



THE CITY OF WINNIPEG

QUALIFICATION OPPORTUNITY NO. 864-2009

**REQUEST FOR QUALIFICATIONS FOR THE PROVISION OF MINOR BUILDING
REPAIRS AND MODIFICATIONS**

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PART B - BIDDING PROCEDURES

B1. CONTRACT TITLE

B1.1 REQUEST FOR QUALIFICATIONS FOR THE PROVISION OF MINOR BUILDING REPAIRS AND MODIFICATIONS

B2. INTENT OF QUALIFICATION

B2.1 The intent of this submission is to provide the City with sufficient information to qualify Bidders to perform Minor Building Repair and Modifications from January 1, 2010 to December 31, 2011.

B2.2 Applicants wishing to be qualified shall complete the Qualification Application and the Qualifications Questionnaire documents.

B2.2.1 Additional pertinent information may be submitted to demonstrate qualifications more fully.

B2.3 All minor building repair and modification projects are estimated to be under \$50,000.00 and will be issued to pre-qualified Bidders only. Only Bidders qualified under this Request for Qualifications will be invited to bid on projects from the pre-qualified Bidder's list on a rotating basis.

B2.4 Qualification of Bidders to bid on prospective Work shall not be construed as a commitment by the City to award contracts to any Bidder or to pay any costs incurred by the Bidder in preparing a response or otherwise in relation to this statement.

B2.5 The City reserves the right to request an update of security statement information at any time for the duration of the time period stated in B2.1.

B2.6 The City reserves the right to contact owners, owner's representatives and/or consultants that have been identified as well as the references provided in the Qualification Submission.

B2.7 The pre-qualified Bidder is obligated to inform the City, in a timely manner, of any changes to key personnel, ownership, bonding capability, financial position, security information, insurance or any other information which may affect its pre-qualified status with the City.

B2.8 The City intends to maintain a maximum of twenty pre-qualified Bidders on the pre-qualified Bidders list.

B3. SUBMISSION DEADLINE

B3.1 The Submission Deadline is 4:00 p.m. Winnipeg time, December 11, 2009.

B3.2 Qualification submissions determined by the Manager of Materials to have been received later than the Submission Deadline will not be accepted and will be returned upon request.

B3.3 The Contract Administrator or the Manager of Materials may extend the Submission Deadline by issuing an addendum at any time prior to the time and date specified in B3.1.

B4. ENQUIRIES

B4.1 All enquiries shall be directed to the Contract Administrator identified in D4.1.

B4.2 If the Applicant finds errors, discrepancies or omissions in the Qualification Opportunity, or is unsure of the meaning or intent of any provision therein, the Applicant shall notify the Contract Administrator of the error, discrepancy or omission, or request a clarification as to the meaning or intent of the provision at least five (5) Business Days prior to the Submission Deadline.

- B4.3 Responses to enquiries which, in the sole judgment of the Contract Administrator, require a correction to or a clarification of the Qualification Opportunity will be provided by the Contract Administrator to all Applicants by issuing an addendum.
- B4.4 Responses to enquiries which, in the sole judgment of the Contract Administrator, do not require a correction to or a clarification of the Qualification Opportunity will be provided by the Contract Administrator only to the Applicant who made the enquiry.
- B4.5 The Applicant shall not be entitled to rely on any response or interpretation received pursuant to B4 unless that response or interpretation is provided by the Contract Administrator in writing.

B5. ADDENDA

- B5.1 The Contract Administrator may, at any time prior to the Submission Deadline, issue addenda correcting errors, discrepancies or omissions in the Qualification Opportunity, or clarifying the meaning or intent of any provision therein.
- B5.2 The Contract Administrator will issue each addendum at least two (2) Business Days prior to the Submission Deadline, or provide at least two (2) Business Days by extending the Submission Deadline.
- B5.2.1 Addenda will be available on the Bid Opportunities page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>.
- B5.2.2 The Applicant is responsible for ensuring that he has received all addenda and is advised to check the Materials Management Branch internet site for addenda regularly and shortly before the Submission Deadline, as may be amended by addendum.
- B5.3 The Applicant shall acknowledge receipt of each addendum in Paragraph 6 of Form A: Qualification Application. Failure to acknowledge receipt of an addendum may render a Bid non-responsive.

