



Procurement Hub – Fredericton
301 Bishop Drive
Fredericton, NB E3C 2M6

29 September 2023

30004744

ADVANCE CONTRACT AWARD NOTICE (ACAN)

TITLE: Supporting Response to Dead and Distressed Marine Animals in Maritimes Provinces

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. BACKGROUND:

The purpose of the project entitled “Supporting Response to Dead and Distressed Marine Animals in Maritimes Provinces” is to provide support towards: the operation of a toll-free bilingual reporting call centre; the coordination of marine animal response efforts; the response to marine animal incidents, where possible and safe; the provision of response guidance to other authorized partners; and the collection of basic marine animal incident data (basic data is only: species identity, location details, date/time, documentation of external surface, age and sex, length measurement, a 5 x 5cm skin sample and blubber thickness measurements for small animals) and appropriate sharing of relevant data with DFO to contribute to their Marine Mammal Response Program tracking.

This project supports efforts to ensure incidents involving dead and distressed marine animals in the Maritimes Provinces are reported, particularly those involving species currently listed under the *Species at Risk Act (SARA)*, entangled whales and other live and distressed marine animals, and to promote efficiency by reporting to a single hotline.

3. OBJECTIVE

The purpose of the project entitled “Supporting Response to Dead and Distressed Marine Animals in Maritimes Provinces” is to provide support for the operation of a toll-free bilingual reporting call centre to enable reporting; to support the coordination of, and response to, marine animal incidents, where possible and safe; to provide response guidance to other authorized partners; and when possible, to support the collection of basic marine animal incident data (basic data is only: species identity, location details, date/time, documentation of external surface, age and sex, length measurement, a 5 x 5cm skin sample



and blubber thickness measurements for small animals) to inform conservation measures and improve understanding of marine animal species.

4. BACKGROUND, ASSUMPTIONS AND SPECIFIC SCOPE OF THE REQUIREMENT

The Marine Animal Response Society is a charitable organization dedicated to marine animal (whales, dolphins, porpoises, sea turtle, sharks and seals) conservation in the Maritimes through response, research and education. The Marine Animal Response Society (MARS) has been an integral part of the Canadian marine conservation community for 20 years.

The contractor is required to deliver the project in accordance with the requirements ONLY in situations and conditions considered safe for such delivery. Any response effort will only be provided if environmental/weather conditions or the logistical circumstances are reasonable and safe given the circumstances of the response activity proposed. The Contractor shall monitor the environmental/weather conditions for changes that render the response operation no longer safe. The contractor must adhere to the *Fisheries (General) Regulations* Section 52 license issued, *Marine Mammal Regulations* Section 38 permit issued, SARA permit issued, the Protocol for Liaison with DFO and any other relevant and/or appropriate protocols that may be provided by the DFO.

5. REQUIREMENTS

5.1 TASKS AND ACTIVITIES

The response capabilities must include delivery of the following:

- 1) Informing and advising those persons reporting marine animal incidents regarding an appropriate approach for them to deal with the reported incident, including a safe perimeter to maintain and any additional safety considerations.
- 2) Informing, as soon as possible, by email or telephone, the Department of Fisheries and Oceans (DFO) Marine Mammal Coordinator, and provide details on reported location and description of the incident; and to maintain that ongoing communication with DFO, until the incident is effectively addressed, or until such time as the marine animal is no longer in distress.
- 3) Providing an appropriate and safe response to marine animal incidents. There are risks involved with any response attempt and each situation is unique and can be unpredictable. DFO's objective is to support the response organizations in ensuring that response actions taken proceed in the safest manner possible for everyone involved in order to minimize risk to human safety.
- 4) Responders must be physically fit and able to work safely in adverse conditions, including harsh and, unpredictable marine environments. Contractor should use the appropriate safety equipment.
- 5) If part of the work is conducted while on a DFO vessel, the Recipient Contractor should ensure that persons engaged in the marine animal response activity from the Recipient's organization, wear appropriate safety equipment during the entire length of the activity, including any equipment required by DFO. Safety equipment includes, but may not be limited to, a safety helmet and personal floatation device that meets Canadian safety standards.
- 6) When possible, providing safe response to live stranded or distressed marine animals, including the refloatation of marine animals, if deemed safe and appropriate to do so.



7) When possible, providing the safe response to dead marine animals which involves the collection of basic data only (species identity, location details, date/time, images, age and sex, length measurement, a 5 x 5cm skin sample and blubber thickness measurements for small animals) and may involve travel to carcasses in the Maritime Provinces to conduct the basic examination of the carcass.

