



**THE CITY OF WINNIPEG**

# **REQUEST FOR QUALIFICATION**

**RFQ NO. 1045-2019A**

**QUALIFYING TUNNELING CONTRACTORS FOR CONSTRUCTION OF THE  
SEMPLE TRUNK SEWER – JEFFERSON EAST COMBINED SEWER RELIEF –  
CONTRACT 5**

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## PART B - REQUEST FOR QUALIFICATION INFORMATION

### B1. DEFINITIONS

B1.1 When used in this Request for Qualification:

- (a) **"Business Day"** means any Calendar Day, other than a Saturday, Sunday, or a Statutory or Civic Holiday;
- (b) **"Calendar Day"** means the period from one midnight to the following midnight;
- (c) **"Carrier Pipe"** means the permanent pipe for operational use that is used to convey flows.
- (d) **"City"** means the City of Winnipeg as continued under The City of Winnipeg Charter, Statutes of Manitoba 2002, c. 39, and any subsequent amendments thereto;
- (e) **"City Council"** means the Council of the City of Winnipeg;
- (f) **"Commissioning Date"** means that date when construction of the contemplated Project is complete, and the Maintenance Term commences;
- (g) **"Contract"** means the combined documents consisting of the Request for Qualification package, Request for Proposal package and any documents and drawings referred to and incorporated therein together with any submissions required to be made by the Contractor after award, and all amendments to the foregoing;
- (h) **"Contract Administrator"** means the person authorized to represent the City in respect of the Request for Qualifications unless otherwise specified hereinafter;
- (i) **"Contractor"** means the person undertaking the performance of the work under the terms of the Contract;
- (j) **"Earth Pressure Balance Tunnel Boring Machine (EPBTBM)"**: means a steerable tunneling shield that achieves soil excavation by means of a rotating cutter-wheel. A key attribute of EPBM tunneling is the ability to maintain a pressurized face. The pressurized face is accomplished using a closed bulkhead wherein excavated materials at the face, mixed with injected soil conditioners such as foam, bentonite and/or polymers, are balanced against the in-situ soil and water pressures, thus providing a means of support at the face, without requiring dewatering, as the tunnel excavation is advanced.
- (k) **"Excavator Shield Tunnel Boring Machine "** means a steerable tunneling shield that achieves soil excavation by means of an excavator or roto-header. Excavation operations are performed from within the shield, and excavated soil is discharged to a conveyor or muck cart where it is transported to the ground surface for disposal.
- (l) **"Microtunneling"** means a remotely controlled, guided, pipe jacking process that provides continuous support to the excavation face and uses a pressurized bentonite slurry spoil removal system. The microtunneling process does not require routine personnel entry into the tunnel. A key element of microtunneling is the ability to control the stability of the face by applying fluid and mechanical pressure to balance the earth and groundwater pressures.
- (m) **"Microtunnel Boring Machine (MTBM)"** means a remote controlled, steerable tunneling machine that achieves soil excavation by means of a rotating cutter-wheel, and provides continuous support to the excavation face . The. Excavated soil particles are returned to the surface via a pressurized slurry or belt conveyor system;
- (n) **"may"** indicates an allowable action or feature which will not be evaluated;
- (o) **"must"** or **"shall"** indicates a mandatory requirement which will be evaluated on a pass/fail basis;
- (p) **"Open Face Rotary Wheel Tunnel Boring Machine "** means a steerable tunneling shield that achieves soil excavation by means of a rotating cutter-wheel. Excavation operations are performed from within the shield, and excavated soil is discharged to a conveyor or muck cart where it is transported to the ground surface for disposal.

- (q) **“Person”** means an individual, firm, partnership, association or corporation, or any combination thereof, and includes heirs, administrators, executors or legal representatives of a person;
- (r) **“Primary Lining”** means ground support installed in a two-pass tunnel system immediately after excavation with the Tunnel Boring Machine to stabilize the ground until the final support is installed.
- (s) **“Proponent”** means any Person or consortium submitting a Qualification Submission in response to this Request for Qualifications;
- (t) **“Single-Pass Tunneling”** means a tunnel excavation system involving tunneling and installation of the carrier pipe in a single operation;
- (u) **“should”** indicates a desirable action or feature which will be evaluated on a relative scale;
- (v) **“Site”** means the lands and other places on, under, in or through which the work is to be performed;
- (w) **“Submission or Qualification Submission”** means that portion of the Request for Qualification which must be completed or provided and submitted by the Submission Deadline;
- (x) **“Submission Deadline”** means the time and date for final receipt of Submissions;
- (y) **“Substantial Performance”** shall have the meaning attributed to it in The Builders' Liens Act (Manitoba), or any successor legislation thereto;
- (z) **“Two-Pass Tunneling”** means a tunnel excavation system involving excavation of a tunnel and installation of a temporary primary lining. A permanent carrier pipe will be installed on completion of the primary tunnel, and grouted in place;
- (aa) **“Work”** or **“Works”** means the carrying out and the doing of all things, whether of a temporary or permanent nature, that are to be done pursuant to the Contract and, without limiting the generality of the foregoing, includes the furnishing of all Plant, Material, labour and services necessary for or incidental to the fulfilment of the requirements of the Contract, including all Changes in Work which may be ordered as herein provided.

