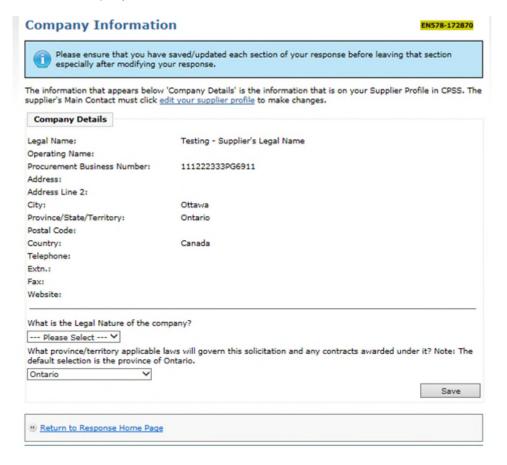
## C. Designated Contacts

- 1. The Main Supplier Contact may designate up to two other contacts who can enter and modify data for the bid submission, but only the Main Supplier Contact can submit the response.
- 2. To designate a contact, select a previously entered contact from the dropdown menu or click <Add Designated Contact> to create a new contact.
- 3. Once a selection is made, click <Save Designated Contacts>.
- 4. Newly created designated contacts will receive their credentials automatically.

## **D.** Company Information

The "Company Information" is a snapshot of the information that is in your Supplier Profile in the CPSS ePortal. This information must be the same as your profile under the Supplier Registration Information (SRI) system. Should any of this information be incorrect in CPSS, please contact THS at TPSGC.PASAT-APTHS.PWGSC@tpsgc-pwgsc.gc.ca to discuss.

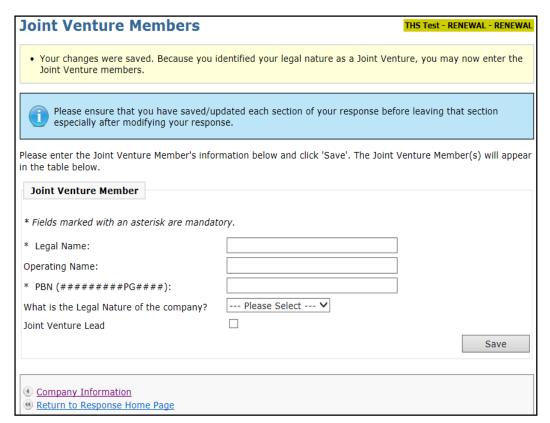
1. Click on <Company Information>



2. If necessary, edit your supplier profile.

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- 3. All lines must be completed except "Extn," and "Fax".
- 4. Indicate the legal nature of your company.
- Indicate what provincial/territorial applicable laws will govern this solicitation and any contracts awarded under it.
- 6. Click on <Save>.
- 7. Should the legal nature of your company be a joint venture, you will be brought to a page where you must enter each joint venture member. If the JV is a Diverse or PSIB Indigenous JV, the JV lead (representative) must be a Diverse or PSIB Indigenous supplier. Once all of the joint venture members have been entered, click on <Save>.



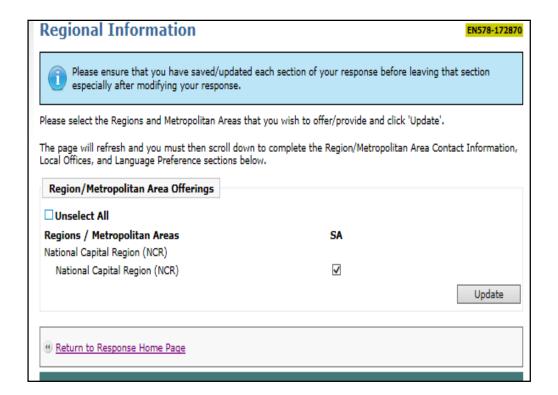
8. Click on <Return to Response Home Page>.

