Purpose
To outline the process by which a permanent list of vendors for construction projects was created and will be maintained.

The process meets all purchasing legislation and is acceptable as having been an open public tender. Each time construction work of less than $1,000,000 is required in one of the prequalified categories, selected vendors from the list are called to bid.

For details about the prequalification call, refer to the Physical Resources website at the following URL: http://www.pr.uoguelph.ca/pr/contractor_list_and_information.shtml. There you will find the advertisement, the instruction and inquiries and responses relating to the Request for Supplier Qualification.

Scope
Process Overview:
1. Creation of the Prequalification List
2. Notification
3. Usage of the Prequalification List
4. Maintenance and Review of the Prequalification List
   4.1. Annual and Continual Evaluation of Contractors
   4.2. Adding Vendors to the Prequalification List
   4.3. Removing Vendors from the Prequalification List

Process

1. Creation of the Prequalification List

1.1. Prequalification Committee
The Prequalification Committee included representatives from the following Physical Resources work groups: Finance and Administration, Engineering, Project Management, Architectural Services and Construction Coordination.

The committee determined the organization’s needs, developed the categories and created the RFSQ documents, ensuring compliance with purchasing requirements. As part of this process they also developed the evaluation criteria for the submissions.

Representatives from the committee, along with administrative support, reviewed each submission for compliance with mandatory criteria prior to evaluation. Any non-compliant submissions were rejected and not considered further.

Packages that were compliant were evaluated by teams of employees knowledgeable in the scope of work being evaluated. Marks were assigned following the evaluation criteria in the RFSQ. Then the Prequalification Committee determined the cutoffs and created the list.
1.2. Submission
The RFSQ was created to attract contractors as per the Broader Public Sector Directive. An invitation to submit was posted in the following locations:
- MERX
- Local Newspapers
- Area Construction Associations
- Physical Resources Website

The University prequalified the following trades:
- General Contractors
- Mechanical Contractors
- Civil Contractors
- Fire Suppression Contractors
- Electrical Contractors
- High Voltage Equipment Maintenance Contractors
- Fire Alarm System Testing and Verification Contractors
- Data/Communication Contractors
- Building Restoration Contractors
- Roofing Contractors

The cost ranges for the list are as follows:
- $0 – $50,000
- $50,001 - $ 250,000
- $250,001 - $500,000
- $500,001 - $1,000,000 (requires bonding)

1.3. Submission Requirements
Proponents were asked to provide the following information as part of their submission. This is what was evaluated to determine which proponents were selected to be on the Vendor of Record (VOR) List.
- Cover Letter and Checklist
- Organization and Experience
- Resumes
- CCDC 11-1996 (r2006)
- Reference Projects
- Insurance and Bonding
- Authorization to Obtain Financial Information and Perform Reference Checks
- Health and Safety
- Reference Letters
- Other Relevant Information

2. Notification

2.1. Notification of Award
Each successful contractor was notified by a letter advising the category and cost range(s) they have prequalified for. The successful contractors were required to attend a mandatory contractor meeting and submit the following to finalize their prequalification:
- A copy of their company Health and Safety Policy and Policy Statement
- A certificate of insurance
2.2. Notification of Regrets
Regret letters were sent to all unsuccessful contractors.

3. Usage of the Vendor of Record List

The VOR list will be used to identify potential vendors for construction work within the prequalified categories, sub-categories and cost ranges. At any point, when the University determines a need for a contractor in a category that has a VOR list, the Project Manager will use the VOR list to determine which suppliers to invite to bid or make proposals on the specific scope of work. Bidders will be selected at random from the VOR list by the Project Manager. Please note that successfully getting on the VOR list does not guarantee any work at the University. Each job is bid on individually by vendors selected from the prequalified list.

When selecting which cost range to use, the Project Manager shall determine the total anticipated final value of the work, pre-taxes. The expected value must include the anticipated base bid, all contingencies, escalation, etc. If the expected value is near a cut-off in the cost ranges, the higher cost range shall be used. If the expected range is approaching the maximum value of the VOR list, a project specific open competitive bidding process should be used instead of the VOR list.