## **B2. EXECUTIVE SUMMARY**

- B2.1 City of Winnipeg Public Service has received Council approval to proceed with procurement of the Jefferson East Combined Sewer District – Contract 5 – Simple Trunk Sewer (the Project). The construction tender for which will be issued as Tender No. 1045-2019B.
- B2.2 The Project involves construction of approximately 400 metres of 1800 millimetre (nominal), and 1150 metres of 2100 millimetre (nominal) land drainage sewer (LDS) and appurtenances as part of the Jefferson East Combined Sewer Relief Project.
- B2.3 The City of Winnipeg has identified that it wishes to minimize disruption to the community and the environment by using long drive tunneling techniques that will minimize surface disruption, road closures and damage to the environment including mature urban forest.
- B2.4 The Scope of Work for Tender No. 1045-2019B will require specialized construction methods with unique risks associated with large diameter, long drive tunnel projects. The Project requires the services of an experienced Contractor with the appropriate expertise and resources. The City invites the Submission of qualifications from Proponents interested in bidding on the future Tender No. 1045-2019B.
- B2.5 The purpose of the Request for Qualification (RFQ) No. 1045-2019A is to pre-qualify bidders for Tender No. 1045-2019B, which will be advertised following completion of the pre-qualification process.
- B2.6 Only those Proponents duly notified as being successfully qualified through the RFQ process will be permitted to submit bids for Tender No. 1045-2019B.

### **B3. BACKGROUND**

- B3.1 The Jefferson East Combined Sewer Relief project has been under construction since 2011. Contracts 1 through 3 involved relief of sewer catchments, east of Main Street. This work was completed in 2013. Contract 4 involved construction of a new 2100 millimetre outfall and control chamber to the Red River, immediately north of Semple Avenue, and was completed in 2017. A connection stub to this outfall is located on Scotia Street at Semple Avenue.
- B3.2 The Semple Trunk that will be constructed under Tender No. 1045-2019B will serve as the main LDS separation trunk for the remainder of the Jefferson Combined Sewer Relief project, which will be tendered in future construction packages. A general contract breakdown figure is included in Appendix A. The work is generally bounded by Main Street to the east, Jefferson Avenue to the south, CPR rail line to the west, and Partridge Avenue to the north.

### **B4. SITE SPECIFIC CONDITIONS**

- B4.1 The City of Winnipeg is located near the geographic center of North America. The City's geographical location results in highly variable seasonal temperatures that may affect construction. During the winter, ground freezes to about 2.5 meters depth and the impact of low temperatures must be considered for construction methods, equipment operation and rates of production.
- B4.2 Winnipeg is located beneath what was once glacial Lake Agassiz and lies in a flood plain at the confluence of the Red and Assiniboine rivers, which influences both the geotechnical and hydrological characteristics of the region.
- B4.3 Draft Geotechnical soil logs are provided in Appendix B which provides preliminary factual information on the soils expected to be encountered on this project. A final Geotechnical Data Report (GDR) and Geotechnical Baseline Report (GBR) will be provided in the Tender documents, and will form part of the Contract. The GBR will form the sole contractual interpretation of expected ground conditions for this project.
- B4.4 The Work associated with the Tender will be constructed on Semple Avenue, and extend from Scotia Street to McKenzie Street. Semple Avenue is a mature residential neighborhood, with some commercial development typically adjacent to Main Street. Semple Avenue has a mature tree canopy along its entire length. Draft Design Drawings are provided in Appendix C.
- B4.5 Preliminary negotiations are underway with Canadian Pacific Railway (CPR) to utilize portions of their right-of-way west of McKenzie Street for site laydown and work space.
- B4.6 The City recognizes that long trenchless drives may require continuous operations, 24 hours per day, seven days per week during tunneling operations. The City will provide exemption to Neighbourhood Livability By-Law No. 1/2008 for critical and necessary tunneling operations required for this work. Work outside the times outlined in the By-Law will be restricted, including, but not limited to;
- (a) Operation of equipment only critical to tunnel operations;
  - (b) Use of equipment meeting stringent noise output requirements;
  - (c) Use of sound attenuation barriers and devices;
- Specific requirements for these and other criteria will be provided in the future Tender documents.

### **B5. PURPOSE OF THE REQUEST FOR QUALIFICATIONS DOCUMENT**

- B5.1 The purpose of this Request for Qualifications (RFQ) is to identify experienced and capable Proponents to successfully execute the Work of Tender No. 1045-2019B. To qualify, the Proponent should:

- (a) demonstrate an understanding of the project objectives, and have a team to provide the necessary expertise to successfully complete the Work, as requested in B25.
- (b) have the minimum amount of experience as identified in B26.
- (c) have the minimum key staff experience as identified in B27.

B5.2 The City invites qualified individuals to submit a Qualification Submission in response to this RFQ.

B5.3 After receiving the Submissions to this RFQ, the City will review all Submissions and the successfully qualified Proponents will be listed in Tender No. 1045-2019B. Only those Proponents who have gone through the prequalification process and who have successfully prequalified will be eligible to submit bids.

## **B6. WINNIPEG**

B6.1 Winnipeg is an important Canadian city, and the capital of the Province of Manitoba. Located in Western Canada, Winnipeg plays a prominent role in transportation, finance, manufacturing, agriculture and education. It is known as the Gateway to the West. The City is located near the geographic centre of North America. It lies in a flood plain at the confluence of the Red and Assiniboine rivers and started around the point now commonly known as The Forks. It is protected from flooding by the Red River Floodway. Winnipeg covers an area of 663 square kilometers.

