REQUEST FOR SUPPLIER QUALIFICATION
Contractor Prequalification for Various Projects Under $2 Million

2/4/2019
TABLE OF CONTENTS

1. GENERAL INFORMATION ............................................................................................................... 4
  1.1. Purpose & Background ............................................................................................................. 4
  1.2. Expectations .............................................................................................................................. 5
  1.3. Project Description .................................................................................................................... 5
  1.4. General Mandate ....................................................................................................................... 5
    1.4.1. Design Standards ................................................................................................................... 5
  1.5. Project Authority ....................................................................................................................... 6
  1.6. Project Approvals ..................................................................................................................... 6
  1.7. Anticipated Schedule ................................................................................................................ 6
  1.8. Cancellation or Termination of the RFSQ ................................................................................ 6
    1.8.1. Termination of Consideration in the RFSQ Process ............................................................. 7
  1.9. Accessibility for Ontarians with Disabilities Act (AODA) ...................................................... 7
  1.10. Human Rights and Sexual and Gender Harassment Policies ................................................... 7

2. DEFINITIONS ...................................................................................................................................... 8

3. INSTRUCTIONS TO PROPOLENTS ................................................................................................. 9
  3.1. Submission Requirements ......................................................................................................... 9
    PART I .................................................................................................................................................. 9
    3.1.1. Overview, Organization and Experience: ............................................................................. 9
    3.1.2. CCDC 11 - 2018: .................................................................................................................. 9
    3.1.3. Reference Projects: ............................................................................................................... 9
    3.1.4. Resumes: ............................................................................................................................. 10
    PART II ............................................................................................................................................... 10
    3.1.5. Insurances and Bonding ....................................................................................................... 10
      3.1.5.1. Insurance ......................................................................................................................... 10
      3.1.5.2. Bonding .......................................................................................................................... 11
    3.1.6. Health and Safety ................................................................................................................ 11
    3.1.7. Authorization to Obtain Financial Information and Provide Reference Checks .......... 11
    3.1.8. Reference Letters ................................................................................................................ 11
3.1.9. Additional Required Submission Forms ............................................................................. 11
  3.1.9.1. Contact Information and Checklist .............................................................................. 11
  3.1.9.2. Declaration of Conflict of Interest ............................................................................... 11
  3.1.9.3. Confirmation of Terms and Conditions ........................................................................ 11

4. SUBMISSION REQUIREMENTS ..................................................................................................... 12
  4.1. General .................................................................................................................................. 12
  4.2. Submission Deadline ........................................................................................................... 13
  4.3. Modification or Withdrawal of Submission ......................................................................... 13
  4.4. Questions and Clarifications ................................................................................................ 13
  4.5. RFSQ Terms and Conditions ............................................................................................... 14
  4.6. Confidentiality ....................................................................................................................... 15
  4.7. Conflict of Interest ................................................................................................................. 15
  4.8. Acceptance of Conditions .................................................................................................... 16

5. SUBMISSION EVALUATION ......................................................................................................... 16
  5.1. Selection Process .................................................................................................................... 16
    5.1.1. Initial Evaluation ............................................................................................................... 16
      5.1.1.1. Reference Checks ....................................................................................................... 17
    5.2. Award ................................................................................................................................. 18
      5.2.1. Regrets ......................................................................................................................... 18
    5.3. Disputes .............................................................................................................................. 18
    5.4. Debriefing ........................................................................................................................... 19

APPENDICES ............................................................................................................................................ 20

Appendix A Contact Information and Checklist .................................................................................. 21
Appendix B Declaration of Conflict of Interest ..................................................................................... 23
Appendix C Confirmation of Terms and Conditions .............................................................................. 24
Appendix D Template of Standard Terms & Conditions ........................................................................ 25
1. GENERAL INFORMATION

1.1. PURPOSE & BACKGROUND

The Design, Engineering and Construction (DEC) Department of the Physical Resources (PR) Directorate is undertaking a contractor prequalification process to develop a Vendor of Record (VOR) list for various construction projects with a total value of $2,000,000 or less. The University of Guelph conducts a large number of construction projects within this value range each year. These projects can vary greatly in size, scope, trade requirements and schedule requirements. The University will use the VOR list to select contractors to bid on these construction projects. The VOR list will come into effect on May 1, 2019 for a three year term concluding April 30, 2022.

