

WorkplaceNL

Health | Safety | Compensation

Request for Supplier Qualifications: 2024-46-RFSQ

IT Security and Infrastructure Services

Issue Date: June 27, 2024

RFSQ Closing Date: July 25, 2024 before 2:00 p.m. (NL Time)

**WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services**

SECTION 1 – INVITATION TO RESPONDENTS AND OVERVIEW

1.1 Intent

This Request for Supplier Qualifications (“RFSQ”) is an invitation by the Workplace Health, Safety and Compensation Commission (“WorkplaceNL”) to prospective Respondents to qualify for eligibility to provide expertise for a broad range of professional services and support in the area of IT Services.

IT Security is a key mandate of the Information Technology and Security (ITS) department at WorkplaceNL. WorkplaceNL has significant investments in infrastructure, applications and resources to address IT Security but recognizes that this is a continually evolving area and must be prepared to provide timely preventative and responsive remediation to IT Security concerns.

Respondents who meet all the requirements and qualifications of this RFSQ will be placed on a pre-qualified supplier list and will be eligible to participate in an invitational second-stage competitive process for the potential provision of the services.

The pre-qualified supplier list shall be valid for **one year** from the time it is compiled. If determined by WorkplaceNL to extend the validity of the pre-qualified supplier list beyond the one year period, public notice shall be provided.

This RFSQ is for the establishment of a pre-qualified supplier list and for the eligibility to participate in an invitational second-stage competitive process and creates no contractual obligation on behalf of WorkplaceNL. WorkplaceNL is under no obligation to proceed with any second-stage competitive process for the procurement of the services.

Any agreement entered into pursuant to an invitational second-stage competitive process will not be an exclusive contract for the provision of the services. WorkplaceNL may contract with others for goods and services the same as or similar to the services or may obtain such goods and services internally.

1.2 Background

WorkplaceNL provides services to employers, injured workers and their dependents, and the public through the administration of the **Workplace Health, Safety and Compensation Act, 2022** (the “**Act**”). These services include promoting workplace health and safety in order to prevent and reduce workplace injury and illness. WorkplaceNL strives to ensure injured workers receive the best care possible and the benefits to which they are entitled. WorkplaceNL facilitates injured workers’ recovery,

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

and early and safe return to work. In addition, WorkplaceNL administers an employer classification and assessment system and ensures adequate funding for services through sound financial management.

WorkplaceNL is organized along two main functional areas: 1) prevention and workplace services; and 2) corporate and financial services. These functional areas support the organization's three main lines of business:

1. Education on the prevention of workplace injuries, illnesses, and occupational disease;
2. Claims management for injured workers; and
3. Employer assessments (no-fault compensation coverage).

1.3 Mandatory Criteria

The successful Respondents must meet the mandatory criteria and possess the necessary knowledge, skills and experience in the area of IT Security and Infrastructure Services, specifically:

The successful Respondents must have a proven record of providing IT Security and Infrastructure Services with a minimum of five (5) years' experience.

SECTION 2 – INSTRUCTIONS TO RESPONDENTS
--

2.1 Electronic Copy of this Document

WorkplaceNL reserves the right to modify the terms of the RFSQ by issuance of addenda at any time prior to RFSQ Closing Date.

It is the responsibility of the Respondents who retrieve or download this RFSQ from WorkplaceNL's website (<http://www.workplacenl.ca>) or externally through the RFSQ posting at www.merx.com to monitor the sites for any addendum to the RFSQ issued up to and including the Closing Date.

It is the Respondent's responsibility to ensure that they have received a complete set of documents. By submitting a proposal, the Respondent verifies that they have received a complete set of RFSQ documents including any and all addenda. All terms, conditions, and/or specifications stated or referenced in the RFSQ are assumed to be accepted by the Respondent and incorporated in the proposal.

**WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services**

By submitting a proposal, the Respondent confirms that all components necessary to deliver the required services have been included in the proposal, or will be provided at no additional charge to WorkplaceNL.

2.2 RFSQ Closing

The RFSQ CLOSING DATE is:

JULY 25, 2024 BEFORE 2:00 PM NEWFOUNDLAND TIME

Respondents are required to submit and ensure proposals are received via electronic upload at www.merx.com

Fax Proposals: Will NOT be accepted.