B6.2 For information on City demographics, refer to the City of Winnipeg web site at: [https://www.winnipeg.ca/cao/pdfs/CommunityTrendsandPerformanceReportVolume1\\_2019.pdf](https://www.winnipeg.ca/cao/pdfs/CommunityTrendsandPerformanceReportVolume1_2019.pdf)

B6.3 For information related to the City's political structure, refer to the City of Winnipeg web site at: <https://winnipeg.ca/council/default.stm>

B6.4 For information related to the City's administrative structure and services refer to the City of Winnipeg web site at: <https://winnipeg.ca/interhom/toc/departments.asp>

B6.5 For information related to the City's finances refer to the City of Winnipeg web site at: <https://winnipeg.ca/finance/default.stm>

## **B7. SCOPE OF WORK**

B7.1 The Work to be done under the proposed contract shall consist of shall consist of the trenchless installation of a new 1800 mm and 2100 mm LDS Storm Sewer separation trunk on Semple Avenue from Scotia Street to McKenzie Street. Trenchless installation methods used for installation of the trunk LDS sewer must be capable of long continuous drives as indicated on the Drawings, to minimize disturbance to the community. Work will include mobilization, traffic control, construction of equipment launch and retrieval shafts, installation of pipe, installation of maintenance holes, street repairs and site restoration.

B7.2 The major components of the Work are as follows:

- (a) Mobilization;
- (b) Supply and Installation of approximately 400 m of 1800 mm diameter LDS Sewer by trenchless methods;
- (c) Supply and Installation of approximately 1150 m of 2100 mm diameter LDS by trenchless methods;
- (d) Construction of launch and retrieval shafts. A maximum of four (4) shafts are anticipated;
- (e) Installation of Manholes;
- (f) Installation of Catch Basins;

- (g) Connection of Catch Basins to the LDS; and
- (h) Site Restoration.

B7.3 The sewer Installation Methods for the new LDS trunk shall be installed by one of the following methods;

- (a) Single-pass tunneling method with pipe jacking. Acceptable pipe products shall be:
  - (i) Reinforced concrete pipe, generally designed in accordance to the latest version of ASCE 27, and manufactured in accordance to ASTM C1417;
  - (ii) Fiberglass-reinforced polymer mortar pipe (FRPMP) suitably designed and manufactured to ASTM D3262;
  - (iii) Or Approved equal.
- (b) Two-pass tunneling method with grouted in place carrier pipe. For two-pass tunnel, primary lining shall be suitably designed system, including:
  - (i) Steel rib and timber lagging;
  - (ii) Jacked steel pipe;
  - (iii) Steel liner plate;
  - (iv) Or Approved Equal.
- (c) For Two-pass tunneling the carrier pipe shall be:
  - (i) Reinforced concrete pipe, generally designed in accordance to the latest version of ASCE 27, and manufactured in accordance to ASTM C1417, or ASTM C76 pipe;
  - (ii) Fiberglass-reinforced polymer mortar pipe (FRPMP) suitably designed and manufactured to ASTM D3262;
  - (iii) Or Approved equal.

B7.4 A single pipe size, minimum internal diameter of 2100 mm will be permitted for the entire trunk installation.

B7.5 A single pipe drive for the project limits will be permitted.

B7.6 A total of a maximum of four (4) shafts will be permitted.

B7.7 Tunnel Boring Machines that may be applied to this project include:

- (a) Open Face Rotary Tunnel Boring Machine;
- (b) Earth Pressure Balance Tunnel Boring Machine;
- (c) Microtunnel Boring Machine;
- (d) Open Face Excavator Shield.

## **B8. GENERAL CONDITIONS**

B8.1 The *General Conditions for Construction* (Revision 2019 09 01) are applicable to the Work of the Contract.

B8.1.1 The *General Conditions for Construction* are available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Division website at [http://www.winnipeg.ca/matmgt/gen\\_cond.stm](http://www.winnipeg.ca/matmgt/gen_cond.stm)

## **B9. PROJECT SCHEDULE**

B9.1 The City intends to complete the evaluation of the Qualification Submissions by November 22, 2019 and proceed with the issuance of a construction Tender by November 26, 2019.

**B9.2 Estimated Preliminary Schedule**

<b>Phase</b>	<b>Approximate Date(s)</b>
1. RFQ Submission Date	November 19, 2019
2. Evaluation/Shortlist of Proponents	November 22, 2019
3. Anticipated Issuance of Tender and Tender Period	November 26, 2019
4. Anticipated Close Date for Tender	December 20, 2019
5. Contract Award	March 30, 2020
6. Construction Completion	June 30, 2021

**B10. PROCUREMENT PROCESS**

B10.1 The first stage of the procurement process for the Project is this RFQ. The City intends to invite successfully prequalified Proponents to participate in the second stage of the procurement process, the RFP.

B10.2 All RFQ Submissions shall be evaluated in accordance with the Request for Qualification.

B10.3 Following completion of the RFQ stage, successfully prequalified Proponents will be invited to provide Tender submissions in response to Tender No. 1045-2019B.

B10.4 Details on the Tender process will be provided to the Proponents in the Tender documents.

B10.5 Upon closing of the Tender period, the City's Project Team intends to provide City Council with a recommendation for award of the Contract. Award of the Contract to the recommended contractor will be subject to final approval by City Council.