The supplier may also *facilitate* the safe collection, advanced sampling and necropsies of specific carcasses. In this context, *facilitation* includes collaborating with partners to identify, track and secure carcasses for a separate examination and collaborating with said partners to ensure personnel, equipment and logistics are available for such investigations.

8) When requested, providing information to the Canadian Coast Guard on dead, floating marine animals for inclusion in appropriate Notices to Mariners and/or other Coast Guard communications mechanisms.

9) During a response incident, providing expert advice on how to safely handle live stranded, injured or distressed marine animals, as well as dead marine animals, to authorized partners including DFO.

10) Safely collecting basic samples from dead marine animals (*i.e.* skin samples). Contractor would need to be authorized under appropriate *Fishery (General) Regulations, Marine Mammal Regulations* and *Species at Risk Act* permitting processes.

11) Maintaining, in good and safe working order, emergency response equipment such as an appropriately inspected vehicle and other equipment necessary for the safe response to marine animals incidents and/or other marine equipment.

12) Communications

12.1 Advertising a toll-free bilingual telephone number for assistance to the public and relevant stakeholders.

12.2 Acknowledging DFO's contribution in any public communications about the program and providing at least 24 hours advance notice to any public communications about DFO's contribution to marine animal response by the Recipient.

12.3 When appropriate, materials promoting work related to the project will display the DFO signature, Canada wordmark or otherwise make reference to DFO. DFO will be consulted on any materials that will display the DFO signature, Canada wordmark or otherwise make reference to DFO.

12.4 DFO will be notified 24 hours in advance of media releases on high profile (*i.e.* any large whale incidents, specifically reports on cause of death or gear origin) marine animal response incidents. Questions from media related to DFO's Marine Mammal Response Program must be directed to the Department's media relations. (DFO Media Relations, 613-990-7537 Media.xncr@dfo-mpo.gc.ca). If due to extenuating circumstances the Recipient is unable to notify DFO 24 hours in advance, the Recipient will notify DFO as soon as possible.

12.5 Agreeing to the distribution by DFO of information about the project as part of public communication initiatives including, but not limited to, feature stories, news releases, speeches, web content, DFO promotional materials and special publications, ensuring that the Recipient is recognized as the provider of the work and that DFO's role is to support the work being conducted by the Recipient. The Recipient will be consulted on any materials or outreach that will display or advertise the supplier logo and/or hotline information in advance of distribution.



12.6 DFO may, at its sole discretion, withdraw the requirements of the contractor's acknowledgement of the DFO's contribution in all public communications of the programme.

5.2 ESTIMATED LEVEL OF EFFORT

The services outlined above include the annual daily operation of the reporting hotline, as well as response services required on an as and when required basis. The contractor is required to report each instance, as outlined in Section 7. Reporting and Invoicing requirements.

6. SPECIFICATIONS AND STANDARDS

Details are noted above in Tasks and Activities. In addition, DFO does have the following requirements for this scope of work.

6.1 Training

The contractor must have completed and keep up to date appropriate response training and experience consistent with national and international standards.

6.2 Persons involved in response incidents

No persons who are not employees or trained volunteers of the contractor shall be aboard the contractor vessels at any time during rescue activities.

6.3 Operating from a DFO vessels

If contractor is operating from a DFO vessel, DFO employees will provide a security briefing to the contractor, which includes the location of vessel safety equipment, emergency measures, safety regulations and the route, navigation or patrol plan as per DFO procedures. DFO employees will maintain control of the vessel at all time.

7. REPORTING AND INVOICING REQUIREMENTS

The contractor must submit, via email to the Fisheries and Oceans Project Authority (National Coordinator for the Marine Mammal Response Program), monthly written progress reports (supported by monthly invoices) including, but not limited to:

- information on number and species of marine animals assisted or responded to
- location of responses/strandings/dead animals
- number of reported incidents received
- issues or concerns related to the situations encountered

Data submitted is confidential commercial information and remains the property of the Recipient. Data shared will be for the purposes of general reporting on the annual progress for the MMRP only. No other use, including sharing or use in publications, reports, CSAS processes or any other mechanism (public or otherwise) is permitted without prior permission from the Recipient.

These reports may be supported by photographs or videos of response operations and remain the property of the Recipient. Imagery provided will (when possible) include the full names and pertinent contact information of all people in the photographs and/or videos. Any use of photographs and/or video must be approved by and appropriately acknowledge the Recipient.



The required monthly reporting template format will be provided by Fisheries and Oceans Canada, and may be updated from time to time.