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## E. Regional Information

## 1. Region/Metropolitan Area Offerings

As this supply arrangement covers the National Capital Region only, check the box beside it and click on <Update>.



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## 2. Regional Contact Information

This contact information will be available for Identified Users to view once a supply arrangement has been awarded.

Select a name from the dropdown menu or click on <Add Regional Contact>.
Once completed, click on <Update>.

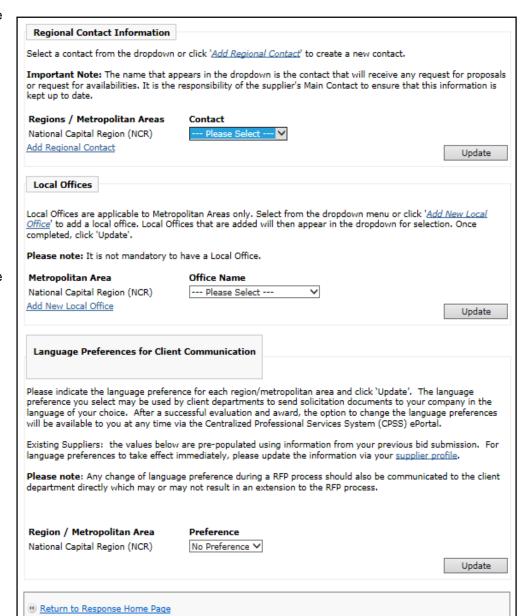
#### 3. Local Offices

It is not mandatory to complete this section, but if your firm has offices within the NCR, identify this here.
Whether or not your firm has an office in the NCR will appear in an Identified User's search results.

 Language Preferences for Identified Users Communication

Select a language preference from the dropdown menu. The language preference will appear on an Identified User's search result.

- 5. Click on <Update>.
- Click on <Return to Response Home Page>.

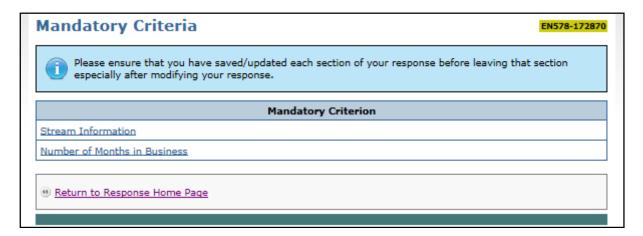


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## F. Mandatory Criteria

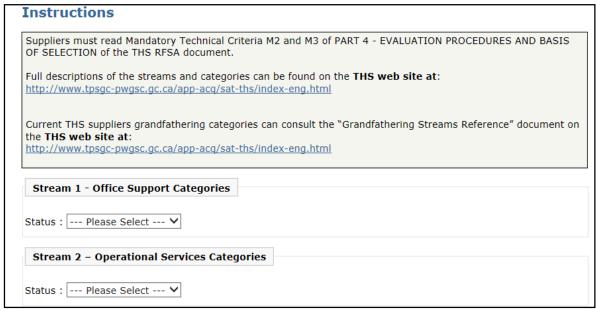
The Mandatory Criteria include:

- Stream Information (this includes the selection of categories and the submitting of references); and
- ii. Number of Months in Business



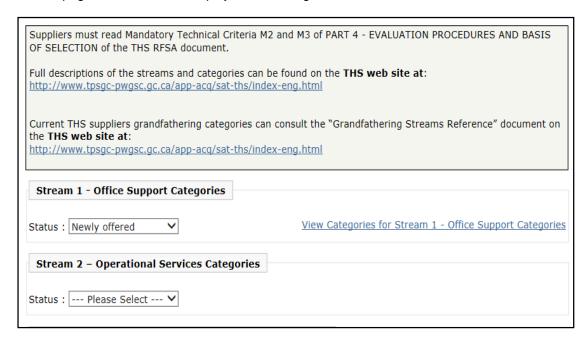
#### i. Stream Information

1. Click on <Stream Information> to select the streams and categories you wish to offer.



- 2. Indicate the streams you wish to offer and which you do not by selecting one of the following dropdown selections:
  - **Newly Offered** = Applies to New Bidders AND Existing SA Holders who wish to add this stream to their arrangement.
  - Not Offered = Applies to suppliers who will not be offering any categories under this stream.

