

Advanced Contract Award Notice (ACAN)

ACAN 23-580732Z Tube Bundles

1. 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.

2. Definition of the requirement:

The National Research Council of Canada (NRC) has a requirement for the supply of two (2) newly fabricated tube bundles that would fit inside the intercooler shells of an 8MW Dresser-Rand compressor with Model number CVC-604L, Serial number 5501. There is a possibility of requiring a 3rd newly fabricated tube bundle as well, as an option that can be purchased during the contract period.

3. Criteria for assessment of the Statement of Capabilities (Minimum Essential Requirements)

Any interested supplier must demonstrate by way of a Statement of Capabilities that its product/equipment/system (as appropriate) meets the following requirements:

A supplier that would have the capability to manufacture and supply two (2) newly fabricated tube bundles that would fit inside the intercooler shells of an 8MW Dresser-Rand compressor with Model number CVC-604L, Serial number 5501.

Presently, the tube-bundle fins are aluminum extruded fins or integral aluminum finned tubes and the replacement fins will need to be of the same type and material.

The supplier would also provide on-site service and repair with a turnaround time of less than one (1) week.

4. Applicability of the trade agreement(s) 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 (CCoFTA)
- Canada–Honduras Free Trade Agreement (CHFTA)
- Canada–Korea Free Trade Agreement (CKFTA)
- Canada–Panama Free Trade Agreement (CPAFTA)
- Canada–Peru Free Trade Agreement (CPFTA)
- Canada–United Kingdom Trade Continuity Agreement (Canada-UK TCA)
- World Trade Organization - Agreement on Government Procurement (WTO-AGP)
- Canada-European Union Comprehensive Economic and Trade Agreement (CETA)
- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)
- Canada-Ukraine Free Trade Agreement (CUFTA)

5. Justification for the Pre-Identified Supplier

Thermofin is an aluminum extruded finned tubes manufacturer and has designed and manufactured bundles for the intercooler shells of an 8MW Dresser-Rand compressor with Model number CVC-604L, Serial number 5501. Thermofin has designed and provided drawings of the S1 and S3 intercooler bundles for NRC. Thermofin is the only third party capable of re-building the tube bundles using the NRC supplied drawings.

6. Government Contracts Regulations Exception:

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

7. Exclusions and/or Limited Tendering Reasons:

The following exclusions and/or limited tendering reasons are invoked under the trade agreements:

Canadian Free Trade Agreement (CFTA), Article 513.1: Limited Tendering
(b) (iii) due to an absence of competition for technical reasons.

Canada–Chile Free Trade Agreement (CCFTA), Article Kbis-09: Tendering Procedures, para 1 : Limited Tendering b. where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists.

Canada–Colombia Free Trade Agreement (CCoFTA), Article 1409 Limited Tendering
b. iii. Due to an absence of competition for technical reasons.

Canada–Honduras Free Trade Agreement (CHFTA), Chapter 17, Article 17.11 Limited Tendering
(b) (iii) there is an absence of competition for technical reasons;

Canada–Korea Free Trade Agreement (CKFTA), which defers to WTO-AGP Article XIII, Limited Tendering b) iii. due to an absence of competition for technical reasons.

Canada–Panama Free Trade Agreement (CPFTA), Chapter 16, Article 16.10 Limited Tendering
b. iii. of the absence of competition for technical reasons.

Canada–Peru Free Trade Agreement (CPAFTA), Article 1409: Limited Tendering
(b) (iii) due to an absence of competition for technical reasons.

World Trade Organization Agreement on Government Procurement (WTO-AGP), Article XIII – Limited Tendering b. iii. due to an absence of competition for technical reasons;

Canada-European Union Comprehensive Economic and Trade Agreement (CETA), Article 19.12(b)(ii); (c)(i) cannot be made for economic or technical reasons...

Canada-United Kingdom Trade Continuity Agreement (Canada-UK TCA) - The provisions of CETA are incorporated by reference into and made part of this Agreement.

Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), Article 15.10
(b) (iii) due to an absence of competition for technical reasons;

Canada–Ukraine Free Trade Agreement (CUFTA), Article 10.13: Limited Tendering
(b) (iii) due to an absence of competition for technical reasons;

8. Period of the proposed contract or delivery date

The delivery date is on or before March 29, 2024.

9. Cost estimate of the proposed contract

The tube bundles are approximately \$100K CAD each.
The estimated value of the contract, including option(s), is \$350,000.00 CAD (HST extra).

10. Name and address of the pre-identified supplier

Thermofin,
47 Bd Marie-Victorin,
Candiac (Quebec) J5R 1B6

11. 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.

12. Closing date for a submission of a Statement of Capabilities

The closing date for the submission of a Statement of Capabilities is November 10, 2023 at 2:00 pm ET.

13. Inquiries and submission of Statements of Capabilities.

Inquiries and Statements of Capabilities are to be directed to:

Katie Homuth
Senior Contracting Officer
Finance and Procurement Services Branch
National Research Council Canada
Katie.Homuth@nrc-cnrc.gc.ca