

## **Advance Contract Award Notice (ACAN)**

**23-58143**

### **M50CPFC & West wing Controller Replacement**

#### **Advance Contract Award Notice (ACAN)**

An ACAN is a public notice indicating to the supplier community that a department or agency intends to award a contract for goods, services or construction to a pre-identified supplier, thereby allowing other suppliers to signal their interest in bidding, by submitting a statement of capabilities. If no supplier submits a statement of capabilities that meets the requirements set out in the ACAN, on or before the closing date stated in the ACAN, the contracting officer may then proceed with the award to the pre-identified supplier.

#### **Definition of the requirement**

The National Research Council Canada (NRC) wishes to award a contract for the M-50 CPFC and West wing Controller Replacement.

Only the new Schneider Ecostruxure platform is capable to provide ongoing system compatibility and interoperability with the existing NRC infrastructure while removing potential disruptions in service.

#### **Criteria for assessment of the Statement of Capabilities (Minimum Essential Requirements)**

Any interested supplier must demonstrate by way of a statement of capabilities that it meets the following requirements:

- Replacement of the Andover i2 controllers with Schneider MPC controllers while maintaining manufactures warranty
- Integration to 3rd-party systems. (ABB, Accutrol, Aircuity, Belimo, Carel, Daiken, Danfoss Drives, FieldServer, JCI, McQuay, Mestek, Onicon, Phoenix Controls, Price, Reliable Controls, Schneider Electric, etc)
- Must be a participating aggregator in the DR 3 Program, and who is also an Andover Controls authorized representative (now Ainsworth Canada)
- Technicians must have "Certification from the Original Manufacture" Ainsworth Canada;
- Use only Genuine OEM parts;
- Provide spare part kits for scheduled maintenance for the entire Andover Continuum and Ecostruxure product lines;
- Ability to connect 'live' to control system;

#### **Applicability of the trade agreements to the procurement**

This procurement is subject to the following trade agreements:

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

#### **Justification for the Pre-Identified Supplier:**

Ainsworth is the sole authorized dealer in the National Capital Region for installation and servicing of Schneider Electric's Building Automation Systems. Andover, who produced the i2 controllers was acquired by Schneider Electric Building Systems in 2004, these controllers have also reached the end of

their service life with no further software or hardware development occurring. The current evolution of this type of controller are the Schneider MPC units which are compatible with the building control systems for M50 CPFC.

The Schneider MPC controller platform is the only product that provides the interoperability with the existing proprietary platform while providing the bridge to the modern IP based BAS system components allowing NRC to further leverage the latest available technologies, provide access to a wider family of products while providing a simplified user front end.

**Government Contracts Regulations Exception(s)**

The following exception(s) to the *Government Contracts Regulations* is (are) invoked for this procurement under subsection 6(d) only one person is capable of performing the work.

**Exclusions and/or Limited Tendering Reasons**

The following exclusion(s) and/or limited tendering reasons are invoked under the:

- a. Canadian Free Trade Agreement (CFTA) – Article 513 (1) (b) (iii): due to an absence of competition for technical reasons;
- b. Canada-Chile Free Trade Agreement (CCFTA) – Article Kbis-16 (2) (c): necessary to protect intellectual property;
- c. Canada-Colombia Free Trade Agreement – Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
- d. Canada-Honduras Free Trade Agreement – Article 17.11 (2) (b) (iii): due to an absence of competition for technical reasons;
- e. Canada-Korea Free Trade Agreement – referencing the WTO Protocol Amending the GPA, Article XIII (1) (b) (iii): due to an absence of competition for technical reasons;
- f. Canada-Panama Free Trade Agreement – Article 16.10 (1) (b) (iii): because of the absence of competition for technical reasons;
- g. Canada-Peru Free Trade Agreement (CPFTA) –Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;

**Ownership of Intellectual Property**

No Intellectual Property will be generated from this contract. All Intellectual Property belongs to Ainsworth Canada, should any Intellectual Property arise as a result of this contract, and Ownership of any Foreground Intellectual Property will remain with the Contractor.

The Andover Continuum and Schneider Ecotstructureware systems are proprietary and Schneider Electric holds the IP rights to the product. As a client of Ainsworth, the authorized local distributor, NRC has the right to use this IP.

**Period of the proposed contract**

The proposed contract is for a period of 20 weeks ending March 29, 2024.

**Cost estimate of the proposed contract**

The estimated value of the contract, including options, is \$180,000 CAD plus applicable taxes.

**Name and address of the pre-identified supplier**

Ainsworth Inc.  
69 Auriga Drive  
Ottawa, Ontario.  
K2E 7Z2

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**Suppliers' right to submit a statement of capabilities**

Suppliers who consider themselves fully qualified and available to provide the goods, services or construction services described in the ACAN may submit a statement of capabilities in writing to the contact person identified in this notice on or before the closing date of this notice. The statement of capabilities must clearly demonstrate how the supplier meets the advertised requirements.

**Closing date for a submission of a statement of capabilities**

The closing date and time for accepting statements of capabilities is November 1, 2023 at 2pm EDT.

**Inquiries and statements of capabilities are to be directed to:**

Tania Backes – Senior Procurement Officer

M-58, 1200 Montreal Rd, Ottawa, ON, K1A 0R6

Telephone: 613-410-3834

Email: [Tania.Backes@nrc-cnrc.gc.ca](mailto:Tania.Backes@nrc-cnrc.gc.ca)