B10.6 The City holds the right to contact any or all Proponents during the evaluation process to confirm the information provided.

B10.7 The City may, in its sole discretion, interview any or all Proponents during the evaluation process to provide clarification or additional information in relation to its Submission

**B11. DISCLOSURE**

B11.1 Various Persons provided information or services with respect to this Work. In the City's opinion, this relationship or association does not create a conflict of interest because of this full disclosure. Where applicable, additional material available as a result of contact with these Persons is listed below.

B11.2 The Persons are:  
 (a) N/A

**B12. CONFLICT OF INTEREST AND GOOD FAITH**

B12.1 Proponents, by responding to this RFQ, declare that no Conflict of Interest currently exists, or is reasonably expected to exist in the future.

B12.2 Conflict of Interest means any situation or circumstance where a Proponent or employee of the Proponent proposed for the Work has:  
 (a) other commitments;  
 (b) relationships;

- (c) financial interests; or
- (d) involvement in ongoing litigation;

that could or would be seen to:

- (e) exercise an improper influence over the objective, unbiased and impartial exercise of the independent judgment of the City with respect to the evaluation of Bids or award of the Contract; or
- (f) compromise, impair or be incompatible with the effective performance of a Proponent's obligations under the Contract;
- (g) has contractual or other obligations to the City that could or would be seen to have been compromised or impaired as a result of its participation in the RFQ process or the Work; or
- (h) has knowledge of confidential information (other than confidential information disclosed by the City in the normal course of the RFQ process) of strategic and/or material relevance to the RFQ process or to the Work that is not available to other proponents and that could or would be seen to give that Proponent an unfair competitive advantage.

B12.3 In connection with its Bid, each entity identified in B12.2 shall:

- (a) avoid any perceived, potential or actual Conflict of Interest in relation to the procurement process and the Work;
- (b) upon discovering any perceived, potential or actual Conflict of Interest at any time during the RFQ process, promptly disclose a detailed description of the Conflict of Interest to the City in a written statement to the Contract Administrator; and
- (c) provide the City with the proposed means to avoid or mitigate, to the greatest extent practicable, any perceived, potential or actual Conflict of Interest and shall submit any additional information to the City that the City considers necessary to properly assess the perceived, potential or actual Conflict of Interest.

B12.4 Without limiting B12.3, the City may, in its sole discretion, waive any and all perceived, potential or actual Conflicts of Interest. The City's waiver may be based upon such terms and conditions as the City, in its sole discretion, requires to satisfy itself that the Conflict of Interest has been appropriately avoided or mitigated, including requiring the Proponent to put into place such policies, procedures, measures and other safeguards as may be required by and be acceptable to the City, in its sole discretion, to avoid or mitigate the impact of such Conflict of Interest.

B12.5 Without limiting B12.3, and in addition to all contractual or other rights or rights at law or in equity or legislation that may be available to the City, the City may, in its sole discretion:

- (a) disqualify a Proponent that fails to disclose a perceived, potential or actual Conflict of Interest of the Proponent or any of its employees proposed for the Work;
- (b) require the removal or replacement of any employees proposed for the Work that has a perceived, actual or potential Conflict of Interest that the City, in its sole discretion, determines cannot be avoided or mitigated;
- (c) disqualify a Proponent or employees proposed for the Work that fails to comply with any requirements prescribed by the City pursuant to B12.4 to avoid or mitigate a Conflict of Interest; and
- (d) disqualify a Proponent if the Proponent, or one of its employees proposed for the Work, has a perceived, potential or actual Conflict of Interest that, in the City's sole discretion, cannot be avoided or mitigated, or otherwise resolved.

B12.6 The final determination of whether a perceived, potential or actual Conflict of Interest exists shall be made by the City, in its sole discretion.

### **B13. ENQUIRIES**

- B13.1 All enquiries shall be directed to the Contract Administrator identified in B14.
- B13.2 Any Proponent who has questions as to the meaning or intent of any part of this document or who believes this document contains any error, inconsistency or omission should make an enquiry prior to the Submission Deadline requesting clarification, interpretation or explanation in writing to the Contract Administrator.
- B13.3 If the Proponent finds errors, discrepancies or omissions in the document, or is unsure of the meaning or intent of any provision therein, the Proponent shall promptly notify the Contract Administrator of the error, discrepancy or omission at least five (5) Business Days prior to the Submission Deadline.
- B13.4 Responses to enquiries which, in the sole judgment of the Contract Administrator, require a correction to or a clarification of the RFQ will be provided by the Contract Administrator to all Proponents by issuing an addendum.
- B13.5 Responses to enquiries which, in the sole judgment of the Contract Administrator, do not require a correction to or a clarification of the RFQ will be provided by the Contract Administrator only to the Proponent who made the enquiry.
- B13.6 The Proponent shall not be entitled to rely on any response or interpretation received pursuant to B11 unless that response or interpretation is provided by the Contract Administrator in writing.