The VOR list will be separated into categories and sub-categories within the cost ranges indicated below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Sub-Category</th>
<th>Cost Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Civil Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Building Restoration Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Roofing Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Mechanical Contractor</td>
<td>HVAC</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td></td>
<td>Plumbing</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Fire Suppression Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Electrical Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>High Voltage Equipment Maintenance Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Fire Alarm System Contractor</td>
<td>Installation</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td></td>
<td>Testing &amp; Inspection</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Data / Communications Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
</tbody>
</table>

Notes:
1. See Section 2 Definitions for contractor category descriptions.
2. Contractors prequalified in the $0 - $500,000 category may be single sourced to perform work up to $25,000 on an as-needed basis.
3. Projects valued at or in excess of $100,000 are subject to the 10% lien holdback requirements of the Construction Act.
4. Projects valued at or in excess of $500,000 are subject to bonding, typically in the form of 50% labour and material bond and 50% performance bond. At the University’s discretion, projects may be subject to a bid bond.
1.2. **EXPECTATIONS**

To develop a Vendor of Record (VOR) list of contractors, who;
1. Are competent and trade certified
2. Are committed to safety and are appropriately insured (requirements are outlined in RFSQ)
3. Are financially sound
4. Provide quality work and are reliable
5. Are courtesy and professional, and
6. Provide fair pricing

1.3. **PROJECT DESCRIPTION**

The University will use the VOR list to select contractors to bid on various construction projects with a total value of $2,000,000 or less.

1.4. **GENERAL MANDATE**

The successful proponents will be expected to provide a high quality project specific to the needs of the *University*. The successful proponents will be expected to provide the *University* with all principal design and construction phase services along with any related ancillary support, site administration and testing required for a complete “turn-key” conversion and hand over to Physical Resources.

1.4.1. **DESIGN STANDARDS**

**General**

The University of Guelph, Physical Resources, has prepared the Design Standards with the intention to provide assistance during the planning, design and construction of all University facilities. These standards serve to consolidate the range of institutional knowledge retained by the Physical Resources Department Staff.

The Design Standards have been developed to establish the University’s minimum expectations and requirements for Renovations and new Construction on campus. The Standards are based on current (at the time the Design Standards were published) Codes and Standards, Industry Best Practices and the University’s preferred approach to standardizing design.

These standards are to be applied in the design of all projects, by both the University’s internal design group and external consultants. The design team is required to read, understand and comply with the full Design Standards as they apply to the project.

The Design Standard includes the minimum building requirements which the University has recognized as necessary on all projects. These standards assure uniformity, system or component quality, compatibility, ease of maintenance and operational efficiency.

The current version of Design Standard can be found at https://www.pr.uoguelph.ca/sites/uoguelph.ca.pr/files/public/imported/Design_Standards_January_2015.pdf

**Compliance Criteria**
Full compliance to the Design Standard is mandatory on projects involving any new construction except where a standard is no longer code compliant. Full compliance to the Design Standard is mandatory for new installation within projects involving significant renovations where a standard is no longer code compliant. Compliance is recommended to the extent practical and feasible for all projects involving minor renovations and rework of existing building architectural elements. Any deviations from the minimum requirements outlined in the Design Standard including those standards which are no longer code compliant must be approved by the DEC Project Manager and the DEC Discipline Manager before the completion of Schematic Design.

Responsibility of the Designer / Design Team

The Designer / Design Team remain responsible for providing a design solution that is in full compliance with applicable codes & standards in force at the time of the design. Any conflict between applicable codes & standards and the Design Standard shall be identified and presented to the DEC Project Manager together with proposed measures for addressing the conflict before completing the Schematic Design and in a timely manner as soon as they become evident.

Design Innovation

The Design Standard is not intended to preclude or constrain an innovative approach to design. It however remains the responsibility of the Designer / Design Team to demonstrate that any proposed design innovations are in general compliance with the design intent outlined in the Design Standard. All proposed design innovation shall be tabled for consideration to the DEC Project Manager before the completion of Schematic Design.