Email Proposals: Will NOT be accepted.

Proposals will be opened publicly immediately following the RFSQ closing in accordance with the Public Procurement Regulations, as amended. The names of all Respondents will be provided at the public opening. Respondents may email purchasing@workplacnl.ca to request a Webex meeting invite to attend the public opening. Respondents must include their name, email address, and RFSQ number in the request. Meeting requests must be received by WorkplaceNL before 4:00 p.m. Newfoundland Time on July 23, 2024.

2.3 Questions and Clarification

Any questions related to the RFSQ must be directed in writing by email to purchasing@workplacnl.ca or through the RFSQ posting on www.merx.com and received by WorkplaceNL before 4:00 PM Newfoundland Time on July 17, 2024.

All questions should include the Respondent's name and address, contact person's name, telephone number, and email address, and the reference to the specific section and page number of the RFSQ in question. All email questions must include the RFSQ number and title in the email subject line.

To the extent that WorkplaceNL considers that the answer to the question may assist in the preparation of a proposal, WorkplaceNL will post an addendum on its website and through the RFSQ posting on www.merx.com which will be part of the RFSQ. WorkplaceNL may not answer a question where WorkplaceNL considers the information requested is not required to prepare a proposal, or where the answer to

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

the question posed may be found in the RFSQ. No responses shall be binding upon WorkplaceNL unless made in writing.

WorkplaceNL may request additional data, discussions, presentations or on-site visits in support of the proposal, all without obligation to provide other RFSQ recipients with similar information or notice of such communication. Additionally, WorkplaceNL reserves the rights to implement the appropriate due diligence processes to confirm or clarify any information provided, or to collect more evidence of managerial, financial and technical abilities, including but not limited to, meetings and visits with current customers served by the Respondent.

Any written information received by WorkplaceNL from an Respondent in response to a request for additional data from WorkplaceNL will be considered an integral part of the Respondent's proposal.

2.4 Proposal Conditions

2.4.1 Confidentiality and Ownership of Information

Information pertaining to WorkplaceNL obtained by the Respondent as a result of participation in this RFSQ, and/or subsequent interviews, presentations, and/or negotiations with WorkplaceNL, if any, is confidential and shall not be disclosed without prior written authorization from WorkplaceNL.

The RFSQ and any supplementary document or portion thereof is proprietary information, and must not be used by the Respondent other than for the submission of proposals without the permission of WorkplaceNL.

All proposals submitted become the property of WorkplaceNL. By submitting a proposal, the Respondent hereby grants WorkplaceNL a license to distribute, copy, print, or translate the proposal for the purposes of the RFSQ. Any attempt to limit WorkplaceNL's right in this area may result in rejection of the proposal.

The procurement process is subject to the **Access to Information and Protection of Privacy Act, 2015**, SNL 2015 c. A-1.2, as amended (**ATIPPA**). The Respondent's proposal may be subject to disclosure under the **ATIPPA**. By submitting a proposal, the Respondent agrees to the appropriate disclosure of the information supplied, subject to the provisions of the governing law. WorkplaceNL cannot guarantee the confidentiality of the content of any proposal after the RFSQ Closing Date. WorkplaceNL shall not be liable to any Respondent for any claim, direct or indirect, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

whatsoever incurred by the Respondent as a result of disclosure pursuant to the **ATIPPA**.

By submitting a proposal, the Respondent agrees that it has identified any specific information in its proposal that may qualify for an exemption from disclosure under subsection 39(1) of the **ATIPPA**. If no specific information has been identified it is assumed that, in the opinion of the Respondent, there is no specific information that qualifies for an exemption under subsection 39(1) of the **ATIPPA** and information may be released without further notice.

2.4.2 No Claims By Respondent

By participating in the process outlined in this RFSQ document, the Respondent consents to the procedures as described in this RFSQ.