### **B14. CONTRACT ADMINISTRATOR**

- B14.1 The Contract Administrator is AECOM Canada Ltd., represented by:  
Jordan Thompson, P. Eng.  
Municipal Engineer  
Telephone No. 204- 928-9222  
Email Address: [Jordan.Thompson@aecom.com](mailto:Jordan.Thompson@aecom.com)

### **B15. ADDENDA**

- B15.1 The Contract Administrator may, at any time prior to the Submission Deadline, issue addenda correcting errors, discrepancies or omissions in the RFQ, or clarifying the meaning or intent of any provision therein.
- B15.2 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.
- (a) The Addenda will be available on the Bid Opportunities page at the Materials Management Division's website at <http://www.winnipeg.ca/matmgt/bidopp.asp>
- B15.3 The Proponent is responsible for ensuring that he/she has received all addenda and is advised to check the Materials Management Division's website for addenda regularly and shortly before the Submission Deadline, as may be amended by addendum.
- B15.4 The Proponent should acknowledge receipt of each addendum on Form A: Request for Qualification Application.
- B15.5 Notwithstanding B13, enquiries related to an Addendum may be directed to the Contract Administrator indicated in B14.

## **B16. CONFIDENTIALITY AND PRIVACY**

- B16.1 Information provided to a Proponent by the City or acquired by a Proponent by way of further enquiries or through investigation is confidential. Such information shall not be used or disclosed in any way without the prior written authorization of the City. The Proponent shall not make any statement of fact or opinion regarding any aspect of the RFQ and any subsequent proposal to the media or any member of the public without the prior written authorization of the City.
- B16.2 The protection of personal information and privacy will be fundamental aspects of the Project. Proponents shall comply with all applicable privacy legislation, including but not limited to the Personal Information Protection and Electronic Documents Act (Canada) ("PIPEDA"). In addition, Proponents are advised that the City is subject to The Freedom of Information and Protection of Privacy Act (Manitoba) ("FIPPA") and that the Contractor will be expected to comply with the obligations imposed upon the City pursuant to FIPPA.
- B16.3 The Proponent is advised that any information contained in any Submission may be released if required by The Freedom of Information and Protection of Privacy Act (Manitoba), by other authorities having jurisdiction, or by law or by City policy or procedures (which may include access by members of City Council).
- B16.4 All Qualification Submissions submitted to the City will be kept in confidence with the City for the sole purposes of evaluating and developing the best possible strategic option for the City. Qualification Submissions will become the property of the City. The City will have the right to make copies of all Submissions for its internal review process and to provide such copies to its staff and/or external advisors and representatives.
- B16.5 The City reserves the right to post the names of the shortlisted Proponents on its website, or otherwise make this information public at the end of the RFQ selection process.
- B16.6 All information will become and remain the property of the City; none will be returned. If the application contains any proprietary or trade secret information, said information must be indicated as such.

## **B17. NON-DISCLOSURE**

- B17.1 Proponents must not disclose any details pertaining to their RFQ and the selection process in whole or in part to anyone not specifically involved in their Submission, without the prior written approval of the City. Proponents shall not issue a news release or other public announcement pertaining to details of their Qualification Submission or the selection process without the prior written approval of the City.
- B17.2 Proponents are advised that an attempt on the part of any Proponent or any of its employees, agents, contractors or representatives to contact any members of City Council or their staff or any member of City Administration other than the Contract Administrator with respect to this RFQ solicitation, may lead to disqualification.

## **B18. NO COLLUSION**

- B18.1 Upon making a Submission to this RFQ, each Proponent shall declare that they have not participated in any collusive scheme or combine.
- B18.2 Proponents must ensure that their participation in this RFQ is conducted without collusion or fraud on their part or any of their team. Proponents and their team members shall not engage in discussions or other communications with any other Proponents or their team members regarding the preparation or submission of their responses to this RFQ. Breach of this provision may result in disqualification from the RFQ process or, if the City becomes aware of your breach of this provision after the RFP has been issued, from the RFP process.

## **B19. NO LOBBYING**

B19.1 Any form of political or other lobbying whatsoever in relation to the Project or with a view to influencing the outcome of this RFQ process is strictly prohibited. Failure to comply with this provision may result in disqualification from the RFQ process or, if the City becomes aware of your breach of this provision after the RFP has been issued, disqualification from the RFP process.

## **B20. ELIGIBILITY**

B20.1 No Persons involved with the City, or acting as a consultant or sub-consultant to the City with respect to this Project, are eligible to submit a Qualification Submission for this RFQ or participate in any manner whatsoever as a participant or advisor to any Proponent participating in this RFQ or subsequent RFP.

## **B21. OPENING OF QUALIFICATION SUBMISSIONS AND RELEASE OF INFORMATION**

B21.1 Qualification Submissions will not be opened publicly.

B21.2 After evaluation, the names of the shortlisted Proponents and their address(es) will be available on the Closed Bid Opportunities (or Public/Posted Opening & Award Results) page at The City of Winnipeg, Corporate Finance, Materials Management Division website at <http://www.winnipeg.ca/matmgt/>.

B21.3 The Proponent is advised that any information contained in any Qualification Submission may be released if required by The Freedom of Information and Protection of Privacy Act (Manitoba), by other authorities having jurisdiction, or by law or by City policy or procedures (which may include access by members of City Council).

B21.3.1 To the extent permitted, the City shall treat as confidential information, those aspects of a Qualification Submission identified by the Proponent as such in accordance with and by reference to Part 2, Section 17 or Section 18 or Section 26 of The Freedom of Information and Protection of Privacy Act (Manitoba), as amended.

B21.4 Following the award of Contract, a Proponent will be provided with information related to the evaluation of his/her submission upon written request to the Contract Administrator.

## **SUBMISSION INSTRUCTIONS**

### **B22. SUBMISSION DEADLINE**

B22.1 The Submission Deadline is 4:00 p.m. Winnipeg time, November 19, 2019.