1.5. PROJECT AUTHORITY

The University’s project authority for the proposed Project is the Physical Resources Directorate.

1.6. PROJECT APPROVALS

A Steering Committee, derived from Physical Resources personnel, will be responsible for all preliminary approvals required for this project to proceed.

1.7. ANTICIPATED SCHEDULE

RFSQ Issued – February 4, 2019
RFSQ Submission Deadline – February 28, 2019
Evaluation of Submissions – March 1st to April 30th, 2019
Issuance of Contractor VOR List – May 1, 2019

1.8. CANCELLATION OR TERMINATION OF THE RFSQ

The University reserves the right to cancel or terminate this RFSQ process for the proposed services at any time. The University shall not be liable for any costs incurred by the Proponents in the preparation of their responses to this Request, and is not responsible for any liabilities, losses, or damages incurred, sustained or suffered by any interested party due to a cancellation or termination.
1.8.1. TERMINATION OF CONSIDERATION IN THE RFSQ PROCESS

The University reserves the right to not prequalify firms with whom the University is or may be in arbitration or in litigation.

If arbitration or litigation is commenced by or against a Proponent after prequalification for another project or at any time up to award of a contract, the Proponent may at the University’s discretion, be declared ineligible to be awarded a contract and removed from consideration. If removal occurs during receipt of or evaluation of any proposals, the Proponent will be declared as ineligible and any proposal returned to the Proponent and not considered.

1.9. ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA)

The University is committed to fostering, creating and maintaining an accessible environment for all individuals under the Accessibility for Ontarians with Disabilities Act (AODA).

Each Proponent agrees to:

(a) comply with the accessibility standards established under the AODA by the Ontario Government and adhere to the University's policies and procedures in regards to accessibility as well as to ensure all of its subcontractors similarly do the same;
(b) ensure that training on the requirements of the accessibility standards are provided to those of its employees who will be working with the public (students, staff, faculty, visitors or other third parties) at, or on behalf of, the University and who participate in developing the proponent's policies, practices or procedures;
(c) keep records of such training; and
(d) provide such records when required by the University.

For proponent(s) who will be working with the public (students, staff, faculty, visitors or other third parties) at, or on behalf of, the University, the University will require the successful proponent(s), upon Notice of Award, to provide to the University with a signed AODA Supplier Compliance Form prior to commencing any work for the University.

The AODA Supplier Compliance Form is available at:

https://www.uoguelph.ca/finance/sites/uoguelph.ca.finance/files/FF020.0503%20AODA%20Supplier%20Compliance%20Form.pdf

1.10. HUMAN RIGHTS AND SEXUAL AND GENDER HARASSMENT POLICIES

Proponents agree to be governed by the provisions of the Ontario Human Rights Code. In furtherance of the commitment, the Proponents agree to comply with the provisions of the University’s Human Rights Policy and Procedures. The Proponents also agree to comply with any successor policies and procedures to the document that the Owner’s Board of Governors may approve. Proponents shall refer to www.uoguelph.ca/hre/hr.shtml for more information.
2. DEFINITIONS

**Building Restoration Contractor** - a contractor specializing in any or all of the following; historic building, building envelope systems and/or building / structures rehabilitation work.

**Civil Contractor** - a contractor specializing in any or all of the following; earthworks, site servicing and/or hardscape construction.

**Conflict of Interest** – means a potential, apparent or actual conflict where the Proponents’ financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the Proponents’ responsibilities to the University, or with the Proponents’ participation in any recommendation or decision within the University or may influence the objective exercise of her/her official duties as a professional or an employee.

**Consultant** – means the architectural or engineering firm who has an Architect or an Engineer licensed to practice in Ontario on staff and could also mean a firm providing specialty services for the project.

**Contractor** – means the person or legal entity who would be the entity named in construction contract to undertake the construction of the project work.

**Data / Communications Contractor** – a contractor specializing in the design, installation and maintenance of CCTV and data communication systems.

**Designated Project Manager** – means the person selected by the Proponent as the individual responsible to manage the Project.

**Designated Site Supervisor** – means the person selected by the Proponent as the individual responsible to manage the site construction services.