B6. QUALIFICATION SUBMISSION

- B6.1 The Qualification Submission consists of the following components:
- (a) Form A: Qualification Application;
 - (b) Form B: Qualification Questionnaire.
- B6.2 All components of the Qualification Submission shall be fully completed or provided, and submitted by the Applicant no later than the Submission Deadline, with all required entries made clearly and completely, to constitute a responsive Qualification Submission.
- B6.3 The Qualification Submission shall be submitted enclosed and sealed in an envelope clearly marked with the Qualification Opportunity number and the Applicant's name and address.
- B6.3.1 Samples or other components of the Qualification Submission which cannot reasonably be enclosed in the envelope may be packaged separately, but shall be clearly marked with the Qualification Opportunity number, the Bidder's name and address, and an indication that the contents are part of the Bidder's Qualification Submission.
- B6.4 Bidders are advised not to include any information/literature except as requested in accordance with B6.1 and B2.2.1.
- B6.5 Bidders are advised that inclusion of terms and conditions inconsistent with the Qualification Opportunity document, including the General Conditions, may result in the Qualification Submission being determined to be non-responsive.
- B6.6 Qualification Submissions submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.

B6.7 Qualification Submissions shall be submitted to:

The City of Winnipeg
Corporate Finance Department
Materials Management Branch
185 King Street, Main Floor
Winnipeg MB R3B 1J1

B7. QUALIFICATION APPLICATION

B7.1 The Applicant shall complete Form A: Qualification Application, making all required entries.

B7.2 In Paragraph 3 of Form A: Qualification Application, the Applicant shall identify a contact person who is authorized to represent the Applicant for purposes of the Qualification.

B7.3 Paragraph 7 of Form A: Qualification Application shall be signed in accordance with the following requirements:

- (a) if the Applicant is a sole proprietor carrying on business in his own name, it shall be signed by the Applicant;
- (b) if the Applicant is a partnership, it shall be signed by the partner or partners who have authority to sign for the partnership;
- (c) if the Applicant is a corporation, it shall be signed by its duly authorized officer or officers;
- (d) if the Applicant is carrying on business under a name other than his own, it shall be signed by the registered owner of the business name, or by the registered owner's authorized officials if the owner is a partnership or a corporation.

B7.3.1 The name and official capacity of all individuals signing Form A: Qualification Application shall be printed below such signatures.

B7.3.2 All signatures shall be original.

B7.4 If a Qualification Application is submitted jointly by two or more persons, the word "Applicant" shall mean each and all such persons, and the undertakings, covenants and obligations of such joint Applicants in the Qualification Submission and the Contract, when awarded, shall be both joint and several.

B8. QUALIFICATION

B8.1 The Applicant shall:

- (a) undertake to be in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba; and
- (b) be financially capable of carrying out the terms of the Contract; and
- (c) have all the necessary experience, capital, organization, and equipment to perform the Work in strict accordance with the terms and provisions of the Contract.

B8.2 The Applicant and any proposed Subcontractor (for the portion of the Work proposed to be subcontracted to them) shall:

- (a) be responsible and not be suspended, debarred or in default of any obligations to the City (a list of suspended or debarred individuals and companies is available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>).

B8.3 The Applicant and/or any proposed Subcontractor (for the portion of the Work proposed to be subcontracted to them) shall:

- (a) have successfully carried out work similar in nature, scope and value to the Work; and

- (b) be fully capable of performing the Work required to be in strict accordance with the terms and provisions of the Contract; and
- (c) have a written workplace safety and health program if required pursuant to The Workplace Safety and Health Act (Manitoba);
- (d) have a minimum of one (1) Journeyman Carpenter, or a Carpenter eligible to write the Interprovincial Practical Exam, and one (1) unskilled labourer on staff and available in accordance with D2.3 at all times throughout the period stated in D2.1.

