

Prequalification Documents

Project #31862-010

(Submission Instructions)

École secondaires catholique Sainte-Marie

Gym addition, interior renovations, and site work

Temiskaming Shores, Ontario

December 19, 2022

SUMMARY OF PREQUALIFICATION REQUIREMENTS

<u>Section #</u>	<u>Section Title</u>	<u>Mandatory</u>	<u>Evaluation Method</u>
1	CONFLICT OF INTEREST	YES	Pass / Fail
2	BONDING AND INSURANCE REQUIREMENTS	YES	Pass / Fail
.....			
3	FINANCIAL REQUIREMENTS		Points
4	MAJOR CONSTRUCTION PROJECTS UNDERWAY		Points
5	COMPANY PROFILE		Points
6	UNDERSTANDING AND METHODOLOGY FOR THE PROJECT		Points
7	TEAM EXPERIENCE AND QUALIFICATIONS		Points
8	PROJECT EXPERIENCE		Points
9	REFERENCE		Points

Prequalification Procedures:

1. Should any General Contractor (a “**Proponent**”) receive a **Fail** assessment on any of the Sections scored on the basis of Pass/Fail criteria, as agreed by the Evaluation Team, then this Fail assessment will result in disqualification. No further evaluation will be performed.
2. Only those Proponents whose prequalification submission document has met the predetermined minimum point score of 60 points, by the Evaluation Team, will be prequalified and may then be invited to submit a Stipulated Sum tender for the Work (*Refer to Page 3 and Section 6*) according to any subsequently issued Tender Documents.

PREQUALIFICATION OF PROPONENTS

Conseil scolaire catholique de district des Grandes Rivières (the “**Owner**”) invite interested General Contractors to submit a prequalification submission document in anticipation of the construction of *Gym addition, interior renovations, and site work* – Temiskaming Shores, Ontario. The scope of work for this project includes the construction of a new 812 m² gymnasium, various site work items, HVAC upgrade and interior renovations (the “**Work**”).

The new gymnasium includes the following elements:

- Full size gymnasium,
- Boys and girls change rooms,
- Accessible washroom,
- Storage and mechanical room,
- Mezzanine,
- landscaped areas and parking upgrade.

The value of the Work is estimated to have a construction value of \$8 million (*plus HST*).

- Proponents that are qualified under this process to participate in a subsequent tendering process will be required to provide a 10% bid bond as part of that process.
- Following a subsequent tendering process involving only General Contractors that have been prequalified according to this process, the successful General Contractor will also be required to provide: (i) a 50% Labour & Material Payment Bond; (ii) a 50% Performance Bond; and (iii) proof of satisfactory insurance coverage (e.g., in the amount of \$5 million for liability insurance coverage). Property insurance coverage (including completed operations coverage) and further information regarding insurance requirements will be provided to the invited prequalified General Contractors in subsequently issued Tender Documents.

896 Riverside Drive
Timmins, ON P4N 3W2

Please ensure that the package you receive is complete.

The submission package you receive should include:

<u>Section #</u>	<u>Section Title</u>	<u># of pages</u>	<u>Begins on</u>
1	Conflict of Interest	1 page	Pg. #2
2	Bonding and Insurance Requirements	1 page	Pg. #3
.....			
3	Financial Requirements	1 page	Pg. #4
4	Major Construction Projects Underway	4 pages	Pg. #5
5	Company Profile	1 page	Pg. #9
6	Understanding and Methodology for the Project	3 pages	Pg. #10
7	Team Experience and Qualifications	3 pages	Pg. #13
8	Project Experience	10 pages	Pg. #16
9	Reference	1 page	Pg. #26

Evaluation Form 5 pages

Mechanical Design Brief 11 pages

Electrical Design Brief 6 pages

Project Drawings:

<u>Drawing #</u>	<u>Drawing Title</u>
C-1	Overall Site Grading and Service Plan and Legend
A2.1	Code Review
A2.2	Fire Separation and Occupant Load Plans
A2.3	Construction Assembly Schedule
A3.1	Overall Plan – Ground Floor & General Notes
A3.2	Overall Plan – Second Floor
A6.1	Building Elevations
A7.1	Overall Building Section

Should a Proponent have a question about this process, or should it be discovered that any element of the package is missing, please contact the Project Consultant, *J.L. Richards & Associates Limited* at 31862-CSCDGR@jlrichards.ca.