B22.2 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 B22.1.

B22.3 Qualification Submissions will not be opened publicly.

B22.4 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 unopened.

B22.5 The Qualification Submission may be submitted by mail, courier or personal delivery, or by facsimile transmission.

B22.6 If the Qualification Submission is submitted by mail, courier or personal delivery, it shall be enclosed and sealed in an envelope clearly marked with the RFQ number and the Proponent's name and address, and shall be submitted to:

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

- B22.6.1 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 RFQ number, the Proponent's name and address, and an indication that the contents are part of the Proponent's Qualification Submission.
- B22.7 If the Qualification Submission is submitted by facsimile transmission, it shall be submitted to 204-949-1178.
- B22.7.1 The Proponent is advised that the City cannot take responsibility for the availability of the facsimile machine at any time or guarantee the successful receipt of a faxed Bid Submission.
- B22.7.2 Qualification Submissions submitted by internet electronic mail (e-mail) will not be accepted.

### **B23. QUALIFICATION SUBMISSION**

- B23.1 The Qualification Submission should consist of the following components:
- (a) Form A: Request for Qualification Application (Section A);
  - (b) Form B: Understanding of Project and Key Issues (Section B);
  - (c) Form C1: Experience of Proponent (Section C);
  - (d) Form C2: Experience of Tunneling Contractor (Section C); and
  - (e) Form D: Design and Construction Team (Section D);
- B23.2 All requirements of the RFQ should be fully completed or provided, and submitted by the Proponent no later than the Submission Deadline, with all required entries made clearly and completely.
- B23.3 Proponents are advised that inclusion of terms and conditions inconsistent with the RFQ document will be evaluated in accordance with B23.
- B23.4 All Submissions received in response to this RFQ will be kept in confidence with the sole purposes of evaluating and developing the best possible strategic option for the City.
- B23.5 Submissions and the information they contain will be the property of the City upon receipt. No Submissions will be returned.

#### **Format**

- B23.6 Proponents should submit one (1) unbound original (marked "original").
- B23.7 The Qualification Submission should be a clear and concise presentation of the required information. Each page shall be single sided, 8.5 x 11, 10 point Arial font, single line spacing.
- (a) Each section outlined in B24, B25, B26, and B27 should be separated and clearly marked with the corresponding section letter;
  - (b) Section A of the Submission, as outlined in B24, should be provided on Form A: Request for Qualification Application;
  - (c) Section B of the Submission, as outlined in B25 should be provided on Form B: Understanding of the Project and Key Issues. Additional pages may be included with Form B, not to exceed five (5) pages. If the Proponent is proposing to be pre-qualified using more than one of the Tunneling methods, then two (2) additional pages may be

included for each additional Tunneling method proposed on Form B. Pages exceeding these limits will not be evaluated.

- (d) Section C of the Submission, as outlined in B26, should be a clear and concise presentation of the required information.
  - (i) The required project references for the Proponent should be submitted using Form C;
- (e) Section D of the Submission, as outlined in B27, should be a clear and concise presentation of the required information.
  - (i) The project references for key project personnel, as outlined in B27.2(a), should be submitted;

B23.8 The City reserves the right to make additional copies of all Submissions for its internal review process and to provide such copies to its staff and external advisors.

**B24. FORM A: REQUEST FOR QUALIFICATION APPLICATION (SECTION A)**

B24.1 Further to B23.1(a), the Proponent shall complete Form A: Request for Qualifications Application, making all required entries.

B24.2 Paragraph 2 of Form A: Request for Qualifications Application shall be completed in accordance with the following requirements:

- (a) if the Proponent is a sole proprietor carrying on business in his/her own name, his/her name shall be inserted;
- (b) if the Proponent is a partnership, the full name of the partnership shall be inserted;
- (c) if the Proponent is a corporation, the full name of the corporation shall be inserted;
- (d) if the Proponent is carrying on business under a name other than his/her own, the business name and the name of every partner or corporation who is the owner of such business name shall be inserted.

B24.2.1 If the Submission is submitted jointly by two or more persons, each and all such persons shall identify themselves in accordance with B24.2.

B24.3 In Paragraph 3 of Form A: Request for Qualifications Application, the Proponent shall identify a contact person who is authorized to represent the Proponent for purposes of this RFQ.

B24.4 Paragraph 8 of Form A: Request for Qualification Application should be signed in accordance with the following requirements:

- (a) if the Proponent is sole proprietor carrying of business in his/her own name, it shall be signed by the Proponent;
- (b) if the Proponent is a partnership, it shall be signed by the partner or partners who have authority to sign for the partnership;
- (c) if the Proponent is a corporation, it shall be signed by its duly authorized officer or officers and the corporate seal, if the corporation has one, should be affixed;
- (d) if the Proponent is carrying on business under a name other than his/her 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.

B24.5 The name and official capacity of all individuals signing Form A: Request for Qualification Application should be printed below such signatures.

B24.6 All signatures should be original.

B24.7 If a Submission is submitted jointly by two or more persons, the word "Proponent" shall mean each and all such persons, and the undertakings, covenants and obligations of such joint Proponents in the Submission, shall be both jointly and several.