B8.4 The Applicant shall submit, within three (3) Business Days of a request by the Contract Administrator, proof satisfactory to the Contract Administrator of the qualifications of the Applicant and of any proposed Subcontractor.

B8.5 The Applicant shall provide, on the request of the Contract Administrator, full access to any of the Applicant's equipment and facilities to confirm, to the Contract Administrator's satisfaction, that the Applicant's equipment and facilities are adequate to perform the Work.

B9. QUALIFICATION EVALUATION

B9.1 Evaluation of Qualification Submissions shall be based on the following criteria:

- (a) Completeness of responses to stated requirements;
- (b) Qualifications of key individuals;
- (c) Construction experience;
- (d) References.

B9.2 Further to B9.1(a), the Award Authority may reject a Qualification Submission as being non-responsive if the Qualification Submission is incomplete, obscure or conditional, or contains additions, deletions, alterations or other irregularities. The Award Authority may reject all or any part of any Qualification Submission, or waive technical requirements or minor informalities or irregularities, if the interests of the City so require.

B9.3 Further to B9.1(b), the Award Authority shall reject any Qualification Submission submitted by an Applicant who does not demonstrate, in his Qualification Submission or in other information required to be submitted, that he is responsible and qualified.

B9.4 Further to B9.1(c) the Award Authority may reject the Qualification Submission as non-responsive if the key personnel identified in Clause 1 of the Qualification Questionnaire, do not have the minimum construction experience specified.

B9.5 Further to B9.1(d) the Award Authority may reject any Qualification submitted by an applicant whose references are of a continuously disapproving nature or whose work experience is not consistent with the qualifications required to perform a variety of Work for Minor Building Repairs and Modifications.

B9.6 The City may request clarification from Applicants to assist in making its evaluations.

B10. OPENING OF BIDS AND RELEASE OF INFORMATION

B10.1 Qualification Submissions will not be opened publicly.

B11. NOTIFICATION OF STATUS

B11.1 All Applicants submitting this Qualification Application shall be notified in writing regarding the acceptability of their submission.

B11.2 The Request for Qualification does not commit the City to award any contracts or to defray any costs incurred in the preparation and submission of data pursuant to this request.

- B11.3 The City reserves the right to re-issue this Request for Qualifications in the event that there are not enough pre-qualified bidders on the list. The pre-qualified Bidders already on the list will not have to re-submit.
- B11.4 Bidder's that have been on the list in previous years do not have to re-submit, but will be required to supply submissions in accordance with D11 of this Qualification Opportunity.

PART C - GENERAL CONDITIONS

C0. GENERAL CONDITIONS

- C0.1 Any work performed as a result of this Request for Qualifications will be subject to The *General Conditions for Construction* (Revision 2006 12 15).
- C0.1.1 The *General Conditions for Construction* are available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>.
- C0.2 A reference in the Qualification Opportunity to a section, clause or subclause with the prefix "**C**" designates a section, clause or subclause in the *General Conditions for Construction*.

PART D - SUPPLEMENTAL CONDITIONS

GENERAL

D1. GENERAL CONDITIONS

D1.1 In addition to the *General Conditions for Construction*, these Supplemental Conditions are applicable to the Work of the Contract.

D2. SCOPE OF WORK

D2.1 The Work to be done under the Pre-qualified Bidders List shall consist of the provision of Minor Building Repair and Modifications for the period of January 1, 2010 to December 31, 2011.

D2.2 The Work shall be done on an "as required" basis during the term of the Pre-qualified Bidders List in accordance with D2.1.

D2.2.1 The type and quantity of Work to be performed under this Pre-qualified Bidders List shall be as authorized from time to time by the Contract Administrator and/or designated representative.

D2.2.2 Subject to C7.4, the City shall have no obligation under the Pre-qualified Bidders List to purchase any quantity of any item in excess of its actual operational requirements.