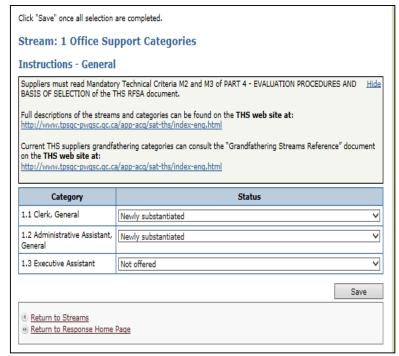
- In addition, streams will appear as Currently Offered to Existing SA Holders if they already
  have a substantiated category or categories within it. These streams can still be modified for
  the purposes of adding new or additional categories, if applicable. New Bidders should not
  mark any stream as Currently Offered.
- 3. Once completed, click on <Save>.
- 4. The page will refresh and display <View Categories...> for all offered streams.



- 5. Click on <View Categories....> to see all the categories for that stream.
- Select the <Status> of each category by using the dropdown menu.

The available options within the dropdown menus will vary depending on whether the stream is 'newly offered' or 'currently offered'.

Newly Substantiated = Applies to categories for which references are being provided. New Bidders must mark all categories as 'newly substantiated' (in order to be able to provide references). Existing SA Holders must likewise bid all new additional categories to their supply arrangement as 'newly substantiated'.



- Currently Substantiated = Applies to all categories for which an Existing SA Holder is qualified. These are usually carried over by the system, but must be confirmed by the supplier.
- **Not Offered =** Applies to categories which are not being substantiated and when there is no intention of supplying these categories, even under the provisions described under M2.2 Stream and Category Qualification.

# <u>A NOTE REGARDING "ADDITIONAL" CATEGORIES UNDER "M2.2 – Stream And Category Qualification"</u>:

- Under the terms of the M2 criterion, any supplier who substantiates three categories successfully via references can be granted any and all additional categories within the same stream. In order for these "additional" categories to be granted, the Supplier <u>must</u> bid for them, either as 'Newly Substantiated' with references included, or as 'Newly Substantiated' without references included, or as 'Currently Substantiated'. <u>It is highly recommended</u> that Suppliers bid 'Newly Substantiated' with references for as many categories as it can manage, in order to better their chances of substantiating the minimum of three via the reference check procedure.
- 7. Once all categories have a status entered, click on <Save> and the page will refresh.
- 8. For all Newly Substantiated categories, the system will prompt bidders to "Substantiate Reference"

## Stream: Stream X - Example

#### Instructions - General

Category	Status	nide
Example 1	Newly substantiated	
	Substantiate Refer	<u>ence</u>
		Save

- 9. Click on <Substantiate Reference> for each category in turn in order to enter the mandatory reference information.
- Complete the reference information fields and click on <Update the reference>
- 11. Click on <Back to Categories> to move on to the next category needing substantiation.
- 12. Repeat this process for all categories within all streams being bid for.

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Please complete the fields below to substantiate this category:

Category References	
Client (Government Department / Company Name):	
Contact Name:	
Position:	
Telephone:	
E-Mail:	
E-Mail 2	
Contract/Project Reference #:	
	Update the reference
Back to Categories     Return to Response Home Page	