**Electrical Contractor** - A licensed contractor specializing in the installation of electrical systems and components.

**Fire Alarm System Contractor** – a contractor specializing in the design, installation, maintenance and testing of fire alarm systems.

**Fire Suppression Contractor** – a contractor specializing in the design, installation, maintenance and testing of fire suppression systems (ie. sprinklers).

**General Contractor** – a general contractor or prime contractor is responsible for the day-to-day oversight of a construction site, management of vendors and trades, and the communication of information to all involved parties throughout the course of a construction project.

**High Voltage Equipment Maintenance Contractor** – a contractor specializing in the maintenance and operation of high and low voltage electrical systems. This includes, but not limited to; preventative testing and inspection of switchgear, breakers, cables and transformers as well as providing power system studies.

**Mechanical Contractor** – a contractor specializing in any or all of the following; heating or cooling systems, ductwork installations, refrigeration systems, piping and/or plumbing.
REQUEST FOR SUPPLIER QUALIFICATION
Contractor Prequalification for Various Projects Under $2 Million

Proponent – means the legal entity submitting a response to this Request for Supplier Qualification and who would be the entity named in any construction contract to undertake the design and construction of the works.

Roofing Contractor – a contractor specializing in the installation and maintenance of flat built-up and/or sloped shingled roofs.

The University – means the University of Guelph

3. INSTRUCTIONS TO PROONENTS

3.1. SUBMISSION REQUIREMENTS

Proponents shall prepare and submit their Submission in two (2) parts. Each part is to be submitted at the same time as required herein.

PART I

Proponents are required to submit the following information for Part I of their submission.

3.1.1. OVERVIEW, ORGANIZATION AND EXPERIENCE:

Provide the following on a maximum of four (4) 8½”x11” pages, single sided

1. Description of your firm and the type of services offered.
2. Company background and brief history
3. Ownership, organization and management structure
4. Names of the key personnel to be assigned
5. Experience of the firm on relevant projects

3.1.2. CCDC 11 - 2018:

Provide a completed CCDC 11 – 2018 document. The CCDC 11 – 2018 must demonstrate the following:

1. That your firm has completed and is currently working on projects of similar scope and value to the categories, sub-categories and cost ranges that are being applied for.
   a. Only General Contractors should be listing a construction contract’s total value. All other categories should be listing the value of their discipline’s project scope of work.
2. Complete contact information for clients and consultants that are referenced.
3. Limit the number of applicable projects to a maximum ten (10) within each of the three appendices;
   a. Appendix A – Major construction projects completed within the last five (5) years
   b. Appendix B – Comparable construction projects completed
   c. Appendix C – Major construction projects underway as of the date of submission of CCDC 11 - 2018

3.1.3. REFERENCE PROJECTS:

Provide an expanded summary for three (3) of the projects listed in your CCDC 11 – 2018 document. The selected projects are expected to demonstrate that your firm has a range of experience doing work in the categories, sub-categories and cost ranges being applied for. Limit of two (2) single sided pages per project. Summaries are expected to include the following:

1. Project Title and Location
2. Project Construction Value
   a. Only General Contractors should be listing a construction contract’s total value. All other categories should be listing the value of their discipline’s project scope of work.
3. Completion Date
4. Client
5. Consultant
6. Project Description – highlighting items such as scope of work, project successes, project challenges, value added, etc.

Providing less than the minimum number of projects requested above will have a negative effect on the points assigned to the “Reference Projects” category of the Evaluation Score Sheet shown in Section 5 Submission Evaluation.

3.1.4. RESUMES:
Provide resumes of project managers and site supervisors to be assigned to future projects. Resumes are expected to include the following:
1. Education
2. Professional designations
3. Years of experience
4. Project portfolio highlight items such as scope of work, contract value, client, project successes, etc.

Create and organize your Part 1 submission into the following individual files (note the required file types):

- Overview, Organization and Experience (File Type: PDF (.pdf)) – Required
- CCDC 11 – 2018 (File Type: PDF (.pdf)) – Required
- Reference Projects (File Type: PDF (.pdf)) - Required
- Resumes (File Type: PDF (.pdf)) – Required

Please note that only ONE (1) file can be uploaded for each Requested Document above. If you upload more than one file into the same slot, the previous file will be overwritten.