D2.3 A crew shall consist of a minimum of one (1) certified Manitoba Journeyman Carpenter, or a Carpenter eligible to write the Interprovincial Practical Exam, and as required one (1) unskilled labourer able to perform a variety of Work. On certain jobs, two (2) certified Manitoba Journeyman Carpenters, or Carpenters eligible to write the Interprovincial Practical Exam, may be required at the option of the City. In this case, the City will issue Bids to Bidders who qualified for the pre-qualified Bidder's list with a minimum of two (2) certified Manitoba Journeyman Carpenters, or Carpenters eligible to write the Interprovincial Practical Exam.

D2.4 The work may be repair, maintenance and installation of building structures or components, or any other related type of Work as specified by the Contract Administrator or designated representative.

D2.5 Response for emergency repairs must be provided the same day on an as required basis, hours paid will be actual on the job time noted and approved by the Contract Administrator or designated representative.

D2.6 All materials to be used and/or incorporated in the Work shall be new and of the best quality.

D2.7 Material may, at the option of the Contract Administrator, be supplied by the Planning, Property & Development Department.

D2.8 Travel time to and from the Work Site shall be at the Contractor's own time and expense (except after normal business hours call out). Hours paid will be for actual on the job time with allowance for picking up materials, noted and approved by the Contract Administrator or designated representative.

D2.9 If asbestos or other hazardous materials are encountered during the Work of the Contract, the pre-qualified Bidder/Contractor shall stop all Work and notify the Contract Administrator immediately. Removal of hazardous materials shall be dealt with by the City and the Contractor shall await further instructions by the Contract Administrator or designated representative.

D2.10 Further to B9.4 the Contract Administrator, or designated representative, may require further qualification information in regards to the qualifications of key personnel when specific technical work is warranted.

D2.11 The City reserves the right to add or delete Bidders during the period stated in D2.1 in the best interest to the City.

D3. DEFINITIONS

D3.1 When used in this Bid Opportunity:

- (a) "**Applicant**" means any person submitting this Qualification package for the purposes of Qualifying as a Bidder of Minor Building Repairs and Modifications;
- (b) "**Bidder**" means a Bidder who is pre-qualified to bid on the Work (part of the Pre-qualified Bidders list);

D4. CONTRACT ADMINISTRATOR

D4.1 The Contract Administrator is:

Coleen Groening, C.P.P., C.P.M.
Contracts Officer
Main Floor, 185 King Street
Telephone No. (204) 986-2491
Facsimile No. (204) 949-1178

D5. SUSPENSION AND REMOVAL FROM THE PRE-QUALIFIED BIDDERS LIST

D5.1 Suspension and/or removal from the Pre-qualified Bidders List may be made by the Contract Administrator, at his/her sole discretion, for any failure on the part of the Contractor to meet any of the obligations in the work resulting from this Request for Qualification.

SUBMISSIONS

D6. AUTHORITY TO CARRY ON BUSINESS

D6.1 The Contractor shall be in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba, or if the Contractor does not carry on business in Manitoba, in the jurisdiction where the Contractor does carry on business, throughout the term of the Contract, and shall provide the Contract Administrator with evidence thereof upon request.

D7. WORKERS COMPENSATION

D7.1 The Pre-qualified Bidder shall be registered with the Workers Compensation Board of Manitoba, shall provide and maintain Workers Compensation coverage throughout the term of the Contract, and shall provide the Contract Administrator with evidence thereof upon request.

D8. INSURANCE

D8.1 The Contractor shall provide and maintain the following insurance coverage:

- (a) commercial general liability insurance, in the amount of at least two million dollars (\$2,000,000.00) inclusive, with The City of Winnipeg added as an additional insured, with a cross-liability clause, such liability policy to also contain contractual liability, unlicensed motor vehicle liability, non-owned automobile liability and products and completed operations, to remain in place at all times during the performance of the Work and throughout the warranty period;
- (b) automobile liability insurance for owned automobiles used for or in connection with the Work in the amount of at least two million dollars (\$2,000,000.00) at all times during the performance of the Work and until the date of Total Performance.

D8.2 Deductibles shall be borne by the Contractor.

