

**Annex 8.1: Model Advance Contract Award Notice  
(2001-05-25)**

The following is a model Advance Contract Award Notice that contracting officers can use in their electronic notices.

An ACAN shall include, in both official languages, the following information:

**1. An explanation of what an ACAN is.** The following explanation must be included:

*An Advance Contract Award Notice (ACAN) allows departments and agencies to post a notice, for no less than fifteen (15) calendar days, indicating to the supplier community that it intends to award a good, service or construction contract to a pre-identified contractor. If no other supplier submits, on or before the closing date, a Statement of Capabilities that meets the requirements set out in the ACAN, the contracting authority may then proceed with the award. However, should a Statement of Capabilities be found to meet the requirements set out in the ACAN, then the contracting officer will proceed to a full tendering process.*

**2. Definition of requirements or expected results.** Provide in sufficient detail, so that other potential contractors can determine if they possess the capabilities to satisfy them and the contracting officer will have an adequate basis for reviewing a potential supplier's Statement of Capabilities.

**3. Statement regarding applicability of trade agreements or other obligations.** Include, where applicable, a statement indicating if the proposed procurement is subject to one of the trade agreements, the Procurement Strategy for Aboriginal Business, or to one of the Comprehensive Land Claims Agreements. Include the following statement at the beginning, where the procurement is set aside under the Procurement Strategy for Aboriginal Business:

*"This requirement is set aside for an Aboriginal supplier in accordance with the government's Procurement Strategy for Aboriginal Business. Therefore, only firms which meet the definition of an Aboriginal Business as defined in the Strategy may submit a Statement of Capabilities"*

**4. GCR exception and Limited Tendering Reason, if applicable.** The relevant exception to the Government Contracts Regulations and, if applicable, the limited tendering reasons in the trade agreements being invoked. Indicate the reason(s) for the proposed contract award. This should clearly demonstrate why this supplier has been identified as the only supplier capable of performing the work.

**5. Ownership of Intellectual Property.** Where intellectual property will be created during the course of the contract, a statement should indicate whether an exception set out in the Treasury Board's Policy on Title to Intellectual Property Arising under Crown Procurement Contracts is being invoked or if the ownership of intellectual property will rest with the contractor. (See Treasury Board Secretariat website:  
[http://www.tbs-sct.gc.ca/pubs\\_pol/dcgpubs/Contracting/tipaucpca\\_e.html](http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/Contracting/tipaucpca_e.html))

**6. The period of the proposed contract or the required delivery.** Provide the period of the proposed contract or the required delivery, including potential renewal or option years.

**7. An estimate of the cost of the proposed contract.** This should be included, where appropriate, provided that it will not prejudice negotiations with the proposed contractor, or compromise the contractor's competitive position if the contract proceeds to a traditional or electronic bidding process. (could be provided as a range)

**8. Name and, usually, the address of the proposed contractor must be identified in the ACAN.**

9. **Suppliers' right to submit a Statement of Capabilities.** An explanation to suppliers of how they may proceed in responding to the ACAN.

*“Suppliers who consider themselves fully qualified and available to provide the services/goods described herein, 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.”*

10. **The closing date for a submission of a statement of capabilities.** Include the Day, Month and Year for the closing date for accepting statements of capabilities, i.e. fifteen (15) calendar day period.

*e.g. , August 22, 2000*

11. **Inquiries and Submission of Statements of Capabilities.** Include the name, position, address, phone, fax and e-mail address where suppliers may inquire or submit a statement of capabilities.