The maximum size of a document must not exceed 100MB. Any document exceeding this limit will not be accepted.

Please do not embed any documents within your uploaded files, as they will not be accessible or evaluated.

PART II
All documents requested in this Part of the Submission are required documents. Part II of each submission will be reviewed first by the Project Manager / Lead (or designate) for completeness. If any document requested under the Submission Requirements in Part II is missing or not in conformance with requirements, the entire Submission will be ruled as non-compliant. Non-compliant submissions will not be evaluated further.

3.1.5. INSURANCES AND BONDING

3.1.5.1. INSURANCE
A signed, valid, “Certification of Insurance” on a standard form provided by a nationally recognized insurance company is required. The certificate must include professional liability insurance of not less than $2,000,000 per occurrence, and owned automobile insurance of not less than $2,000,000.
Please be aware that the University will expect to be named as “additionally insured” to the Proponent’s insurance, should the Proponent be awarded a contract.

The University will accept a Proponent’s required certificate documents for existing insurance coverage should the Proponent not currently have the required coverage, with a written caveat, to accompany the required certificates that required insurance coverage would be increased to the University’s requirements upon award of a contract.

3.1.5.2. **BONDING**
Proponents applying in the $500,000 to $2,000,000 cost range to provide a signed, valid certificate or letter provided by a nationally recognized bonding company indicating that the Proponent can obtain a 50% performance bond and a 50% material and labour payment bond if awarded the project.

3.1.6. **HEALTH AND SAFETY**
Consistent with the University’s efforts to weave health and safety into our programs and services, the Proponent shall provide:

2. A current copy of the Proponent’s Account Rate Profile (CAD 7 or MAP) from the WSIB, documenting the Proponent’s workplace injury frequency and comparative industry averages
3. A letter confirming that your firm has a Health and Safety Policy in place that meets or exceeds the Occupational Health and Safety Act requirements.
4. A current copy of the Proponent’s Health and Safety policy statement

*Please do not include a copy of your firm’s Health and Safety Manual with this RFSQ.*

3.1.7. **AUTHORIZATION TO OBTAIN FINANCIAL INFORMATION AND PROVIDE REFERENCE CHECKS**
Each Proponent shall include a signed letter authorizing the University to obtain financial information and conduct reference checks on the Proponent as the University may require. Include contact information for the Proponent’s financial institutions including bank/credit union and accounting firm.

3.1.8. **REFERENCE LETTERS**
Each Proponent shall include written reference letters from three (3) separate clients or consultants with whom the Proponent has had direct project experience related to the proposed services. Selected references will be checked. Client Reference information to include contact name, title, e-mail address and project reference should be provided.

3.1.9. **ADDITIONAL REQUIRED SUBMISSION FORMS**

3.1.9.1. **CONTACT INFORMATION AND CHECKLIST**
Include a completed Contact Information and Checklist, found in Appendix A.

3.1.9.2. **DECLARATION OF CONFLICT OF INTEREST**
Include a completed Declaration of Conflict of Interest, found in Appendix B.

3.1.9.3. **CONFIRMATION OF TERMS AND CONDITIONS**
Include a completed Confirmation of Terms and Conditions (Appendix C) to acknowledge review, understanding and acceptance thereof.
Organize your Part 2 submission into the following individual files (note the required file types):

- **Insurance and Bonding** – copy and scan your original (File Type: PDF (.pdf)) - Required
- **Health and Safety** – copy and scan your original (File Type: PDF (.pdf)) – Required
- **Authorization to Obtain Financials** – copy and scan your original (File Type: PDF (.pdf)) - Required
- **Reference Letters** – copy and scan your original (File Type: PDF (.pdf)) - Required
- **Contact Information and Checklist** – copy our original, complete, sign and scan (File Type: PDF (.pdf)) - Required
- **Conflict of Interest** – copy our original, complete, sign and scan (File Type: PDF (.pdf)) - Required
- **Terms and Conditions** – copy our original, complete, sign and scan (File Type: PDF (.pdf)) – Required

Please note that only ONE (1) file can be uploaded for each Requested Document above. If you upload more than one file into the same slot, the previous file will be overwritten.