Submission Instructions

- a) To be considered, **one (1) electronic version (.pdf format)** of the Prequalification Documents submission must be received by *Conseil scolaire catholique de district des Grandes Rivières*, by e-mail at construction@cscdgr.education, on or **before 1:30:00 pm, local time, Thursday, January 26, 2023**, clearly identified:

**“Prequalification Submission – General Contractor
Écoles secondaires catholique Sainte-Marie, Temiskaming Shores, Ontario.”**

Documents received after the deadline, will not be accepted.

A Guide to Submission

a) Section 1 – Conflict of Interest

Proponents must declare any conflict of interest (potential or perceived) that may arise should the Proponent be the successful General Contractor as a result of any subsequent tendering process for the Work. Proponents must do this by completing and submitting the Conflict of Interest Form at Section 1.

Failure to complete, sign and submit the Conflict of Interest Form will be evaluated as a "fail" and the Proponent will be ineligible for further evaluation or award.

b) Section 2 – Bonding and Insurance Requirements

Proponents must provide documents as required in Section 2. Failure to complete or submit each letter and certificate required by Section 2 will be evaluated as a "fail" and the Proponent will be ineligible for further evaluation or award.

c) Section 3 – Financial Requirements

Proponents should provide letters as required in Section 3. Also, Proponents agree and provide their consent to the Evaluation Team that, by the submission of their Prequalification documents for this proposed project, they grant the Evaluation Team members permission to contact the entities they have listed in Section 3.

For item #3, Proponents should provide the value of their completed construction projects on an annual basis. Please provide the net construction value (excluding HST). The total value of construction work should include the final value of all projects completed in each of the five previous years (2016 - 2021).

Failure to provide all the requested information may result in a lower evaluation score.

d) Section 4 – Major Construction Projects Underway

Proponents should list all major construction projects currently underway within their company. The submission documents allow space for up to eight (8) projects to be listed. Proponents should list only those projects that they consider major (or material in value). It is not mandatory to list eight projects. If a proponent has in excess of eight major projects currently underway they are permitted to add pages as necessary to convey the information on those additional projects. Please note that any Contact listed on these forms may be contacted for further information. Failure to provide all the requested information may result in a lower evaluation score.

e) Section 5 – Company Profile

Submit all information requested at Section 5 – including a brief history of your company, and items such as type and value of completed projects by year for the last 5 years; geographic region in which your company would traditionally operate. Proponents may choose to submit a company brochure in lieu of written submission, but the requested information should be provided (in that brochure or, if not stated in the brochure, in addition to it). In addition to the other information requested by Section 5, in the area titled “Additional Information”, Proponents are requested to provide information that demonstrates the capacity of their company to perform the Work. Failure to provide all the requested information may result in a lower evaluation score.

f) Section 6 – Understanding and Methodology for the Project

Refer to Section 6 for a detailed explanation of the requirements. Failure to provide all the requested information may result in a lower evaluation score.

g) Section 7 – Team Experience and Qualifications

Proponents should provide specific information for the Quantity Surveyor, Project Manager and Construction Site Supervisor (*Key Team Members*) that they propose to engage for full duration of the Work.

It is important that Proponents show through their Experience and Qualifications submission, that their proposed team members have experience and work history that demonstrates their ability to adequately perform their responsibilities for a project of the size and complexity of this proposed school.

Proponents should ensure that the employment history of the Key Team Members is described in detail (name of previous employers, number of years with that employer, job responsibilities with that employer).

Please note that each Key Team Member that is bilingual (French and English, both written and oral) will be considered an asset.

The Proponent acknowledges that, if it is prequalified, it will not substitute any of these key team members for other team members, without the prior written consent of the Owner.

Proponents may provide a 1-page resume for each of their proposed Key Team Members in lieu of completing Section 7 (provided that resume contains the information required by Section 7). Failure to provide all the requested information may result in a lower evaluation score.

h) Section 8 – Similar Project Experience

Part A: Similar Project Experience listed MUST meet the following criteria:

- *projects must have been completed within the last 10 years, must be of greater or equal complexity to this proposed school project and have a contract value greater than or equal to \$10,000,000. (For this second criterion to apply, the project complexity must be described in detail in the project description to enable the Owners to assess its complexity), or*
- *projects must have been completed within the last 10 years, must relate to a broader public sector contract (e.g., schools, hospitals, colleges, universities, etc.) and must have a contract value greater than or equal to \$5,000,000.*

Points will be accumulated for up to a maximum of 5 listed projects. Only those projects deemed to have met the criteria noted above will be considered in calculating the point total for this Section. Please note that any Contact listed on these forms may be contacted for further information.

Part B: The Proponent shall send the blank Part B form to each owner or prime consultant for each of the projects listed in Part A, for them to complete it. The Proponent shall then submit the completed Part B forms as part of its submission.