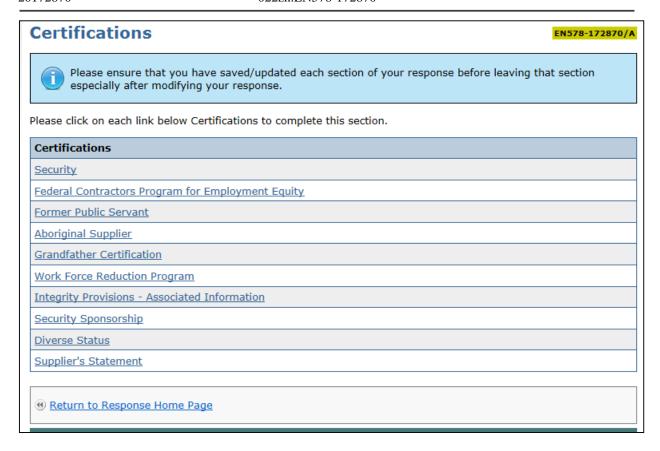
#### ii. Number of Months in Business

- 1. When all streams, categories and references have been input and you have returned to the Mandatory Criteria page, click on <Number of months in business>
- 2. Enter the date of establishment for your company. In the case of a JV, enter the date of the JV inception. Each member's number of months in business must be at least 24 months from the close of the refresh solicitation, as per this RFSA's M1 criterion
- 3. As THS no longer has a paper submission, "N/A" can be entered into <Page Reference>
- 4. Click on <Save>
- 5. Click on <Return to Response Home Page>

#### G. Certifications

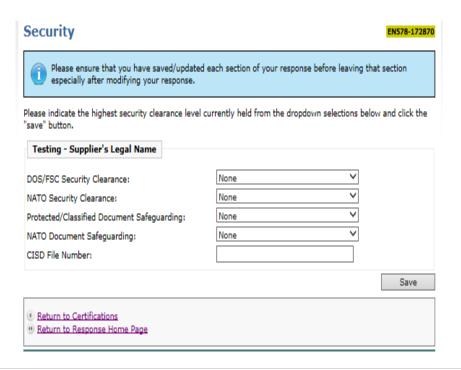
Click on <Certifications> to view the following Certifications:

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#### 1. Security

Although this certification can be viewed in this solicitation, it no longer applies and can be left blank.



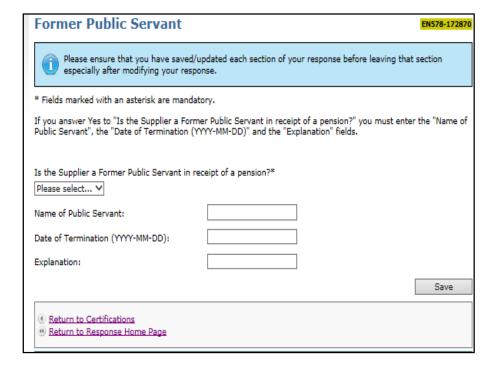
Buyer ID - Id de l'acheteur 022ZN CCC No./N° CCC - FMS No./N° VME

## 2. Federal Contractors Program for Employment Equity

This certification no longer applies and does not need to be completed.

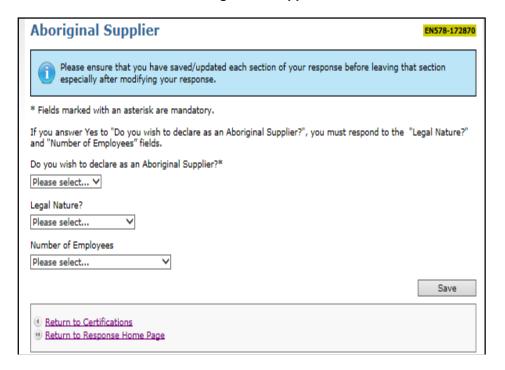
#### 3. Former Public Servant

- i. Click on <Former Public Servant>.
- ii. Indicate whether or not the supplier is a Former Public Servant in receipt of a pension.
- iii. If yes, indicate the name of the Public Servant, Date of Termination and a brief explanation.
- iv. Click on <Save>.
- v. Click on <Return to Certifications>.



