

ADVANCE CONTRACT AWARD NOTICE (ACAN)

Canadian Food Inspection Agency has a requirement for the provision of rendering services. The purpose of this Advance Contract Award Notice (ACAN) is to signal the government's intention to award a contract for these services to Atwood Resources Inc., located at R.R.#2, P.O. Box 149, Atwood, Ontario, N0G 1B0. Before awarding a contract, however, the government would like to provide other suppliers with the opportunity to demonstrate that they are capable of satisfying the requirements set out in this Notice, by submitting a statement of capabilities during the 15 calendar day posting period.

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 Canadian Food Inspection Agency has a requirement for the following need:

On May 20, 2003, a case of bovine spongiform encephalopathy (BSE), commonly called mad cow disease, was confirmed in an animal born and raised in Canada. On January 9, 2004, the Government of Canada announced it would increase BSE surveillance testing as part of the national BSE response strategy. The CFIA has implemented a BSE surveillance program to analyze a minimum of 30,000 samples annually. The CFIA therefore wishes to encourage, through offers of service contracts, the collection of samples in sufficient quantity to meet the objectives of the National surveillance program for BSE.

- The work will involve the following:

Services required by the CFIA in implementing its surveillance program include those associated with carcass pick up, identification and traceability (record keeping) of selected carcasses, provision and maintenance of a suitable sampling facility and on site handling to present the appropriate samples to the CFIA, as well as those services related to

the storage and segregation of carcasses pending determination of BSE status.

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 it meets the following requirements:

- must be located in the southwestern portion of the province of Ontario (west of Hwy. 400 to Windsor);
- must have knowledge and experience of the dead stock industry;
- must possess adequate facilities and record keeping capabilities (in accordance with the *Health of Animals Act*);
- must be operated in accordance with federal, provincial and municipal requirements;
- must have the ability to collect bovine carcasses in southwestern portion of the province of Ontario;
- must have the necessary capacity to receive or pick up, transport, process hold and dispose of deadstock carcasses of 6600 heads to allow the CFIA to meet its national sampling objectives;
- must be able to provide access to at least 6,600 carcasses that provide eligible samples, representative of the yearly adult bovine (at least 30 months of age) mortality over at least 75% of the cattle producing area in the region of South-Western Ontario;
- must have sufficient refrigeration equipment in order to preserve carcasses before and after sampling occurs until test results are available;
- must provide acceptable working conditions for staff of the CFIA;
- must have adequate facilities including a designated work area for the collection of BSE samples and storage of the carcasses in a manner to prevent deterioration of the specimens; and
- must have an ability to maintain a clean environment for the collection of samples and sufficient water supply for sanitation of the area.

4. Applicability of the trade agreement(s) to the procurement

5. This procurement is subject to the following trade agreement(s):

- Canadian Free Trade Agreement (CFTA)
- 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-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)
- Canada-Ukraine Free Trade Agreement (CUFTA)

7. Justification for the Pre-Identified Supplier

There are no other dead stock operators in southwestern Ontario (Canada) that suit the CFIA's requirements for BSE Surveillance. The requirement concerns the admissibility of carcasses based on age and identification. The quantity of selected carcasses must allow CFIA personnel to choose those that correspond to BSE program criteria and the quality of these carcasses needs to permit quality samples. Furthermore, the suggested supplier is the only known operator that can provide sufficient facilities to meet the requirements of the National BSE Surveillance program to fulfill CFIA needs.

8. 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".

9. Exclusions and/or Limited Tendering Reasons

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

- World Trade Organization - Agreement on Government Procurement (WTO-AGP) – Article XXIII: paragraph 2 - "...nothing in this Agreement shall be construed to prevent any Party from imposing or enforcing measures: necessary to protect public morals, order or safety, human, animal..."

10. Ownership of Intellectual Property

- Canada intends to retain ownership of any Foreground Intellectual Property arising out of the proposed contract on the basis that the main purpose of the contract consists of material subject to copyright.

11. Period of the proposed contract or delivery date

- The proposed contract is from date of contract to March 31, 2025 and will include one option for an additional 6,600 samples.

12. Cost estimate of the proposed contract

The estimated value of the contract, including option(s), is
\$837,200.00 (GST/HST extra).

13. Name and address of the pre-identified supplier

Atwood Resources Inc.
R.R.#2, P.O. Box 149
Atwood, Ontario, N0G 1B0

14. 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.

15. Closing date for a submission of a statement of capabilities

The closing date and time for accepting statements of capabilities is: November 30, 2023 at 2:00 p.m. EST.

16. Inquiries and submission of statements of capabilities

Inquiries and statements of capabilities are to be directed to:

Ashley Bennett
Senior Procurement and Contracting Officer
Canadian Food Inspection Agency
Telephone: (343) 553-9512
E-mail: Ashley.Bennett@inspection.gc.ca