By submitting a proposal, each Respondent irrevocably waives any claim, action or proceeding against WorkplaceNL, including without limitation any judicial review or injunction application, or against any of WorkplaceNL's employees, advisors or representatives for damages, expenses or costs including costs of proposal preparation, loss of profits, loss of opportunity or any consequential loss for any reason including: any actual or alleged unfairness on the part of WorkplaceNL at any stage of the procurement process; if WorkplaceNL does not award or execute a contract; or if WorkplaceNL is subsequently determined to have accepted a noncompliant proposal or otherwise breached or fundamentally breached the terms of this procurement.

2.4.3 Conflict of Interest

For the purposes of this RFSQ, the term "conflict of interest" includes, but is not limited to, any situation or circumstance where:

- in relation to the RFSQ process, the Respondent has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to:
 - (i) using confidential information of WorkplaceNL in the preparation of its response that is not available to other Respondents;
 - (ii) having been involved in the development of the RFSQ, including having provided advice or assistance in the development of the RFSQ;
 - (iii) receiving advice or assistance in the preparation of its response from any individual or entity that was involved in the development of the RFSQ;

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

- (iv) communicating with any person with a view to influencing preferred treatment in the RFSQ process (including but not limited to the lobbying of decision makers involved in the RFSQ process); or
- (v) engaging in conduct that compromises, or could be seen to compromise, the integrity of the open and competitive RFSQ process or render that process non-competitive or unfair;
- in relation to the performance of its contractual obligations under an agreement for services, the Respondent's other commitments, relationships, or financial interests:
 - (i) could, or could be seen to, exercise an improper influence over the objective, unbiased, and impartial exercise of its independent judgement; or
 - (ii) could, or could be seen to, compromise, impair, or be incompatible with the effective performance of its contractual obligations.

If, at the sole and absolute discretion of WorkplaceNL, the Respondent, its employees, officers, directors, associates and/or approved subcontractors is found by WorkplaceNL to be in an actual or perceived conflict of interest either during the RFSQ or after award of the contract, WorkplaceNL may, in addition to any other remedies available at law or in equity, disqualify the proposal submitted by the Respondent or terminate the agreement.

Sub-contracting to any firm or individual whose current or past corporate or other interests may, in WorkplaceNL's opinion, give rise to an actual or perceived conflict of interest in connection with this RFSQ will not be permitted. This includes, but is not limited to, any firm or individual involved in the preparation of the RFSQ.

2.5 Ineligibility of Proposals

It is essential that the proposal is complete and thoroughly addresses each requirement identified in the RFSQ, as incomplete proposals may be declared "non-responsive". Proposals that are improperly signed, conditional, illegible, obscure, or contain arithmetical errors, erasures, alterations, or irregularities of any kind may be considered invalid.

2.6 Response Evaluation

The RFSQ evaluation and establishment of the preferred suppliers list will be done in accordance with the **Public Procurement Act**, SNL 2016, c. P-41.001, as amended, and WorkplaceNL's procedures.

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

WorkplaceNL reserves the right to waive any minor irregularity or non-compliance where such irregularity or non-compliance is not of a material nature in its sole and absolute discretion. Such minor irregularity or non-compliance will be deemed substantial compliance and capable of acceptance. WorkplaceNL will be the sole judge of whether a Response is accepted or rejected.

WorkplaceNL, in its sole discretion, reserves the right to cancel the RFSQ without award. WorkplaceNL reserves the right to accept or reject any or all Responses in whole or in part. WorkplaceNL is not bound to accept any Response.

The Respondent may be required to demonstrate financial stability, authorization to provide the good/services being acquired, and/or regulatory agency approval, licensing or registration as needed, or otherwise clarify Respondent's capability to satisfy the RFSQ requirements. WorkplaceNL reserves the right to reject Responses from any Respondent that it feels is incapable of providing the necessary labour, materials, equipment, financing or management resources to perform the work or supply the goods in a satisfactory and timely manner.

WorkplaceNL, in its sole discretion, may assess the Respondent's experience and/or ability to provide the goods and/or services required and described in this RFSQ by checking the Respondent's references. Inclusion on the supplier list will not be awarded to any Respondent whose references, in the opinion of WorkplaceNL, are found to be unsatisfactory. WorkplaceNL reserves the right to obtain references from sources other than those provided in the Response. WorkplaceNL reserves the sole discretion to determine whether the Respondent and its professional staff have the appropriate qualifications.

