

Schedule 18
Appendix 18B – Specifications

SECTION A GENERAL

A.1 Definitions

A.1.1 General

A.1.1.1 Capitalized terms used in this Appendix 18B have the meanings given in Schedule 18 – Technical Requirements or the Design Build Agreement.

A.2 Notes on the Technical Specifications

A.2.1 General

A.2.1.1 The Technical Specifications are organized using the 1998 MasterFormat numbering system. The following table shows the relationship between Division numbers and the associated discipline:

Division No.	Discipline
01	General Construction Requirements
02	Site Work
03	Concrete
04	Masonry
05	Metals
06	Woods and Plastics
07	Thermal and Moisture Protection
08	Doors and Windows
09	Finishes
10	Specialities
11	Process
13	Special Construction
14	Conveying Systems
15	Mechanical
16	Electrical
17	Automation

A.2.2 Issue Date

A.2.2.1 The table of contents, provided in Specification Section 00100, indicates the latest issue date for each Specification Section. The following table shows the relationship between the Design Build Agreement version number, as issued during the RFP process, and issue date for the individual Specification Section:

DBA Version No.	Issue Date
1.0	December 2023

A.2.2.2 For clarity, only individual Specification Sections that are revised during the interim DBA versions will be provided with an updated Design Build Agreement version. All Specification Sections are still part of the entire Design Build Agreement, regardless if they are issued with each interim DBA version or not. Specification Sections, in which Proposals are to be based upon are dated December 2023.

A.2.3 Specification Definitions

A.2.3.1 Some Specification Sections contain clauses on definitions. These definitions are provided for information and clarity only within the Technical Specifications and are not intended for use throughout the rest of the DBA.

A.2.3.2 Some clauses in the Technical Specifications may contained capitalized terms that are not specifically defined in the DBA. These terms may be defined terms used in referenced technical standards or guidelines, or may be generally accepted terms commonly used in these types of documents (e.g. “Shop Drawings”).

A.2.4 Submittals

A.2.4.1 Section 01300 is titled “Submittals” and most Specification Sections will contain clauses on “Submittals”. These are not to be interpreted as Submittals as defined in the DBA and neither are these submittals subject to the review procedure provided in Schedule 5 – Review Procedure.

A.2.4.2 The submittals described in Section 01300 and the clauses in other Specification Sections generally describe the expected submittals from the Design Builder’s constructor to the Design Builder’s designer for the Professional of Record’s review and acceptance.

A.2.4.3 The City may require some of these submittals as part of a Submittal for its review as part of Schedule 5 – Review Procedure. These requirements will be described in the Technical Requirements, as necessary.

A.2.4.4 Notwithstanding any of the above, the City may request for review any of these submittals as part of its general audit rights.

A.2.5 Quality Assurance

A.2.5.1 Some Specification Sections will contain clauses on “Quality Assurance”. These clauses generally describe the expected quality assurance to be performed by the Design Builder between the designer and constructor.

A.2.5.2 The City may request for review any of the quality assurance documentation as part of its general audit rights.

A.2.6 Products

A.2.6.1 Except for the Standardized Goods named Schedule 18, Appendix 18E – Standardized Goods, references to specific product makes, models and brand names in the Technical Specifications are not exclusive and may be substituted through the RFI

process outlined in the Schedule 18 - Technical Requirements, subject to authorization by the City Representative.

A.2.7 Substitution of Manufacturer

A.2.7.1 Throughout this Appendix 18B – Specifications, the City has specified manufacturers that provide products that meet the performance specifications and provide excellent long-term performance. The City will be responsible for long-term operations and maintenance upon completion of this DBA and is cautious regarding accepting substitute products. Notwithstanding, in every instance where a brand name is used, the City will consider substitutes in accordance with this Section A.2.7.

A.2.7.2 If Design Builder desires to use an alternate manufacturer, Design Builder shall submit a RFI, in accordance with Section A.5.1.5 of Schedule 18 – Technical requirements and Schedule 13 – Document Management and provide a minimum of 1 reference to an installation where the substitute was used to perform similar functions as specified in the Technical Requirements in a similar environment and has been in operation for a minimum of 5 years. The reference shall include:

- (a) a contact name with telephone number and email address;
- (b) contact person shall be able to communicate via spoken and written English.
- (c) manufacturer and model of the product installed at the reference installation;
- (d) model shall be similar to the product for which Design Builder is requesting as an approved equivalent.
- (e) date of installation;
- (f) description of the function performed by the product;
- (g) description of the operating environment in which the product was installed; and
- (h) maintenance records for the product from the date of installation, including:
 - (i) warranty claims;
 - (ii) requests for the supplier's technical support;
 - (iii) dates and duration that the product was off site receiving service; and
 - (iv) dates and duration that supplier's technical support was physically on site servicing the product.

A.2.7.3 Provide information on the supplier of the product including:

- (a) registered business name and address;
- (b) contact name with telephone number and email address;
- (c) number of years supplying the product; and
- (d) supplier's technical support staff who will respond to service questions and requests, including:
 - (i) name, telephone number, and email address;
 - (ii) such person shall be able to communicate via spoken and written English.
- (e) guarantee that the such person can physically report to the NEWPCC Facility within 24 hours of receiving a service request;
- (f) number of years that such person has been providing technical support for the product for which Design Builder is requesting an approved equivalent; and
- (g) documentation demonstrating that such person has the technical knowledge to operate, maintain and optimize the product in accordance with its intended function.