The maximum size of a document must not exceed 100MB. Any document exceeding this limit will not be accepted.

Please do not embed any documents within your uploaded files, as they will not be accessible or evaluated.

4. **SUBMISSION REQUIREMENTS**

4.1. **GENERAL**

The University has requested a two part submission. The first part will include general information for evaluation of the Proponent by a Selection Committee. The second part must include specific mandatory documentation and required forms.

The requirements for the Submission are outlined in Section 3.

The evaluation process is outlined in Section 5.

The University reserves the right to not prequalify firms with whom the University is or may be in arbitration or in litigation. If arbitration or litigation is commenced by or against a Proponent after prequalification for another project or at any time up to award of a contract, the Proponent shall be declared ineligible to be awarded a contract and removed from consideration.

If removal occurs during receipt of or evaluation of any proposals, the Proponent will be declared as ineligible and any proposal returned to the Proponent and not considered.

The University may, for reasonable cause such as current involvement in litigation or arbitration or previous poor performance, at any time prior to completion of evaluation of a submission, object to the use of a proposed sub-consultant and require the Proponent to propose another sub-consultant. Proponents are expected to verify the status of any sub-consultant that they may wish to engage as a part of their team.
Proponents are to prepare and submit their Proposals electronically through Bonfire at
https://uoguelph.bonfirehub.ca/p/####

*Note: Bonfire submission link to be issued via an addendum in the next 7 to 10 business
days.*

4.2. **Submission Deadline**

Submissions shall be submitted before:

3:00pm on Thursday, February 28, 2019

via Bonfire.

The Closing Time shall be determined by the Bonfire system. Submissions which complete uploading and arrive after the deadline will not be accepted and will not be considered. It is recommended that Proponents allow at least one hour before the submission deadline to begin the uploading process and to finalize your submission.

Emailed submissions will not be accepted.

The Proposal shall be signed by a duly authorized official(s) of the entity submitting a Proposal. Signatures on behalf of a non-incorporated entity or by individuals shall be witnessed. In the case of an incorporated company, the corporate seal shall be affixed to the Proposal adjacent to the authorized signature.

All erasures or other changes shall be initialed by an authorized person.

Proposals shall be completed in ink or in a typed format.

4.3. **Modification or Withdrawal of Submission**

A Submission that is in the possession of The University may be withdrawn or altered by letter or facsimile transmission bearing the signature and name of the person authorized for submitting, provided it is received prior to the submission deadline. A modification to the Submission should indicate the addition, subtraction or other changes in the Submission. All such requests will be verified by The University by telephone to the official of the company whose signature or name appears on the correspondence. Where modifications or withdrawals are made by facsimile, the Proponent shall submit the original revision/withdrawal statement within 48 hours of close of submission.

4.4. **Questions and Clarifications**

Direct all inquiries in via e-mail, to

The University of Guelph, Physical Resources
Design, Engineering and Construction
Fax: 1-519-837-0581

Attention: Justin Selby, P.Eng.
Acting Manager, Construction Coordination
e-mail: justin@pr.uoguelph.ca
REQUEST FOR SUPPLIER QUALIFICATION
Contractor Prequalification for Various Projects Under $2 Million

before 3:00pm on Friday, February 22, 2019

No clarification requests will be accepted by telephone.

Any and all changes to the RFSQ required before the submission closing will be issued in the form of a written Addendum. Addenda issued during the open period shall become part of the RFSQ. If Addenda are issued, the Proponents must acknowledge their receipt on Appendix C. Failure to acknowledge the addenda issued will result in the submission being declared as non-compliant. The University will assume no responsibility for oral instructions or suggestions.

Responses to questions or concerns or errata will be issued by addendum which will be posted to MERX.

4.5. RFSQ TERMS AND CONDITIONS

This is a Request for Supplier Qualifications (RFSQ) and not a call for bids. Accordingly, participation in this process shall not give rise to any liability, contractual or otherwise, on the part of The University. Similarly, a Submission shall not create any obligation on the part of a proponent to enter into an Agreement.