WorkplaceNL reserves the right to disqualify any Respondent if the Respondent has either breached an agreement and/or failed to provide satisfactory service and/or deliveries under any prior agreement with WorkplaceNL, in the sole opinion of WorkplaceNL.

Upon acceptance by WorkplaceNL, a written Response acceptance will be forwarded to the successful Respondent prior to signing an agreement.

Unsuccessful Respondents may request a debriefing within ten (10) business days after the award has been posted. The request must be sent in writing by email to purchasing@workplaceni.ca. The intent of the debriefing information session is to aid the Respondent in understanding how they can fulfill the requirements needed to register with WorkplaceNL in the future.

If a Respondent wishes to register a complaint with respect to the RFSQ process, it should provide it in writing and within the parameters established by section 25 of the Public Procurement Regulations, as amended. The notice must provide a detailed explanation of the Respondent's concerns with the procurement process or its outcome, in addition to such other information as may be required by the Regulations.

**WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services**

2.7 RFSQ Submission Deadline and Delivery

Respondents are required to submit Responses via electronic upload at www.merx.com (see Appendix “A” – Electronic Response Instructions).

Respondents will be solely responsible for the delivery of their Responses, in their entirety, in the manner and time prescribed.

While WorkplaceNL has tried to ensure the accuracy of the RFSQ, it is not guaranteed or warranted by WorkplaceNL to be accurate, nor is it necessarily comprehensive or exhaustive. WorkplaceNL will assume that all Respondents have resolved any questions they might have about the RFSQ and have informed themselves as to the existing conditions and limitations, site restrictions, etc. before submitting their Responses. Nothing in the invitation is intended to relieve Respondents from forming their own opinions and conclusions with respect to the matters addressed in the RFSQ.

Any error in the Response is the responsibility of the Respondent. Submitted Responses may be amended prior to the deadline by submitting a complete new Response clearly indicating it replaces the previously submitted Response. Any such new Response is subject to the requirements as outlined herein. The said new Response replaces any other Responses previously submitted by the Respondent, and only the last of any new Responses received will be accepted.

2.8 Estimated Time Frames

The following timetable outlines the estimated schedule for this RFSQ process. The timing and the sequence of events resulting from this document may vary.

DESCRIPTION	DATE
RFSQ issue date	JUNE 27, 2024
Deadline for questions	JULY 17, 2024
Proposals to be received by	JULY 25, 2024
Presentation of proposals (tentative - if required)	AUGUST 1, 2024
Date of award (tentative)	AUGUST 8, 2024

**WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services**

SECTION 3 – RESPONSE REQUIREMENTS

It is important that Respondents provide complete information with their Response so it can be readily understood and evaluated. The following minimum information and format must be provided in the Response. Qualifying Responses are those that clearly demonstrate a thorough understanding of the RFSQ, and its stated requirements and criteria. WorkplaceNL may reject a Response that do not demonstrate this understanding and do not specifically address requirements and criteria as specified throughout.

Cover Letter

Identify the RFSQ description. Identify your name and your company's name (if applicable), address, telephone number, fax number and email address. Identify the representative responsible for your proposal. The letter must confirm that you and your company (if applicable) are in compliance with the **Personal Information Protection and Electronic Documents Act**, S.C. 2000, c.5, and Regulations thereto, as amended. The letter must be dated and signed.

Company Profile & Background

Provide a brief introduction and an overview of your company's background and profile, including information on full services offered. Provide names of all owners, including silent partnerships, affiliated relationships and/or companies, governing boards, etc. Provide an overview of your core business competencies. Do you subcontract IT Security and Infrastructure Services to third party vendors?

Work Locations

Provide a list of your company office locations. Indicate the city/town from which you propose to conduct the major activities of this work. Describe your ability to provide services and support remotely as well as onsite. The Respondent should include any expectations or requirements related to both remote and onsite service delivery. If services were to be provided onsite describe your travel expectations.