**B25. FORM B: UNDERSTANDING OF PROJECT AND KEY ISSUES (SECTION B)**

- B25.1 The Proponent should demonstrate an understanding of the Work and ability to successfully complete the Work described herein and presented within the appended documents utilizing their proposed Tunneling method. The Proponent may submit on more than one proposed method.
- B25.2 Submit on Form B a succinct paragraph or point form description of the overall approach proposed to be used by the Proponent for the Tunneling Work associated with Tender 1045-2019 B. The information should be provided on Form B and include responses to the main headings below:
- (a) Project Understanding
    - (i) Provide an understanding of the project objectives, key issues and risk factors.
    - (ii) Approach for dealing with Site constraints, Site access limitations and traffic movements.
    - (iii) Describe proposed methods of mitigating deviations in the Neighbourhood Livability By-Law No. 1/2008, as identified in B4.6.
  - (b) Proposed Tunneling Method
    - (i) Description of the proposed Tunneling method(s) to be used to undertake the Work in Tender 1045-2019 B. If the Proponent is proposing to be pre-qualified using more than one of the Tunneling methods, then the Proponent should submit this information for each Tunneling method proposed.
    - (ii) Describe number of drives proposed, number of shafts proposed, and any pipe upsizing proposed.
    - (iii) Describe how tunnel method will deal with obstructions, including the existing Combined Sewer on Andrews Street.
    - (iv) Describe method of shaft construction proposed.
  - (c) Proposed Tunneling Equipment
    - (i) Description of the proposed Tunneling equipment to be used to undertake the Work in Tender 1045-2019 B. including rationale for selection of equipment. If the Proponent is proposing to be pre-qualified using more than one of the Tunneling methods, then the Proponent should submit this information for each Tunneling method proposed. At a minimum, provide the manufacturer, model, year, condition and ownership of equipment;
      - (i) Proposed TBM
      - (ii) Spoil removal equipment
      - (iii) Slurry separation equipment (if required)

**B26. FORM C: EXPERIENCE OF PROPONENT / TUNNELING CONTRACTOR (SECTION C)**

- B26.1 Further to B23.1(c), the Proponent should submit information in sufficient detail for the City to evaluate the qualifications of the Proponent(s) by providing the following on Form C1:
- (a) their organization, management and plan proposed for the work;
  - (b) The Proponent should have at least ten (10) years of corporate experience in managing and performing underground pipeline installation of large diameter sewer and water works and have completed at least three (3) similar sized projects in last ten (10) years. Submit one copy of Form C1 per project. Each project should include an owner's (or owner's representative) reference complete with: company name, contact name, email address, phone number and a brief description of the project.
    - (i) At least one of the projects should have minimum construction value of \$10,000,000 Canadian Dollars.
    - (ii) Projects should include installation of pipes of a minimum diameter of 1800 mm.

- (c) Provide evidence of bonding capacity on the order of \$15,000,000 or greater in the form of a certified letter from a recognized bonding company.

**B26.2** The Proponent, subcontractor(s), or key members of the Construction Team who will directly administer, design, supervise and execute the tunneling work, should have completed at least three (3) similar projects in last ten (10) years, utilizing the proposed Tunneling Method as provided in B7.3. If the Proponent intends to submit on more than one methodology, experience for each methodology should be submitted. Submit one copy of Form C2 per project and per methodology proposed. Each project should include an owner's (or owner's representative) reference complete with: company name, contact name, email address, phone number and a brief description of the project and key project elements relating to tunneling.

- (a) All of the projects should have individual drive lengths of a minimum of 400 m.
- (b) At least one of the projects should have an individual drive equal to or greater in length than 600 m.
- (c) All of the projects should install a carrier or casing pipe with minimum internal diameters of 1800 mm with one example of a project of 2100 mm or larger.

**B27. FORM D: CONSTRUCTION TEAM (SECTION D)**

**B27.1** Further to B23.1(e), the Proponent should submit information in sufficient detail for the City to evaluate the qualifications of the key members of the design and construction team who will be directly involved in the management and execution of tunneling operations, including;

- (i) Project Manager
- (ii) Site Superintendent

**B27.2** For each key member identified in B27.1, providing information below :

- (a) Details of the Proponent's history and experience in performing large pipe tunneling work. In order to qualify, the Proponent should have at least five (5) years of experience in performing tunneling work using the methodology proposed for this Project. Projects should meet criteria listed in B26.2.
- (b) Three (3) projects similar in size and scope for each of the project team members listed below. Submit multiple copies of Form D for each team member, one per project. Each project should include two (2) references including an owner's (or owner's representative) reference complete with: company name, contact name, email address, phone number and a brief description of the project and key project elements relating to tunneling.

**B27.3** Personnel listed in B27.1 should be committed to execution of the Project. Failure to provide the listed personnel, or provision of alternate personnel with equivalent or higher experience during Tender, may be grounds for rejection of the Tender.

