



**Solicitation No. T8080-230325  
Advance Contract Award Notice**

**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.

**1. TITLE**

A Universal Seating Device to Improve Accessibility for Air Passengers with Mobility Disabilities

**2. DEFINITION OF THE REQUIREMENT**

Through this requirement, Transport Canada is seeking a supplier/vendor to provide an orthopedic position device/aisle chair to be constructed and tested for feasibility, suitability, and safety of use on-board commercial aircraft. The device will support posture and alleviate issues related to pressure from being seated for extended periods of time for adult passengers with mobility impairments (such as wheelchair users; people who cannot hold themselves upright without support or those who have other mobility, flexibility, or pain-related disabilities). The supplier may use laboratory facilities and professional expertise to carry out the testing protocols.

Mass-market orthopedic positioning devices designed for use during air travel are only available in pediatric sizes. The Child Aviation Restraint System (CARES) for Special Needs Flyers is currently the only FAA-approved alternative for passengers with mobility limitations. It is approved only for children as an alternative to bringing a car seat on board. This harness system can also be used by adults who cannot independently support their torso, but if the user is taller than 40 inches and over 44 lbs., a special permit must be obtained from the FAA or Transport Canada. The CARES system is strictly a harness and does not alleviate issues related to pressure from being seated for extended periods of time. For adult passengers who require orthopedic positioning devices to travel safely, the only current option is to custom-order a bespoke device, then individually seek prior authorization to use it. This is not financially feasible for most people with disabilities. The cost and inconvenience of ordering and seeking authorization to use a bespoke orthopedic positioning device are significant and prohibitive barriers to accessibility.

This project will support the development of a unique and innovative orthopedic positioning device/portable aisle chair designed specifically for those with mobility disabilities which won't require any structural modifications to the aircraft. Classified as an [orthopedic positioning device](#), the device is required to be innovative, ergonomic, lightweight, malleable seat with adjustable supports and a harness. It is to be designed to be adaptable to meet diverse needs, accommodate optional add-on accessories and collapsible to be easily carried on-board by the passenger. It must fit on existing aircraft seats without interfering with the seatbelt or seat functionality and must not require any modifications to existing cabin equipment. It must also function as an aisle chair.

The AbleFly Comfort Device (ACD) will be the first and only product available in the market to support the needs of adult air passengers with mobility disabilities. Through testing, this requirement will



determine if the ACD can increase the safety, accessibility and comfort of air travel for the large and growing population of Canadians with reduced mobility.

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

In order to meet the essential requirements, a statement of capabilities must outline the following:

- 1) Ownership of the intellectual property for an orthopedic positioning device designed for adults with mobility impairments (such as wheelchair users; people who cannot hold themselves upright without support or those who have other mobility, flexibility or pain-related disabilities) that is designed to be used on board commercial aircraft and that does not require modification to the aircraft. The device should help to support posture and alleviate issues related to pressure from being seated for extended periods of time.
- 2) Project schedule including demand market analysis, regulatory verification analysis, prototype design and construction and testing activities including mechanical testing at an engineering lab, pressure testing and postural support testing, by occupational therapists, impact and safety testing and in-flight user testing. Testing should also include a comparative testing protocol for two groups of travelers (one group using the device, one group not using the device).
- 3) Overview of vendor's systematic and operationally proven approach to the prototype design, construction, and testing.
- 4) Existing schematics or technical drawings of a patented orthopedic positioning device designed for adults that supports posture and relieves pressures and is designed to be available on the market rather than custom designed.

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

There are no Trade Agreements applicable to this ACAN.

Exercising the following exception: The protection of patents, copyrights, or other exclusive rights.

### **5. Justification for the Pre-Identified Supplier**

The proposed supplier is the only known Contractor that meets the above requirements.

### **6. Government Contracts Regulations Exception**

The following exception(s) to the *Government Contracts Regulations* is (are) invoked for this procurement under subsection 6(d) – “only one person or firm is capable of performing the work.

### **7. Ownership of Intellectual Property**

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

### **8. Period of the proposed contract**

The proposed contract period is for two (2) Years, beginning December 1, 2023 or from date of award of contract to 30 November 2025



## **9. Cost estimate of the proposed contract**

The estimated maximum value of the proposed contract is \$438,600.00 CAD funds not including applicable taxes.

## **10. Name and address of the pre-identified supplier**

AbleFly Inc  
503-7400 Rue Sherbrooke  
Montreal QC  
H4B 1R8  
Canada

## **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.

Responses received on or before the closing date will be considered solely for the purpose of deciding whether to conduct a competitive procurement. Information provided will be used by the Crown for technical evaluation purposes only and is not to be construed as a competitive solicitation. Your written response must provide sufficient evidence (e.g. specifications, technical data, drawings, or any other proof) that clearly demonstrates that your product or service is capable of fulfilling this requirement.

Suppliers that have submitted a response will be notified in writing of TC's decision to continue with the non-competitive procurement or to compete for the requirement.

## **12. Closing date**

The closing date for a submission of a Statement of Capabilities is November 15, 2023 at 14:00 Eastern Standard Time.

## **13. Inquiries and submission of statements of capabilities**

Inquiries and statements of capabilities are to be directed to:

Louise Curtis  
Procurement Specialist  
Transport Canada  
Email: [louise.curtis@tc.gc.ca](mailto:louise.curtis@tc.gc.ca)