Failure to provide all the requested information may result in a lower evaluation score

i) Section 9 – Reference

The Owners may use, as references, the 5 owners / prime consultants identified in response to Section 8 as references for the Proponent as well as any other persons identify in the submission.

j) Prequalification Submission Evaluation Form

This Evaluation Form is provided to Proponents as an information document to describe the proposed method and scoring that the Evaluation Team will apply in completing their review of the Prequalification Document submissions.

k) Ensure Documents are Complete

Proponents should complete all the forms to the full extent required. All documents should be legible. Failure to provide completed documents or providing documents that are illegible may result in a lower evaluation score.

Submission Rules

1. Limitations of Liability

No representation, warranty or undertaking, expressed or implied, in fact or in law, is or will be made by, and no responsibility or liability is or will be accepted by the Owners in relation to this prequalification process.

2. Not a Tender, No “Contract A / Contract B”

Notwithstanding any other provision of this prequalification process, this prequalification process is not a tender and is not an offer to enter into either a bidding contract (often referred to as “Contract A”) or a contract to carry out the work (often referred to as “Contract B”).

Neither this prequalification process nor any submissions by a Proponent shall create any legal or contractual rights or obligations whatsoever on any of the Proponent or the Owners; and no legal relationship or obligation of any kind whatsoever shall be created between the Proponent or the Owners.

Despite the non-binding nature of this prequalification process as noted above, the Owners are under no obligation to entertain any diminishment of a Proponent’s submission following the prequalification submission deadline. Information will be assessed during the evaluation of submissions and accordingly, misleading or incomplete information, including withdrawn or altered submission information, could adversely impact any such evaluation and result in disqualification (in the Owners’ sole discretion).

3. Costs Incurred by Proponents

Each Proponent shall bear all costs and expenses incurred in respect of any aspect of its participation in this prequalification process. The Owners are not liable to pay any costs or expenses incurred by any Proponent in connection with this prequalification process, or to reimburse or compensate any Proponent in any manner whatsoever or under any circumstances, regardless of the outcome of the prequalification process. Furthermore, the Proponent shall not hold the Owners liable for any error or omission in any part of the prequalification process.

4. Errors and Omissions

No guarantee, representation or warranty, express or implied, is made and no responsibility of any kind is accepted by the Owners for the completeness or accuracy of any information presented in the prequalification process. Each Proponent is solely responsible for conducting its own independent research, due diligence, and any other work or investigation and seeking any other independent advice necessary for its analysis of the prequalification process and preparation of its prequalification submission. It is each Proponent’s responsibility to seek clarification from the Owners of any matter it considers to be unclear, and Proponents are to rely on their own independent analysis in preparing a prequalification submission.

5. Communications

Proponents should channel all communications regarding the prequalification process to the Project Consultant. Proponents should not attempt to make contact with any of the following:

- any director, officer, employee, subcontractor, agent, representative of any of the Owners or municipal, provincial or federal government employees or representatives connected with the Owners;
- any member of or advisor to the Evaluation Team responsible for evaluating prequalification submissions under this prequalification process; or\
- any other prospective responding firm.

Proponents shall not issue any public statement or news release pertaining to this prequalification process without the prior express consent of the Owners. The Owners reserve the right to issue public statements or news releases with respect to all aspects of this prequalification process.

6. Withdrawal of Prequalification Submission

A Proponent may withdraw its prequalification submission by providing written notice to the Owners at any time. The Owners have no obligation to return withdrawn prequalification submissions, but will not evaluate a withdrawn prequalification submission or prequalify a Proponent who has withdrawn its prequalification submission.

7. Amendment of Prequalification Submission

A Proponent may amend its prequalification submission after submission, but only if the prequalification submission is amended and resubmitted before the prequalification submission deadline. The Proponent must provide notice to the Owners in writing and replace its prequalification submission with a revised prequalification submission, in accordance with the requirements of this prequalification process. The Owners have no obligation to return amended prequalification submissions.

8. Clarification of Proponent's Prequalification Submission

The Owners may, at any time after the prequalification submission deadline, seek clarification from any Proponent in respect of that Proponent's prequalification submission, and without contacting any other Proponent. The Owners is not obliged to seek clarification of any aspect of any prequalification submission.

9. Verification of Information

The Owners shall have the right, in their sole discretion, to:

- verify any Proponent's statement or claim made in the Proponent's prequalification submission or made subsequently in an interview, site visit, oral presentation, demonstration, or discussion by whatever means the Owners may deem appropriate, including contacting persons in addition to those offered as references; and

- reject any Proponent's statement, claim or prequalification submission, if such statement, claim or prequalification submission is patently unwarranted or is questionable.