A.2.7.4 The City may contact the reference contact person to verify the information required in Section A.5.1.5 of Schedule 18 – Technical Requirements. Design Builder is solely responsible for the availability of the reference contact person. Failure by the reference contact person to respond to the City will result in the submission being rejected and such rejection will count against the maximum allowable number of submissions.

A.2.7.5 For clarity, any response by the City delivered pursuant to a RFI, shall not modify the terms of the Design Build Agreement, with the exception of those RFS where the City has indicated they will permit the substitution or variance and has subsequently been formalized in a Change Order as set out in Schedule 17 – Change Orders.

A.2.7.6 The City may authorize or reject the substitution as outlined in the RFI solely at the City's discretion. For clarity, no response by the City on a RFI and no failure by the City to provide comment, response or participate in any manner in respect of the RFI shall:

- (a) grant Design Builder authorization to proceed with the substitution;
- (b) relieve Design Builder from Design Builder's exclusive responsibility to ensure that the Project complies with the DBA;
- (c) excuse any failure by Design Builder to carry out the Work in accordance with the DBA; or
- (d) estop the City from asserting any non-compliance with the DBA.

A.2.7.7 It is Design Builder's sole responsibility to provide the information required under Section A.5.1.6 of Schedule 18 – Technical Requirements in a legible, organized manner. Failure to do so may result in the submission being rejected and such rejection will count against the maximum allowable number of submissions.

A.2.8 Further Information Requested by the City

A.2.8.1 If the City so requests, Design Builder shall submit any further or other information, data and documents that may be reasonably required for a full appreciation of any request for substitution contemplated and its implications. Design Builder shall take all such steps as may be reasonably required to satisfy the City that the proposed substitution or proposed course of action is of equal or better performance and quality and complies with the DBA and Technical Requirements.

A.2.9 Design Builder's Final Design

A.2.9.1 If Design Builder's Final Design of the facility includes elements or equipment that are not covered in this Appendix 18B, Design Builder shall prepare a specification in the same format and level of detail as in this Appendix 18B and submit it to the City for review in accordance with Schedule 5 – Review Procedure.

A.3 Notes on the Standard Construction Specifications

A.3.1 Use and Limitations

A.3.1.1 The Standard Construction Specifications shall apply to the Works on this Project, subject to the limitations and interpretations outlined herein.

A.3.1.2 The Standard Construction Specifications are found at <http://www.winnipeg.ca/matmgt/spec/>

A.3.1.3 The Standard Construction Specifications use definitions that are not consistent with the DBA. Design Builder may refer to the General Conditions for Construction Contracts (General Conditions) for the definitions used in the Standard Construction Specifications.

A.3.1.4 The General Conditions for the Standard Construction Specifications are found at http://www.winnipeg.ca/matmgt/gen_cond.stm

A.3.1.5 The General Conditions are not applicable to the DBA. Any references in the Standard Construction Specifications to clauses in the General Conditions shall not apply.

A.3.1.6 The General Requirements of the Standard Construction Specifications (Sections CW 1110, CW 1120, and CW 1130) are not applicable to the DBA. Any references in the Standard Construction Specifications to clauses in the General Requirements shall not apply.

A.3.1.7 Any sections in the Standard Construction Specifications detailing Measurement and Payment are not applicable.

A.3.1.8 All products to be as per the Approved Products in the Standard Construction Specifications for underground works and surface works unless otherwise authorized by the City Representative through the RFI process outlined in the Section A.5.1 of Schedule 18 – Technical Requirements.

- (a) in Any authority given to the Contract Administrator to interpret or make determinations on the DBA (Contract), including the Standard Construction Specifications, shall not apply.
- (b) any authority given to the Contract Administrator to give field direction to Design Builder (Contractor) shall not apply.

A.3.1.9 General, the use of the Standard Construction Specifications in the DBA is intended to apply to specific requirements for materials and construction methods and not any contractual administration procedures.

A.3.2 Interpretation

A.3.2.1 The term used Contract in the Standard Construction Specifications or in the Technical Specifications, shall be deemed to mean the DBA.

A.3.2.2 The role of the Contractor as defined by the General Conditions and the Standard Construction Specifications, and if used in the Technical Specifications, shall be deemed to mean the Design Builder (in particular, its role as the constructor) in the DBA.

A.3.2.3 Any reference to Shop Drawings as defined by the General Conditions and the Standard Construction Specifications shall be deemed to mean submittals as described in the Technical Specifications and not the Submittals as defined in the DBA which are subject to the review procedure provided in Schedule 5 – Review Procedure.

A.3.2.4 The role of the Contract Administrator as defined by the General Conditions and the Standard Construction Specifications, and if used in the Technical Specifications, shall be deemed to mean the Professional of Record, except for the following:

- (a) Any authority given to the Contract Administrator to interpret or make determinations on the DBA (Contract), including the Standard Construction Specifications, shall not apply.
- (b) Any authority given to the Contract Administrator to give field direction to Design Builder (Contractor) shall not apply.