The usage of the list will be subject to all University policies and procedures, as well as any other regulations that are in place for procurement at the time. (Note: The creation of the list satisfied the purchasing requirements of an open competitive procurement process, so all procurement within these categories and cost ranges may be done on an invitational basis.)

Any vendor on the VOR list that is in arbitration with the University over another job will not be invited to bid on any further work until the matter is settled.

All contractors on the VOR list agree to comply with the University’s Standard Terms and Conditions, and to conduct themselves in a professional manner while on site. The University will be reviewing contractor performance internally after each job. The University will be looking at aspects such as quality of work, schedule management, control of sub trades, cleanliness, budget adherence, changes, efficiency, etc., and reserves the right to remove proponents from the VOR list at any point (refer to appendix A for a blank contractor evaluation). Please see section 4 of this policy regarding maintenance, addition and removal from the list.

4. Maintenance and Review of the Vendor of Record List

4.1. Annual and Continual Evaluation
A review of contractor performance will be conducted on an annual basis, typically performed during the winter. The evaluation is based on contractor performance data (see Appendix A) and other data i.e. bid tracking and corporate information.

Additions to the list will be done on an annual basis following 4.2 below.

Removal from the list may be done at any time during the year for the reasons outlined in 4.3. Contractors removed from the list, cannot be reinstated until the minimum time from the removal date has elapsed.
4.2. Adding Vendors to the Vendor of Record List

4.2.1. Vendors may request to be added to the Vendor of Record List by completing and submitting an application package. An instruction package (dated for the original call) and sample submission can be found on the Physical Resources website at http://www.pr.uoguelph.ca/pr/contractor_list_and_information.shtml.

4.2.2. Applications may be submitted at any point during the year, and will be reviewed in the winter of that fiscal year in preparation for the following fiscal year.

4.2.3. Applications will be scored following the original evaluation criteria. To be added, vendors must receive the same or greater score than the value determined through the original RFSQ as being the minimum cut-off for original acceptance.

If changes are made to the requirements (due to regulatory or other changes), the requirements, criteria and weighing may be adjusted. Those changes will be posted with the application package.

4.2.4. The adding and removal of vendors from the Vendor of Record List must be done by a committee consisting of at least three DEC representatives. Final decisions will be endorsed by the Director, DEC.

4.2.5. Vendors that had previously been removed from the list may reapply to be put back on the list if they receive acceptable scoring. However, there is a minimum time (see 4.3.2) from the removal date that must have elapsed before the application will be considered.

4.3. Removal of Vendors from Vendor of Record List

4.3.1. Vendors may be removed for one or more of the following reasons:
- Litigation between the University and vendor
- Neglecting to bid or submitting non-compliant bids
- Receiving low satisfaction scores
- Violating University of Guelph Standard Terms and Conditions
- Violating University of Guelph policies and standard operating procedures
- Safety infractions
- Loss of business license, WSIB coverage, bonding or insurance, financial insolvency, or other significant corporate changes
- Criminal acts
- Unethical behavior
- Upon vendor request

Upon removal from the list, current contracts will still need to be fulfilled. Any outstanding RFPs, RFQs or bids to the firm at the time of removal will result in the firm being removed from consideration from those as well.

If operating standards, legalities, legislation, industry standards change, the University reserves the right to ensure compliance by all vendors on the list, and to remove the non-compliant vendors from the list.
4.3.2. Timeline for Re-applying for Addition to Vendor Record List
   - 2 years from the end of litigation
   - 2 years from the date of satisfactory resolution to the issue that resulted in that vendor’s removal from the list

4.3.3. While waiting for a committee to come to a decision on the removal of a vendor from the Vendor of Record List, no work shall be offered to the vendor in question. The vendor status shall be communicated by email to all DEC staff to ensure further work is not offered to the vendor in question.