Submissions sent or received later than the specified closing time will not be accepted by Bonfire or by the University.

The University shall not be liable for any costs incurred by Proponents in the preparation of their Submission responses to this request or subsequent interviews. Furthermore, The University shall not be responsible for any liabilities, cost, loss or damage incurred, sustained or suffered by any interested party, prior or subsequent to, or by reason of the acceptance or non-acceptance by The University of any Submission, or by reason of any delay in the acceptance of the response.

The University reserves the right to modify any and all requirements stated in the Request for Supplier Qualification by an addendum at any time prior to the deadline for submissions.

The University reserves the right to accept or reject any or all Submissions following the criteria outlined in this RFSQ, and to request and obtain further information not adequately addressed in their initial Submissions or written clarification to address specific requirements from Proponents at any time.

Procurements resulting from this RFSQ will be subject to the Canadian Free Trade Agreement (CFTA) and Ontario-Quebec Trade and Cooperation Agreement and Canada-European Union Comprehensive Economic and Trade Agreement (CETA).

The University reserves the right to not prequalify firms with whom the University is or may be in litigation. If litigation is commenced by or against a Proponent after prequalification for another project or at any time up to award of a contract, the Proponent shall be declared ineligible to be awarded a contract and removed from consideration.

The University may, for reasonable cause such as current involvement in litigation or arbitration or previous poor performance, at any time prior to completion of evaluation of a submission, object to the use of a proposed sub-consultant and require the Proponent to propose another sub-consultant. Proponents are expected to verify the status of any sub-consultant that they may wish to engage as a part of their team.
The Proponent acknowledges that the University is an educational institution to which the Freedom of Information and Protection of Privacy Act (Ontario) (FIPPA) applies and agrees to cooperate with the University from time to time with respect to the University’s compliance with that statute and any regulations passed thereunder.

By responding to this RFSQ, Proponents agree and acknowledge the University’s right to:
1. Make selections for this VOR list based on the evaluation criteria outlined in this RFSQ.
2. Following issuance of this VOR list, limit the number of contractors participating in a specific project.

4.6. CONFIDENTIALITY
A Proponent receiving this RFSQ may not use, disclose, or duplicate it for any purpose other than to prepare a response.

The Proponent shall keep the University’s data confidential and shall not disclose its content to any other party, other than to those internal employees or agents responsible for preparing a submission, without the prior written approval of the University. Receipt of this RFSQ does not entitle the Proponent to associate its services with the University in any way, nor represents in any way that the University has employed or endorsed the Proponent’s services. Any such association or endorsement being contemplated by the Proponent must receive the prior written approval of The University.

The University will not disclose or share one Proponent's response to this RFSQ with other Proponents or other organizations.

A Submission indicates acceptance by the Proponent of all of the conditions contained in this Request for Supplier Qualification unless clearly and specifically noted in the Submission submitted and confirmed in the formal contract between the University and the Proponent. Deviations from the Request for Supplier Qualification must be clearly identified in the written submission.

All correspondence, documentation and information provided to staff of the University by any Proponent in connection with, or arising out of this RFSQ, and the submission will become the property of the University. The Proponent’s name shall be made public upon request.

The Proponent acknowledges that the University is an educational institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies, and agrees to cooperate with the University from time to time with respect to the University’s compliance with that statute and any regulations passed thereunder. Any confidential information supplied to the University may be disclosed by the University where it is obliged to do so under FIPPA and/or PHIPPA, by an order of a court or tribunal, or otherwise required by law.

4.7. CONFLICT OF INTEREST
The Proponent agrees to be bound by the following requirements.

Except as identified elsewhere in the Submission, the Proponent must complete the “Declaration of Conflict of Interest” form, located in Appendix B, certifying that:
1. That no person either natural or body corporate, other than the Proponent, has or will have any interest or share in this Submission or in the proposed Agreement.
2. That there is no collusion or arrangement between the Proponent and any other Proponent(s) in connection with this Project.
3. That the Proponent has no knowledge of the contents of other Submissions and has made no comparison of figures, agreements, arrangements, expressed or implied, with any other party in connection with the making of the Submission.
Neither the Proponent nor members of his/her immediate family or any employee of the Proponent shall have any direct or indirect interest in any other entity that provides goods or services to the Project. Proponents shall immediately disclose any potential conflict of interest should it arise before, during or after this RFSQ and/or any award of contract.