The Proponent shall co-operate in the verification of information and is deemed to consent to the Owners verifying such information from all persons and projects referenced in its prequalification submission.

10. Debriefing

Not later than 60 days following its receipt of notice that it will not be prequalified, a Proponent may contact the Owners to request a debriefing. Any request that is not received within the foregoing timeframe will not be considered. The Owners will hold any such requested debriefing within a reasonable period of time following the request.

11. Bid Protest Procedure

If a Proponent wishes to review the decision of the Owners in respect of any material aspect of the prequalification process, the Proponent shall submit a written protest ("**Protest**") to the Owners. Where appropriate, the Owners may require the Proponent to participate in a debriefing prior to making a Protest.

Any Protest that is not received within 15 days following a debriefing will not be considered and the Proponent will be notified of same in writing.

A Protest shall include the following:

- specific identification of the prequalification process provision and/or procurement procedure that is alleged to have been breached;
- a specific description of each act alleged to have breached the prequalification process provision and/or procurement procedure;
- a precise statement of other relevant facts;
- an identification of the issues to be resolved;
- the Proponent's arguments and supporting documentation; and
- the Proponent's requested remedy.

12. Rights of the Owners

In addition to any other express rights or any other rights which may be implied in the circumstances, the Owners reserve the right to:

- make public the names of any or all Proponents;
- waive formalities and accept prequalification submissions that substantially comply with the requirements of this prequalification process, in the Owners' sole discretion;
- check references other than those provided by Proponents;
- make changes, including substantial changes, to this prequalification process;
- reject a subcontractor proposed by a Proponent within a consortium;
- cancel this prequalification process at any stage, including where: (i) the Owners determine that it would not be in its best interest to proceed; or (ii) the funding for the Work has been revoked,

modified, or has not been approved – and where the Owners cancel this prequalification process, the Owners may do so without providing reasons, and the Owners may thereafter issue a new request for qualifications, request for proposals, sole source, or take no further action in respect of the matters contemplated by this prequalification process;

(g) discuss with any Proponent different or additional terms to those contained in this prequalification process or in any Proponent's prequalification submission; and

(h) disqualify any Proponent or reject any prequalification submission where:

- i. the prequalification submission contains misrepresentations or any other inaccurate or misleading information;
- ii. the Proponent fails to cooperate with the Owners and impedes the evaluation process;
- iii. the prequalification submission is determined to be non-compliant with the requirements of the prequalification process (including, without limitation, where the Proponent is subject to a real or perceived conflict of interest which cannot be resolved to the satisfaction of the Owners);
- iv. the Proponent is bankrupt or insolvent, or where bankruptcy or insolvency are a reasonable prospect;
- v. the Proponent has engaged in significant or persistent deficiencies in performance of any substantive requirement or obligation under a prior contract or contracts;
- vi. the Proponent, or any officers, directors or other key personnel of the Proponent, are subject to final judgments in respect of serious crimes or other serious offences;
- vii. the Proponent, or any officers, directors or other key personnel of the Proponent have engaged in professional misconduct or acts or omissions that adversely reflect on the commercial integrity of the Proponent;
- viii. the Proponent has failed to pay taxes; or
- ix. the Proponent (or any officer or director of the Proponent) is or has been engaged either directly or indirectly through another corporation in a legal action against any Owner, or any of its elected or appointed officers and employees, in relation to any other contract for works or services within five years of the date of this pre-qualification process. In determining whether to disqualify any Proponent or reject any prequalification submission under this clause, the Owners will consider whether the litigation is likely to affect the Proponent's ability to work effectively with the Owners, their consultants and representatives, and whether the Owners' experience with the Proponent indicates that the Owners are likely to incur increased staff and legal costs in the administration of any contract awarded to the Proponent as a result of any subsequently issued Tender Documents.

By submitting a prequalification submission, the Proponent authorizes the collection by the Owners of the information identified in this prequalification process, which the Owners may request from any third party.

13. Governing Law

This process shall be governed and construed in accordance with the laws of Ontario and the applicable laws of Canada.

14. Trade Agreements

Proponents should note that this procurement process is within the scope of Chapter 5 of the Canada Free Trade Agreement, the Trade and Cooperation Agreement between Quebec and Ontario, and Chapter 19 of the Canada-European Union Comprehensive Economic and Trade Agreement, and is subject to treaty requirements.

*** End of Document***