D8.3 Pre-qualified Bidders shall provide the Contract Administrator with a certificate(s) of insurance, in a form satisfactory to the City Solicitor, at least two (2) Business Days prior to the commencement of any Work but in no event later than seven (7) Calendar Days from notification by the Contract Administrator.

D8.4 The Contractor shall not cancel, materially alter, or cause each policy to lapse without providing at least fifteen (15) Calendar Days prior written notice to the Contract Administrator.

D9. SECURITY CLEARANCE (LOCATIONS OTHER THAN WINNIPEG POLICE SERVICE FACILITIES BUT INCLUDING POOLS AND LIBRARIES)

D9.1 Each individual proposed to perform Work under the Contract shall be required to obtain a Criminal Record Search Certificate from the police service having jurisdiction at his place of residence.

D9.2 The Criminal Record Search shall include a **Vulnerable Sector Search**. This can be obtained by completing and providing the following in person to the Winnipeg Police Service Division 30 Clerk at Main Floor, 151 Princess Street:

- (a) Form P-612 Check the following boxes: Vulnerable Sector; and Other by inputting the Bid Opportunity Number in the space provided. This form can be found on the website at: www.winnipeg.ca/police/BPR/forms/Criminal_Record_Check_P612.doc
 - (i) individuals will need to state in section 2, of the form, that they may be working in City of Winnipeg pools, libraries and community centres;
 - (ii) individuals will need to sign and date Section 3 of the form.
- (b) Two (2) pieces of identification as stated in Bureau of Police Records on the website at: www.winnipeg.ca/police/BPR/id.stm
- (c) Fee for each individual applying for a Criminal Record Search. Fee schedule can be found on the website at: www.winnipeg.ca/police/BPR/fees.stm

D9.2.1 The original Criminal Record Search Certificate (Form P-253) will be provided by the Winnipeg Police Service to the individual applicant. The original has a validation sticker from the Winnipeg Police Service in the top right hand corner. The applicant shall:

- (a) Provide the original Criminal Record Search Certificate (Form P-253) to the Contract Administrator.

D9.3 Prior to the commencement of any Work, and during the term of the Contract if additional or replacement individuals are proposed to perform Work, the Contractor shall supply the Contract Administrator with a Criminal Record Search Certificate obtained not earlier than one (1) year prior to the Submission Deadline, or a certified true copy thereof, for each individual proposed to perform Work.

D9.4 Any individual for whom a Criminal Record Search Certificate is not provided, or for whom a Criminal Record Search Certificate indicates any convictions or pending charges related to property offences or crimes against another person, will not be permitted to perform any Work.

D9.5 Any Criminal Record Search Certificate obtained thereby will be deemed valid for the duration of the Contract subject to a repeated records search as hereinafter specified.

D9.6 Notwithstanding the foregoing, at any time during the term of the Contract, the City may, at its sole discretion and acting reasonably, require an updated criminal records search. Any individual who fails to provide a satisfactory Criminal Record Search Certificate as a result of a repeated criminal records search will not be permitted to continue to perform any Work.

D10. SECURITY CLEARANCE (WINNIPEG POLICE SERVICE FACILITIES)

D10.1 The City will conduct a Level Two Security Clearance Check, for any individual proposed to perform Work under the Contract at Winnipeg Police Service facilities.

- D10.2 The Contractor shall provide the Contract Administrator with a list of individuals proposed to perform Work under the Contract at Winnipeg Police Service facilities:
- (a) within five (5) Business Days of the request from the Contract Administrator; or
 - (b) in the case of additional or replacement individuals during the period stated in D2.1, at least thirty (30) Calendar Days before each individual is proposed to commence Work at Winnipeg Police Service facilities.
- D10.3 Each individual or Contractor proposed to perform Work during the period stated in D2.1 at Winnipeg Police Service facilities shall provide:
- (a) A list of names (including maiden names), addresses, dates of birth and telephone numbers of all immediate family members including stepbrothers, stepsisters, half-brothers and half-sisters, and their spouses, common-law spouses, boyfriends, girlfriends and their family members. The list should be typed in the following format:

John James SMITH	Dob: 45 Aug 24 (father)
123 Anywhere Street	555-5555
Winnipeg, Manitoba	
 - (b) A list of names, addresses, dates of birth and telephone numbers of four closest friends. Include information indicating when, where and how they met. The list should be typed in the following format:

Joseph James SMITH	Dob: 46 Aug 4 (best friend)
789 Anywhere Street	555-5555
Winnipeg, Manitoba	

When they met:
Where they met:
How they met:
 - (c) The name, title or position, and telephone number of the immediate supervisor.
 - (d) A list of every past address, including the dates of residence, the names of any persons with whom the residence was shared and the reason for moving.
 - (e) Identification - driver's license (with photo), birth certificate or social insurance number (SIN).
 - (a) Photocopies of the identification must be legible, signed as true copies and witnessed by the contact person stated on Paragraph 3 Form A: Bid.
 - (f) A completed Form P-608: Security Clearance Check authorization form.
 - (a) Signature of Witness shall be signed by the contact person stated on Paragraph 3 Form A: Bid.
- D10.4 Each individual shall submit the required information, form and payment to the Winnipeg Police Service Division 30 Clerk at Main Floor, 151 Princess Street:
- (a) within five (5) Business Days of the Award of Contract; or
 - (b) in the case of an additional or replacement individual during the period stated in D2.1, at least thirty (30) Calendar Days before the individual is proposed to commence Work at Winnipeg Police Service facilities.
- D10.5 Any individual for whom a satisfactory Level Two Security Clearance is not obtained will not be permitted to perform any Work within Winnipeg Police Service facilities.
- D10.6 Any satisfactory Security Clearance obtained thereby will be deemed valid for two (2) years from the date of clearance, subject to a repeated Security Clearance Check as hereinafter specified.
- (a) Each individual doing Work in a Winnipeg Police Service Facility shall provide identification upon entry to verify they have received a Level Two security clearance.

- D10.7 Notwithstanding the foregoing, at any time during the term of the Contract, the City may, at its sole discretion and acting reasonably, require a further Security Clearance Check. Any individual who fails to obtain a satisfactory Security Clearance Check as a result of a repeated Security Clearance Check will not be permitted to continue to perform Work under the Contract at Winnipeg Police Service Facilities.
- D10.8 Any individual who fails to obtain a satisfactory Security Clearance Check may request reconsideration by writing to:
- Winnipeg Police Service
Division 30
Service Security
Attn: Service Security Officer
151 Princess Street
Winnipeg, Manitoba
R3B 1L1

SCHEDULE OF WORK

D11. COMMENCEMENT

- D11.1 The Bidder/Contractor shall not be placed on the Pre-qualified Bidders List or commence any Work that results from this Request for Qualifications until:
- (a) the Contract Administrator has confirmed receipt and approval of:
- (i) evidence that the Contractor is in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba;
 - (ii) evidence of the workers compensation coverage specified in C6.15;
 - (iii) evidence of the Workplace Safety and Health Program specified in B8.3(c);
 - (iv) evidence of the Certified Journeyman Carpenter or Carpenter eligible to write the Interprovincial Practical Exam in accordance with B8.3(d);
 - (v) evidence of the insurance specified in D8;
 - (vi) the security clearances specified in:
 - (i) D9 locations other than Winnipeg Police Service Facilities but including pools and libraries;
 - (ii) D10 Winnipeg Police Service facilities.

PART E - SPECIFICATIONS

GENERAL

E1. APPLICABLE SPECIFICATIONS AND DRAWINGS

E1.1 *The City of Winnipeg Standard Construction Specifications* in its entirety, whether or not specifically listed on Form B: Prices, shall apply to the Work.

E1.1.1 *The City of Winnipeg Standard Construction Specifications* is available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>.

E1.1.2 The version in effect three (3) Business Days before the Submission Deadline shall apply.

E1.1.3 Further to C2.4(d) and C2.4(f), Specifications and Drawings prepared by the City for Work resulting from this Request for Qualifications, shall govern over *The City of Winnipeg Standard Construction Specifications*.