

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

NRC requires a new protein purification system to replace a very old and out-of-service instrument. NRC requires a new protein purification instrument capable of simultaneously running multiple purification columns and the automated collection of eluted fractions. The instrument must run on UNICORN software due to system and interchangeability requirements with other instruments at NRC and data transfer/management. The instrument must accommodate specific Cytiva protein purification columns and must be capable of running elution gradients, possess a UV monitor and an air monitor. This equipment must be fully compatible and interchangeable with NRC's existing Cytiva AKTA Pure 25 L systems and Cytiva chromatography columns such as 1 mL and 5 mL HisTrap HP, HisTrap FF, GSTrap HP, GSTrap FF, HiTrap MabSelect, HiTrap Protein A

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:

3.1 Instrument must be modular in design that allows for functionalities to be added or removed as required by users. This includes rails for the attachment of column holders and other accessories.

3.2 For interchangeability considerations, the instrument must run on UNICORN software due to pre-existing instrumentation and data files

3.3 Must have two (2) pair of high-performance system pumps (piston pumps), capable of running gradients and a conductivity monitor to monitor the gradients. Flow rate of 0.001 – 25 mL/min (up to 50 mL/min during column packing) and pressure range of 0 to 20 MPa. Flow rates with an accuracy <2% and viscosity range of 0.35 to 10 cP.

3.4 Must have a sample pump (piston pump) capable of loading multiple samples. Flow rate of 0.001 – 50 mL/min and pressure range of 0 to 10 MPa. Flow rates with an accuracy <2% and viscosity range of 0.7 to 10 cP.

3.5 Must have a mixer, with a gradient flow rate of 0.1 to 25 mL/min, capable of at least a range of 5 to 95% buffer B

3.6 Must have a sample inlet valve for automated sample loading of multiple samples

3.7 Must have an automated fraction collector capable of collection in tubes (0.5 mL, 1.5 mL, 2 mL, or 50 mL) and in 2 multi-well plates (24, 48, 96 deep well or 96-well microplates). Fraction volumes 0.02 – 50 mL

3.8 Must have a column valve capable of handling up to 10 columns

3.9 Must contain a pressure sensor (range 0 to 20 mPa) and an air sensor

3.10 Must contain a UV monitor at 280 nm

3.11 Must include all required software to operate the system and be fully compatible with Windows 10 or higher

3.12 Must be fully compatible and interchangeable with NRC's existing Cytiva AKTA Pure 25 L systems and Cytiva chromatography columns such as 1 mL and 5 mL HisTrap HP, HisTrap FF, GSTrap HP, GSTrap FF, HiTrap MabSelect, HiTrap Protein A HP, and others.

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)
- 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)

5. Justification for the Pre-Identified Supplier:

Global Life Science Solutions Canada ULC. is the Original Equipment Manufacturer (OEM) and sole supplier that can offer the protein purification system that is compatible with our existing Cytiva instruments

6. 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".

7. Exclusions and/or Limited Tendering Reasons:

The following exclusions and/or limited tendering reasons are invoked as follows:

Canadian Free Trade Agreement, Article 513 (1) Limited Tendering

- (b) if the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:
 - (ii) the protection of patents, copyrights, or other exclusive rights;
 - (iii) due to an absence of competition for technical reasons.

Canada–Chile Free Trade Agreement, Article Kbis-09: Tendering Procedures, para 1 : Limited Tendering

- b. where, for works of art, or for reasons connected with the protection of patents, copyrights or other exclusive rights, or proprietary information or where there is an absence of competition for technical reasons, the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists.

Canada–Colombia Free Trade Agreement, Article 1409 Limited Tendering

- b. Where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:
 - ii. The protection of patents, copyrights or other exclusive rights, or
 - iii. Due to an absence of competition for technical reasons.

Canada–Honduras Free Trade Agreement, Chapter 17, Article 17.11 Limited Tendering

- (b) a good or service being procured can be supplied only by a particular supplier and a reasonable alternative or substitute does not exist because:
 - (ii) the good or service is protected by a patent, copyright or other exclusive intellectual property right, or
 - (iii) there is an absence of competition for technical reasons.

Canada–Korea Free Trade Agreement, which defers to WTO-AGP Article XIII, Limited Tendering

- b) where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:
 - iii. due to an absence of competition for technical reasons.
- c. for additional deliveries by the original supplier of goods or services that were not included in the initial procurement where a change of supplier for such additional goods or services:

i. cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement;

Canada–Panama Free Trade Agreement, Chapter 16, Article 16.10 Limited Tendering

b. procurement can be carried out only by a particular supplier and a reasonable alternative or substitute does not exist because:

- ii. a good or service being procured is protected by a patent, copyright or another exclusive right, or
- iii. of the absence of competition for technical reasons.

8. Period of the proposed contract or delivery date:

The system must be delivered on or before August 30, 2024.

9. Cost estimate of the proposed contract:

The estimated value of the contract is approximately **\$135,151.00 CAD (applicable taxes not included)**.

10. Name and address of the pre-identified supplier:

Global Life Science Solutions Canada ULC, 250 Howe Street, Suite 1400-C, Vancouver, BC V6C3S7

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 and time for accepting Statements of Capabilities is June 10, 2024 at 2:00pm ET.

13. Inquiries and submission of Statements of Capabilities

Inquiries and Statements of Capabilities are to be directed to:

Carol.Cooper
Senior Contracting Officer
Finance and Procurement Services Directorate
National Research Council Canada
E-mail: carol.cooper@nrc-cnrc.gc.ca