

Advance Contract Award Notice (ACAN)

24-58016 – Advancing Carbon Accounting for Quality Data in Cement

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's (NRC) Low Carbon Built Environment (LCBE) challenge program has the mandate to support the development of low carbon construction materials. This includes finding decarbonization pathways and tools for the Canadian cement and concrete industry.

LCBE has the need to characterize the requirements around carbon accounting, life cycle analysis (LCA), and Environmental Product Declarations (EPDs) in the cement and concrete industry, enabling procurement of low carbon cement and concrete solutions in construction projects.

In the context of carbon accounting, LCA, and EPDs for the cement and concrete industry, the work will involve the following:

1. Identify gaps, inconsistencies, and opportunities, and prepare a summary report and present findings.
2. Survey current approaches and emerging trends from other jurisdictions across North America and/or overseas.
3. Collaborate with cement industry members in Canada to align the findings from #1 and #2 above and recommend an actionable path forward.
4. Prepare a draft best practices document.
5. Optional: pilot the methodology proposed in the best practice document with two Canadian cement companies. Also, pilot the methodology with a developer in the form of a project. Based on the results of the pilots, refine the requirements of the best practice document and prepare a final version 1.0 document.
6. Optional: engage with an external certification body to develop a voluntary certification methodology.

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:

- Demonstrate a minimum of 10 years of in-depth experience leading and working closely with international, national, and provincial partners to advance the Canadian cement and concrete industry in initiatives focused on innovation and environmental stewardship.
- Significant industry knowledge and understanding of Canada's cement and concrete sectors, including financial drivers, major areas of risks, major technical themes, history, and governance.
- Experience enabling performance-based codes, standards and specifications in the cement and concrete sector.
- Experience with the government of Canada's Buy Clean strategy and requirements.
- Experience in net-zero initiative planning and implementation, directly related to cement and concrete, with the Government of Canada.

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

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

- Canadian Free Trade Agreement (CFTA)
- Revised 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-United Kingdom Trade Continuity Agreement (Canada-UK TCA)
- Canada-Ukraine Free Trade Agreement (CUFTA)

5. Justification for the Pre-Identified Supplier

The Canadian Cement Association is the national organization who has the experience, industry contacts, depth and breadth of knowledge, and access to applicable information to complete this work. The Canadian Cement Association is the only organization qualified to complete the work since they are the only

industry association representing the Canadian cement industry at an international, national and provincial level.

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:

- a. Canadian Free Trade Agreement (CFTA) – Article 513 (1) (b) (iii): due to an absence of competition for technical reasons;
- b. World Trade Organization - Agreement on Government Procurement (WTO-AGP) – Article XIII (b) (iii): due to an absence of competition for technical reasons;
- c. Canada-European Union Comprehensive Economic and Trade Agreement (CETA) – Article 19.12 (b) (iii): due to an absence of competition for technical reasons;
- d. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – Article 15.10 (2) (b) (iii): due to an absence of competition for technical reasons;
- e. Canada-Chile Free Trade Agreement (CCFTA) – Article Kbis-16 (2) (c): necessary to protect intellectual property;
- f. Canada-Colombia Free Trade Agreement – Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
- g. Canada-Honduras Free Trade Agreement – Article 17.11 (2) (b) (iii): due to an absence of competition for technical reasons;
- h. 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;
- i. Canada-Panama Free Trade Agreement – Article 16.10 (1) (b) (iii): because of the absence of competition for technical reasons;
- j. Canada-Peru Free Trade Agreement (CPFTA) – Article 1409 (1) (b) (iii): due to an absence of competition for technical reasons;
- k. Canada-Ukraine Free Trade Agreement (CUFTA) – Annex 10-6 (2) (a): any form of preference, including set asides, to benefit micro, small and medium enterprises; and
- l. Canada-United Kingdom Trade Continuity Agreement: refer to CETA as the provisions of CETA are incorporated by reference into and made part of this Agreement. (CETA) Article 19.12 (b) (iii).

8. Ownership of Intellectual Property

Ownership of any Foreground Intellectual Property arising out of the proposed contract will vest in the Contractor.

9. Period of the proposed contract or delivery date

The proposed contract is from June 14, 2024 to March 31, 2025

10. Cost estimate of the proposed contract

The estimated value of the contract is up to \$460,000 (GST/HST extra).

11. Name and address of the pre-identified supplier

Cement Association of Canada
1105-350 Sparks Street, Ottawa, ON K1R 7S8

12. 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.

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

The closing date and time for accepting statements of capabilities is June 4, 2024 at 2:00 p.m. EDT.

14. Inquiries and submission of statements of capabilities

Inquiries and statements of capabilities are to be directed to:

Stéphane Lajoie
Senior Contracting Officer
Email: stephane.lajoie@nrc-cnrc.gc.ca