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## 4. PSIB Indigenous Supplier

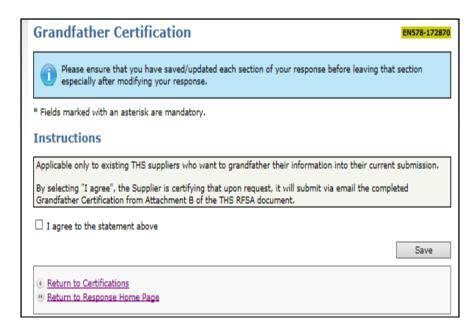


- i. Click on <Indigenous Supplier>.
- ii. Indicate whether or not you wish to declare as an Indigenous Supplier.
- iii. If yes, indicate the "Legal Nature" and the "Number of employees".
- iv. An Indigenous JV must include a minimum of one certified Indigenous supplier.
- v. Click on <Save>.

Click on <Return to Certifications>.

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#### 5. Grandfather Certification

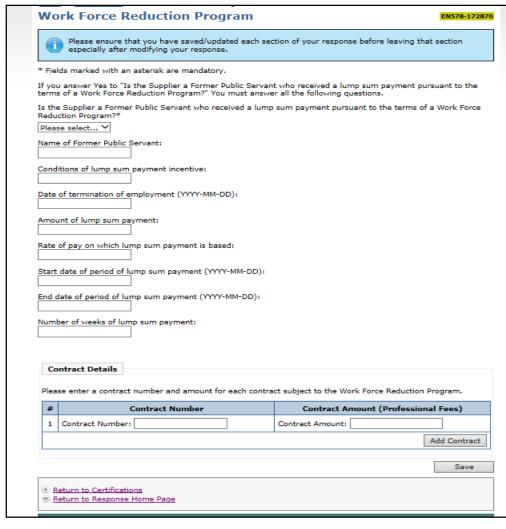


If you do not currently have a THS supply arrangement, this certification does not apply and it can be left blank.

- i. Click on <Grandfather Certification>.
- ii. Indicate whether the supplier agrees to the statement.
- iii. Click on <Save>.
- iv. Click on <Return to Certifications>.

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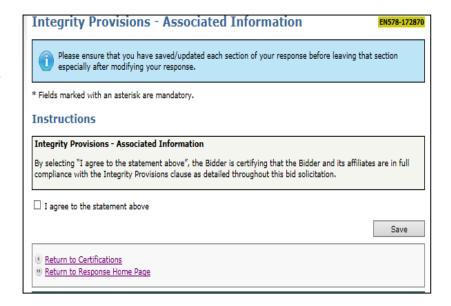
## 6. Work Force Reduction Program



- i. Click on <Work Force Reduction Program>.
- ii. Indicate
  whether or not
  the supplier
  received a lump
  sum payment as
  a Former Public
  Servant pursuant
  to the terms of a
  Work Force
  Reduction
  Program.
- iii. If yes, complete the remaining fields.
- iv. Click on <Save>.
- v. Click on <Return to Certifications>.

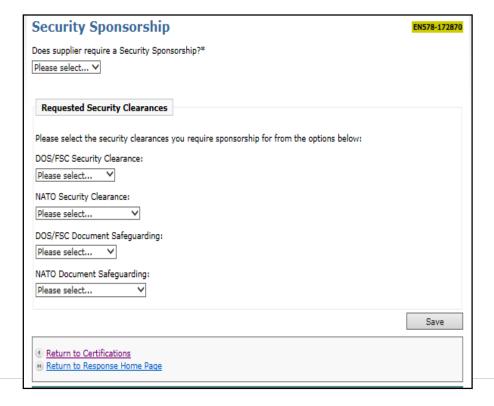
## 7. Integrity Provisions – Associated Information

- i. Click on <Integrity Provisions Associated Information>.
- ii. Indicate whether or not the supplier agrees to the statement.
- iii. Click on <Save>.
- iv. Click on <Return to Certifications>.



