

Innovative Solutions Canada Program

Challenge EN578-170003/15: Detection System for Wireless Communication

Attachment 3 Questions and Answers #6 to #9

This document contains questions and answers related to this challenge.

Question #6:

If the proposer's solution can achieve requirements c, and d, above from a fixed central monitoring location within the facility (e.g., at a centralized investigator's command center location, with additional mobile secured access from laptop) will that be an acceptable alternative to the portability requirements stated in a, and b, above, which require a battery-powered portable module?

Response #6:

No, it would not be acceptable. All of the Essential Outcomes identified in the challenge MUST be met.

Question #7:

Please clarify Amendment 001 – would a single deployed solution that meets all of the targeted device detection and location requirements be acceptable rather than having a separate perimeter and internal module solution?

Response #7:

No, imposing the same requirements to both perimeter and internal module solutions will definitely drive the total cost of the system up. For example we want a low number of internal module. Internal module that needs to be portable, (Battery and wireless), and this to avoid cost associated with a lot of required module translating to high cost for this fix installation.

Question #8:

Are there any specific requirements/limitations/percentages governing by whom/where technology and R&D can be conducted on this project? i.e., will the Proposer be able to utilize all/part of its subcontractor's technology if the subcontractor is located outside of Canada or the Proposer has facilities in the US that could also test the solution and be involved in the R&D Process?

Response #8:

As stated in the Challenge Notice (<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-18-00846849>) and Call for Proposals (<https://buyandsell.gc.ca/procurement-data/tender-notice/PW-18-00846769>), the following ISC Program Eligibility criteria MUST be met:

ISC Program Eligibility

Successful small businesses will be required to certify eligibility before entering Phase 1. Re-certification is required prior to entering Phase 2.

Eligible small businesses under the ISC program are those that meet all of the following criteria:

- for profit
- incorporated in Canada (federally or provincially)
- 499 or fewer full-time equivalent (FTE) employees*
- research and development activities that take place in Canada
- 50% or more of its annual wages, salaries and fees are currently paid to employees and contractors who spend the majority of their time working in Canada*
- 50% or more of its FTE employees have Canada as their ordinary place of work*
- 50% or more of its senior executives (Vice President and above) have Canada as their principal residence*

* Calculations must take into account and include affiliated businesses, such as parent companies and subsidiaries that are either in or outside of Canada.

Under the Innovative Solutions Canada program, an "affiliate" relationship exists in the following situations:

- An affiliate is a corporation that is a subsidiary of another corporation
- If a corporation has two subsidiary corporations, the two subsidiaries are affiliates of each other;
or
- If two corporations are controlled by the same individual or business, the two corporations are also affiliates of each other.

A subsidiary is understood to be a business which has more than 50% of its ordinary shares or voting power owned by another business or individual.

Only applicants/bidders that are eligible businesses can respond to a challenge. However, applicants/bidders are allowed to use sub-contractors to perform the anticipated work in Phases 1 and 2. Sub-contractor(s) may be academic, industrial or not-for-profit. Applicants/Bidders must perform at least two-thirds (2/3) of the research and development (R&D) work in Phase 1 and at least half (1/2) of the work for Phase 2. The remaining R&D can be sub-contracted to other organizations or individuals.

You can subcontract outside of Canada as long as your proposal meets the Canadian Content Definition. The definition is referenced in the Call for Proposals at section 1.2.3, and can be viewed at the following site: <https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual/5/A/A3050T/3>

Question #9:

For Phases 1 & 2 as outlined in the tender, are there any provisions to protect the technology intellectual property of the proposer?

Response #9:

The default position of Canada is to allow contractors to retain the IP rights. In some cases, the IP rights could be negotiated with the bidders. The default IP clauses can be found in General Conditions 2040, (2018-06-21), section 29, at: <https://buyandsell.gc.ca/policy-and-guidelines/standard-acquisition-clauses-and-conditions-manual/3/2040/17>

Canada will own the prototype at the end of the contract (Phase 2) as referenced in SACC Manual clause 2040 (2016-04-04), section 21 Ownership and section 29 Ownership of Intellectual Property Rights in Foreground Information, 30 (2008-05-12) Licenses to Intellectual Property Rights in Foreground and Background Information, etc.