8. PROJECT MANAGEMENT CONTROL PROCEDURES

The contractor will:

- Carry-out services related to the response to distressed or dead marine animals in the Fisheries and Oceans Canada (DFO) Gulf and Maritimes Regions, as per the Statement of Work.
- Prepare and submit, via email, accurate monthly, written progress reports, as per DFO-provided reporting template. This may include the provision of appropriate photos and videos documenting the rescue/disentanglement efforts, depending on the circumstances of each incident, and only if such photos and videos can be safely obtained.

9. PROJECT MANAGEMENT CONTROL AND CHANGE MANAGEMENT PROCEDURES

Any contractor requested changes in the scope of work will be submitted, in writing, to the Project Authority. The Contracting Authority is responsible for the management of the Contract and any changes to the Contract must be authorized in writing by the Contract Authority. The Contractor must not perform the work outside the scope of the Contract based on verbal or written requests or instructions from anybody other than the Project Authority.

10. CONTRACT PERIOD

The Contractor is responsible for the delivery of the services related to the project entitled “Supporting Response to Dead and Distressed Marine Animals in Maritimes Provinces” (as outlined above) for the period of a period of one (1) years from contract award, with three (3) optional periods of one (1) year.

11. OTHER TERMS AND CONDITIONS

11.1 Client Support

DFO will provide the required monthly reporting Excel template format for the contractor, which may be updated from time to time.

DFO will provide the required “*Protocol for Liaison with DFO*” for the contractor, which and may be updated from time to time when necessary.

DFO will make the identified Project Authority available to the contractor as the main point of contact for all activities.

DFO will provide feedback within three business days of submission of any communications regarding relevant media relations aspects of the contract.

11.2 Contractor Responsibilities

The contractor shall label any equipment loaned or provided by DFO, as being the property of Canada. The contractor shall take reasonable and proper care of all equipment loaned or provided by DFO. The contractor will also ensure that the equipment is returned to DFO in good working condition upon contract completion. The contractor is responsible for ensuring appropriate insurance coverage for all equipment.



11.3 Location Of Work

Contract activities will take place within the DFO Gulf and Maritimes Region, specifically in the waters of the Maritimes Provinces. Given the nature of the work it is not possible to anticipate where all response activities will take place.

Occasionally, on an as and when needed basis, the contractor may be requested to travel elsewhere in Atlantic Canada to undertake similar activities. Any costs incurred for work outside the identified regions above will be above and beyond the scope of the value of this current contract and will be paid separately.

11.4 Language Of Work

The language of work shall be English, with the exception of operating a bilingual toll-free hotline to report marine animal incidents.

11.5 Insurance

The Contractor must have appropriate insurance and coverage as per Occupational Health and Safety Regulations, including current liability insurance and/or appropriate Workers Compensation coverage in place in the Provinces of New Brunswick, Nova Scotia and Prince Edward Island throughout the duration of the contract. Copies of this documentation must be provided to the DFO Project Authority in advance of commencement of the Contract.

12. TRADE AGREEMENTS APPLICABILITY OR OTHER OBLIGATIONS:

Trade agreements applicable for this requirement include Canadian Free Trade Agreement (CFTA).

13. GOVERNMENT CONTRACTS REGULATIONS EXCEPTION(S) OR LIMITED TENDERING REASONS:

Section 10.2.1 Section 6 (d) only one person or firm is capable of performing the work applies to this ACAN for the following reasons:

There are no known alternative sources of supply. Marine Animal Response Society is the only known supplier in the Maritime Provinces.

14. PERIOD OF THE PROPOSED CONTRACT OR DELIVERY DATE

The proposed contract is from contract award for a period of one (1) year and three (3) optional periods of one (1) year.

15. COST ESTIMATE OF THE PROPOSED CONTRACT

The estimated value of the contract, including option(s), is \$600,000.00 (GST/HST extra).



16. NAME AND ADDRESS OF THE PRE-IDENTIFIED SUPPLIER

Marine Animal Response Society
1747 Summer Street
Halifax, NS B3H 3A6
BIN: 888744463RT0001

17. 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.

18. CLOSING DATE FOR A SUBMISSION OF A STATEMENT OF CAPABILITIES

The closing date and time for accepting statements of capabilities is October 23, 2023 at 2:00 p.m. ET.

19. INQUIRIES AND SUBMISSION OF STATEMENTS OF CAPABILITIES

Inquiries and statements of capabilities are to be directed to:

Dina Al-Eryani

Senior Contracting Officer – Contracting Services/ Procurement Hub – Fredericton

Telephone: (506) 282-2340

Email: DFO.tenders-soumissions.MPO@dfo-mpo.gc.ca