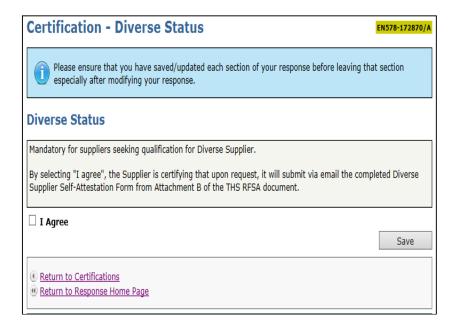
## 8. Security Sponsorship

Although this certification can be viewed in this solicitation, it no longer applies and can be left blank.



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#### 9. Diverse Status



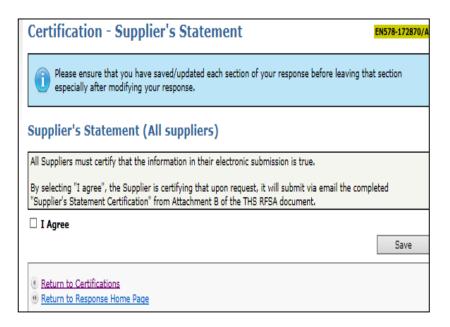
In the CPSS system, underrepresented suppliers are considered to be Diverse Suppliers (i.e. Indigenous peoples, women, persons with disabilities and visible minorities)

- i. Click on <Diverse Status>.
- ii. Indicate whether or not the supplier agrees to the statement.
- iii. Click on <Save>.
- iv. Click on <Return to Certifications>.

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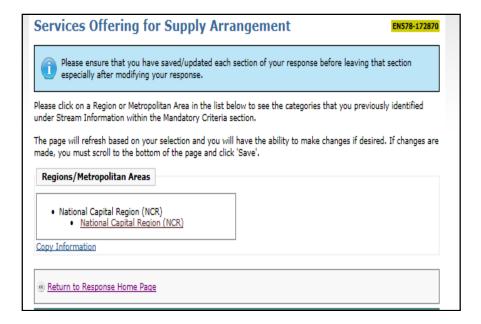
## 10. Supplier's Statement (all suppliers)

- i. Click on<Supplier's Statement>.
- ii. Indicate whether or not the supplier agrees to the statement.
- iii. Click on <Save>.
- iv. Click on <Return to Certifications>.

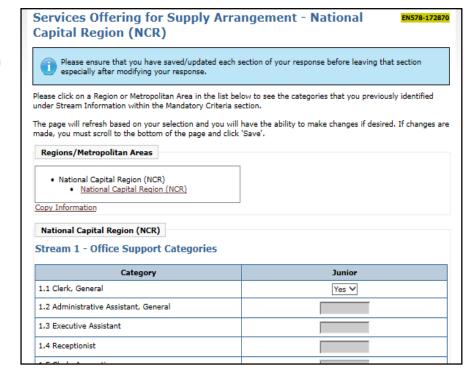


Once all the certifications have been completed and saved, click on <Return to Response Home Page>.

## H. Services Offering for Supply Arrangement



- On the home page, click on <Services Offering for Supply Arrangement>.
- Click on 'National Capital Region' and the Streams and Categories previously identified will be displayed with the levels of expertise associated with each category.
- 3. The levels are defaulted to YES. Currently, there is no option to choose which levels of service can be offered, so there is nothing to be done here.



4. Click on <Return to Response Home Page>.

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## I. Submitting the bid

- 1. Change the status of each item to "Completed".
- 2. Click on <Save Response>. Saving the response does not submit the response; the Main Supplier Contact must click on <Submit Response>.
- 3. A "Submission Receipt" Page will be displayed for your records.
- 4. An e-mail confirming receipt of your submission will also be sent to the Main Supplier Contact.
- 5. Click on <Return to Dashboard>.