Overview of Services

Respondents must provide a clear and concise description of Security and Infrastructure services offered with a brief description of said services including but not limited to ransomware remediation; Penetration testing; and network infrastructure architecture.

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

Professional Staff Complement

Provide a description of the professional staff and resources available. Identify if the staff has experience and certifications working with Cisco and Fortinet products.

Professional Staff Resumes

Provide **four** staff resumes, not more than three pages, outlining education and work experience including but not limited to years of experience working with IT Security and Infrastructure.

Previous Experience

Describe your organization's experience in providing the delivery of IT Security and Infrastructure Services. A minimum of **three** references including the appropriate contact information as evidence of previous experience providing similar services, include the name of the organization for which the work was completed; an overview of the scope of the services, and an overview of the number of staff and their roles that worked on that engagement.

References may be for contracts currently being performed or where work has been completed. References may be contacted as part of the review process. The references should exclude any potential references from WorkplaceNL.

Value-added Service

Provide any additional information that would enhance your ability to provide the service, e.g. resources, equipment, facilities, specialized personnel, affiliations, etc.

Quality Assurance

Describe your quality assurance program and how it influences your service delivery.

Privacy/Confidentiality

Provide company policies, practices and tools for protecting privacy, confidentiality and security of information.

**WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services**

SECTION 4 – EVALUATION PROCESS AND CRITERIA

4.1 Evaluation

Responses that do not meet all mandatory criteria may be rejected on that basis.

The following criteria will be used to score Responses. The Responses that do not obtain the minimum score requirements for each Evaluation Criteria category, as noted below, will be rejected.

Evaluation Criteria	Maximum score	Minimum score
IT Technical Knowledge and Experience	25%	15%
Demonstrated understanding of the RFSQ requirements.	20%	10%
Qualifications including availability of professional staff and resources	25%	15%
Quality Assurance Program	10%	5%
Value Added Service	5%	5%
Demonstrated company achievement in performing comparable work	15%	10%
Total	100%	60%

4.2 Notice of Supplier List Results

WorkplaceNL will notify both the successful and unsuccessful Respondents in writing. The unsuccessful Respondents will be notified following the award to the successful Respondents.

4.3 Pricing

WorkplaceNL will not be requesting any pricing information and pricing information is not be evaluated as part of the RFSQ process. If successful in this RFSQ, pricing will form part of the evaluation in the invitational second-stage competitive process.

WorkplaceNL
2024-46-RFSQ
IT Security and Infrastructure Services

APPENDIX “A”

Electronic Proposal Submission Instructions

1. In order to be accepted, proposals must be submitted through WorkplaceNL’s posting for this opportunity on www.merx.com.
2. Respondents shall create a supplier account and be registered on www.merx.com. This will enable the Respondent to download the bid opportunity, receive addenda/addendum email notifications, download addenda/addendum, and submit their proposal electronically through the MERX website.
3. The timing of the proposal is based on when the proposal is **received** by the bidding system, **not** when the proposal is submitted by the Respondent, as transmission can be delayed by “Internet Traffic” for any number of reasons. WorkplaceNL recommends that Respondents allow for ample time to provide for uploaded proposals to be received prior to the RFSQ Closing Date. Proposals received after the RFSQ Closing Date will not be accepted.
4. It is the responsibility of the Respondent to ensure that the proposal is received on time. Once registered, MERX will send a confirmation email to the Respondent if the proposal was submitted successfully. If a confirmation has not been received by the Respondent, the proposal was not uploaded correctly and it is the responsibility of the Respondent to either reload the documents or to contact MERX to resolve any issues regarding their proposal.
5. Response materials should be prepared and submitted in accordance with the instructions in the bidding system, including any maximum upload file size. Documents should not be embedded within uploaded files, as the embedded files may not be accessible or evaluated.
6. To ensure receipt of the latest information and updates regarding this opportunity via email, the onus is on the Respondent to register with MERX, create a supplier account, and sign up for notices for this opportunity.
7. Clarifications and questions received for this opportunity electronically can be submitted via the opportunity listing on www.merx.com. Questions can be submitted, and confirmation will be received to the inquiry. Responses will be answered on an individual basis or collectively at the discretion of WorkplaceNL.