



**DEPARTMENT OF FINANCE**

**PROCUREMENT SERVICES**

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**ADDENDUM # 2**

**For RFP # PEIEC-5172**

**TO: All Bidders**

**FROM: Procurement Services**

**DATE: 10 January 2019**

**SUBJECT: Clarification of Questions regarding RFP#5172**

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**1) Appendix A – Confidentiality and Non-Disclosure Agreement**

- a. The NDA is unilateral in that it only covers information provided to the Supplier by the Corporation. However, there will be information that the Supplier will be sharing with the Corporation which will need to be covered as well; and
- b. Section 1 of the NDA provides that all information provided to the Supplier is deemed to be Confidential Information. However, “all information” is too broad and the NDA does not provide for the typical exceptions (e.g.: generally available, already in possession of the receiving party, developed independently, becomes available through no breach).

This being said, can the NDA be amended to take into consideration the abovementioned items? We would be delighted to provide a version incorporating the above concerns for review by your legal team.

Appendix A is for the purpose of response to the RFP. PEIEC anticipates that a more detailed Confidentiality and Non-Disclosure Agreement will be negotiated with the successful proponent prior to entering into a Turbine Supply Agreement. If the Proponent wishes to provide a sample standard Confidentiality and NDA as part of the response package to the RFP, that would be welcome.

Section 3.6.2 of the RFP references Confidential Information of Proponent and describes PEIEC's responsibility to keep confidential any information a proponent deems confidential in its response to the RFP.

**2) Section 1.5.3 Proposals to be submitted in Prescribed Format**

- a. The instructions given in that section state that two (2) hard copies of the proposal must be submitted. For environmental considerations, is it also required to provide hard copies of the annexes (hundreds of pages) or would an electronic PDF version on a USB flash drive be sufficient?

The main proposal must be submitted in hard copy (two) as well as electronic. Annexes and supplementary material may be submitted via PDF, at the discretion of the proponent. Please ensure that all mandatory components of the proposal are included in the hard copies, otherwise the proposal will be removed from consideration.

**END OF ADDENDUM.**

***Please return this sheet with your formal bid proposal.***