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## **ATTACHMENT "B" - CERTIFICATIONS**

## **INDIGENOUS BUSINESS CERTIFICATION**

(Mandatory for suppliers seeking qualification for Indigenous supply arrangement)

PL	EAS	E COMPLETE ONLY ONE OF THE TWO STATEMENTS BELOW:
		(Insert Name of duly authorized representative of business), want to sidered as an Indigenous and Non-Indigenous Supplier. [
I, _ be	cons	(Insert Name of duly authorized representative of business), want to sidered as an Indigenous supplier only. [
1.		I, (Insert Name of duly authorized representative of business) hereby certify that (Insert name of Supplier) meets, and will continue to meet at all times throughout the duration of the Indigenous SA, the requirements for this program as set out in the Eligibility for Indigenous procurement set aside (sac-isc.gc.ca), which document I have read and understand.
	b) <b>c)</b>	The aforementioned business agrees to ensure that any subcontractor it engages with respect to any contract awarded under any resulting Indigenous SA will, if required, satisfy the requirements set out in "Eligibility for Indigenous Procurement Set Aside."  The aforementioned business agrees to provide to Canada, immediately upon request, information to substantiate a subcontractor's compliance with this program.
2.	PL	EASE CHECK THE APPLICABLE BOX BELOW  The aforementioned business is an Indigenous business which is a sole proprietorship, band, limited company, co-operative, partnership or not-for-profit organization, OR  The aforementioned business is a joint venture between two or more Indigenous businesses or an Indigenous business and a non-Indigenous business
	The	EASE CHECK THE APPLICABLE BOX BELOW  e Indigenous business or businesses have:  fewer than six full-time employees OR six or more full-time employees
4.	ıne	e aforementioned business agrees to immediately furnish to Canada, such evidence as may be

requested by Canada from time to time, corroborating this certification. Such evidence will be open to audit during normal business hours by a representative of Canada, who may make copies and take

 $\label{eq:continuous} \begin{array}{l} \text{Solicitation No. - N}^{\circ} \text{ de l'invitation} \\ EN578-172870/D \\ \text{Client Ref. No. - N}^{\circ} \text{ de réf. du client} \\ 20172870 \\ \end{array}$ 

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extracts from the evidence. The aforementioned business agrees to provide all facilities for audits and to furnish information requested by Canada with respect to the certification.

5. It is understood that the civil consequences of making an untrue statement in the bid docur not complying with the requirements of the Program or failing to produce satisfactory evide Canada regarding the requirements of the Program, may include: disqualification of the bus participating in future contracts under the Program (removal of Indigenous status under the and/or termination of any contract awarded pursuant to the Indigenous SA. In the event the contract is terminated because of an untrue statement or non-compliance with the requirement the Program, Canada may engage another contractor to complete the performance of the cand any additional costs incurred by Canada will, upon the request of Canada, be borne by aforementioned business.		m or failing to produce satisfactory evidence to m, may include: disqualification of the business fro removal of Indigenous status under the SA); ant to the Indigenous SA. In the event that a nent or non-compliance with the requirements of ctor to complete the performance of the contract	
Sigi	nature of Authorized Representative:	 Date:	

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## **GRANDFATHER CERTIFICATION**

## (Applicable to existing THS suppliers only)

Existing THS suppliers who want to grandfather their information into their current submission certify that the supplier:

A.	continues to meet all requirements date of this solicitation;(	eet all requirements pertaining to their electronic submission at the closing citation; (initial)		
В.	all such information remains true, a purpose of this THS solicitation;	ccurate and unchanged, and may be used for the (initial)		
Legal	Name of Supplier	PBN used for this solicitation		
Print I	Name of authorized representative	Signature and Date (YY-MM–DD)		