**B28. WORKPLACE SAFETY AND HEALTH QUALIFICATION (CONSTRUCTION AND MAINTENANCE TEAM MEMBERS)**

**B28.1** The Proponent shall, within five (5) Business Days of a request by the Contract Administrator, provide proof satisfactory to the Contract Administrator that the Proponent /Subcontractor has a workplace safety and health program meeting the requirements of The Workplace Safety and Health Act (Manitoba), by providing:

- (a) Written confirmation of a safety and health certification meeting SAFE Work Manitoba's SAFE Work Certified Standard (e.g., COR™ and SECOR™) or
  - (i) a copy of their valid Manitoba COR certificate and Letter of Good Standing (or Manitoba equivalency) as issued under the Certificate of Recognition (COR) Program administered by the Construction Safety Association of Manitoba or by the Manitoba Heavy Construction Association's WORKSAFELY™ COR™ Program; or
  - (ii) a copy of their valid Manitoba SECOR™ certificate and Letter of Good Standing (or Manitoba equivalency) as issued under the Small Employer Certificate of

Recognition Program (SECOR™) administered by the Construction Safety Association of Manitoba or by the Manitoba Heavy Construction Association's WORKSAFELY™ COR™ Program or

- (b) a report or letter to that effect from an independent reviewer acceptable to the City. (A list of acceptable reviewers and the review template are available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Division website at <http://www.winnipeg.ca/matmgt/>.)

**B29. SUBSTITUTIONS**

B29.1 If, following your Submission, you become aware that any Persons identified to participate in this Project will be unable or is likely to be unable to participate on this Project, you must immediately advise the Contract Administrator and indicate your proposed substitute Person. Failure to do so may result in disqualification of your Submission from the RFQ process or, if the City becomes aware of your breach of this provision after the RFP has been issued, from the RFP process.

**B30. NON-CONFORMING SUBMISSIONS**

B30.1 Notwithstanding B23.1, with the exception of B22.4, if a Proponent's Submission is not strictly in accordance with any provision of this RFQ, the City may, at its option:

- (a) waive the non-conformance if, in the City's opinion, the non-conformance is immaterial; or
- (b) reject the Submission as non-responsive if, in the City's opinion, the non-conformance is material.

B30.1.1 If the non-conformance is an omission, the City may, at its discretion, give the Proponent up to five (5) Business Days to supply the omitted material.

B30.2 If the requested information is not submitted by the time specified in B30.1.1, the Submission will be determined to be non-responsive.

**B31. PROPONENT'S COSTS AND EXPENSES**

B31.1 Proponents are solely responsible for their own costs and expenses in preparing and submitting a Qualification Submission and participating in the RFQ, including the provision of any additional information or attendance at meetings.

**EVALUATION**

**B32. EVALUATION CRITERIA**

B32.1 Proponents will have their Submissions evaluated in accordance with the criteria and weight factors indicated below:

EVALUATION CATEGORY	EVALUATION
<b>Conformance</b> Conformance to all mandatory requirements, or acceptable deviation therefrom.	<b>Pass/Fail</b>
<b>Section A</b> Form A: Request for Qualification Application has been completed in accordance with B24.	<b>Pass/Fail</b>
<b>Section B</b> Understanding of Project and Key Issues in accordance to B25.	<b>Pass/Fail</b>

EVALUATION CATEGORY	EVALUATION
<b>Section C</b> Experience of the Proponent / Tunneling Contractor in accordance with B26.	<b>Pass/Fail</b>
<b>Section D</b> Construction Team in accordance with B27.	<b>Pass/Fail</b>
<b>Bonding</b> Evidence of bonding capacity is provided in accordance with B26.1(c).	<b>Pass/Fail</b>

B32.2 Further to B32.1 and B30, the City may reject a Submission as being non-responsive if the Submission is incomplete, obscure or conditional, or contains additions, deletions, alterations or other irregularities. The City may reject all or any part of any Submission, or waive technical requirements or minor informalities or irregularities if the interests of the City so require.

B32.3 Further to B32.1, experience shall be evaluated considering the information submitted in reference to the Proponent's organization and plan, project experience and references submitted, in accordance with B26.

B32.4 Further to B32.1, the design/construction team shall be evaluated considering the information submitted in reference to the Proponent's organization and plan, project experience and references submitted, in accordance with B27.

B32.5 The City has full power to conduct an independent verification of information in any Submission received and generally pertaining to the qualifications and experience of the Proponent and any proposed members of its team.

B32.6 The City may, in its sole discretion, interview any or all Proponents during the evaluation process, to provide clarification or additional information in relation to its Submission.

B32.7 The Proponent must receive a pass score for each Submission section to be determined to be qualified.

**B33. NO CONTRACT**

B33.1 By submitting a Qualification Submission and participating in the process as outlined in this document, Proponents expressly agree that no contract of any kind is formed under, or arises from this RFQ, and that no legal obligations will arise.

B33.2 Although it is the intention of the City to establish a shortlist of Proponents to participate in the RFP stage of the procurement process, the City reserves the right and the full power to give notice in writing of any change to its Contract Administrator, amend any dates, schedules, limits and Scope of Work and any contract awarded, or to reject any and all Submissions, to launch a new or amended procurement process, or to decide that it will not issue the RFP, without incurring any liability in respect of costs or damages incurred by any Proponent or any member of a private sector team.

B33.3 Without limiting the generality of the foregoing, the City reserves the right and the full power to amend or cancel this RFQ, the procurement process or the Project at any time.

B33.4 If the City proceeds to request a more detailed proposal, only to Proponents determined to be qualified under the RFQ process, the City will have no obligation to award a Contract where:

- (a) only one Submission is received; or
- (b) in the judgment of the City, the interests of the City would best be served by not entering into a Contract.

- B33.5 The City reserves the right to disqualify any Proponent whose Submission, in the opinion of the City, contains false or misleading information.
- B33.6 Following the conclusion of the RFQ process, Proponents will be provided with information related to the evaluation of their Submission upon written request to the Contract Administrator.