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## INTEGRITY PROVISIONS - ASSOCIATED INFORMATION

## **BOARD OF DIRECTORS FORM**

Please indicate the le	egal nature of your company:		
individuals w Sole Proprie the owner.  Joint Ventur address of ea on each of th the name of JV member.  Other: Supp	ho are currently on the suppetorship: Suppliers submitting (JV): Suppliers submitting ach JV member as well as a e JV members Board of Directhe owner must be provided	ig a bid as a sole proprietorship must provide the name of g a bid as a joint venture (JV) must provide the complete complete list of names of all individuals who are currently ctors. Should one of the JV members be a sole proprietor, I. NOTE: Individual forms are to be completed for each sieties, firms, partnerships, associates or associations of	
Please complete the	following, if applicable:		
Legal name: PBN number: Legal name of JV member (if applicable): PBN number of the JV member (if applicable): Address: City: Province: Postal Code:			
Board of Directors (first and last name)			
1. 2. 3. 4. 5.		6. 7. 8. 9. 10.	
	Signature of Authorized	Representative: Date:	

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**DIVERSE SUPPLIER SELF-ATTESTATION FORM** 

(Mandatory for suppliers seeking Diverse Supplier status)

1. PLEASE COMPLETE THE INFORMATION REQUIRED BELOW (members of a JV must submit individual self-attestation forms for the same solicitation):		
a) I		
a) I, (Insert Name of duly authorized representative of business or joint venture) hereby attests that:		
i) (Insert legal name of Supplier) currently has 51% majority control and effective management of the said business, and will continue to meet the definition of an underrepresented supplier as set out in THS RFSA, section 2.6 at all times throughout the duration of the THS SA, which I have read and understand.		
<ul> <li>ii) all diverse members of the business board or ownership members are aware of the contents of this self-attestation form and have given their consent to self-identify.</li> </ul>		
b) Specify which diverse group you are a member of:		
Women-owned? Indigenous-owned? Persons with Disabilities-owned?		
Visible Minority-owned?		
2. Self-attestation forms part of the THS diverse pilot project and is used to indicate that you are a member of one or more of the underrepresented groups. Your response to the self-attestation questions is voluntary and the personal information provided will inform Public Services and Procurement Canada of your diverse suppliers' status in the THS tool. The personal information will not be shared with third parties outside government and identification of diverse suppliers' status in the THS tool will be visible only to Public Services and Procurement Canada.		
3. If you choose to self-declare, the aforementioned business agrees to immediately provide to Canada, such evidence as may be requested by Canada from time to time, corroborating this self-attestation. Such evidence will be open to audit during normal business hours by a representative of Canada who may view the evidence, to ensure compliance with the requirements. The aforementioned business agrees to provide information requested by Canada with respect to the self-attestation.		
4. I understand that making an untrue statement in the bid documents, during the solicitation process whether verbally or in writing, and/or not complying with the requirements, namely failing to produce evidence that is satisfactory to Canada regarding the requirements of the self-attestation (as outlined in Annex B "Validation for Diverse Suppliers") may include any and all of the following:		
<ol> <li>Removal of Diverse status under the SA;</li> <li>Cancellation or suspension of the SA; and/or</li> <li>Termination of any contract awarded pursuant to the Diverse SA.</li> </ol>		
In the event that a contract is terminated for any reason mentioned previously, Canada may seek another contractor to complete the performance of the contract. Any additional costs incurred by Canada will be borne by the Supplier and/or all the members of the JV.		
Signature of Authorized Representative  Date		

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## **SUPPLIER'S STATEMENT**

The Supplier certifies that all statements made with regard to these requirements and/or certifications are accurate and factual, and is aware that the Department of Public Works and Government Services Canada reserves the right to verify any information provided in this regard. Untrue statements may result in the Supplier's arrangement being declared non-compliant in its entirety, becoming ineligible to receive further solicitations, and any other action which Canada may consider appropriate.

Legal name of supplier:	
PBN used for this solicitation:	
Is the Supplier (check all that apply):	
<ul><li>□ A new supplier</li><li>□ An existing THS Supplier</li></ul>	
Signature of authorized representative:	Date:
Print Name:	