Neither the Proponent nor members of his/her immediate family or any employee of the Proponent shall offer or receive any reimbursement from or to any employee of The University, from or to any vendor, consultant or contractor employed by The University except as token gifts in accordance with University policy governing this matter.

4.8. ACCEPTANCE OF CONDITIONS

A Submission by the Proponent indicates acceptance of all of the conditions contained in the RFSQ unless clearly and specifically noted in the Submission and confirmed in the formal agreement between the University and the Proponent. Any deviation from the RFSQ must be clearly identified in the written submission.

The Proponent is expected to complete the Confirmation of Terms and Conditions found in Appendix C.

5. SUBMISSION EVALUATION

5.1. SELECTION PROCESS

Upon receipt of all Submissions submitted by the specified deadline, each part of the submission will be reviewed and evaluated separately.

Part II of each submission will be reviewed first by the Project Manager / Lead (or designate) for completeness. If any document requested under the Submission Requirements in Part II is missing or not in conformance with requirements, the entire Submission will be ruled as non-compliant. Non-compliant submissions will not be evaluated further.

Part I of submissions deemed to be compliant will be forwarded to a Selection / Evaluation Committee for review and evaluation.

5.1.1. INITIAL EVALUATION

An evaluation team of at least three (3) individuals will evaluate Part I of submissions deemed to be compliant. Each member of the evaluation team will score the RFSQ Submissions separately using a point system for each of the criteria. All categories will be scored on a 1 / 5 / 10 basis following scoring criteria: 1 for dominantly below average (clearly shows a differential), 5 for about average (insufficient information to make a clear decision) and 10 for above average (clearly shows a differential). The scores for each Proponent, from each of the evaluators, will be averaged. This value will be multiplied by the weight assigned to determine a final score. The weightings for evaluating each criterion are listed below.

By responding to this RFSQ Proponents agree and acknowledge that The University has the sole right of decision as to award of an agreement, or not, in this matter, following the evaluation based on criteria as proposed in this RFSQ.

This information is provided for general guidance only. The Submission evaluation will include the following criteria, as outlined in no particular order on the following chart:
### Evaluation Score Sheet

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
<th>Score (1/5/10)</th>
<th>Points</th>
<th>Justification/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overview, Organization &amp; Experience</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Project Manager(s)</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Site Supervisor(s)</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CCDC 11 - 2018</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reference Projects</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>References</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health and Safety</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.1.1.1. **Reference Checks**

Three (3) of the references provided by each Proponent will be contacted by the Project Manager / Lead (or designate).

The Reference will be asked to provide an evaluation of your association and experience with them. The evaluations will be in a table with specific criteria listed and each item will be scored on a 1 / 5 / 10 basis following scoring criteria: 1 for dominantly below average (clearly shows a differential), 5 for about average (insufficient information to make a clear decision) and 10 for above average (clearly shows a differential). The criteria will include aspects of design, documentation, responses and communications, control and co-ordination, close-out, key personnel, overall quality of work and service provided and a question – Would you work with them again?

The total points from the three (3) reference checks will be averaged (over the three) and a score assigned which will then be used in the RFSQ Evaluation Score Sheet. Averaged points will be scored on a scale of 1 to 10 – as determined by the following formula – total point score from Reference / maximum point score available * 10. Please be aware that references which are not returned will be scored at zero. The University will *not* follow-up on requests sent out.
5.2. AWARD

Selection of the Proponents (award) considered as pre-qualified for the proposed project will be based on the highest scores resulting from the evaluation. The University intends to prequalify up to twelve (12) contractors in each category, subcategory and cost range. **Proponents must score at least 100 out of a possible 200 available points to be considered for prequalification.** The final number of contractors selected will be established by a natural break in the overall scoring.

Should there be a tie in the point scores of the selected Proponents after evaluation of their submissions, the University reserves the right to either prequalify both or neither of the Proponents, depending on the cumulative point scores and relative ranking.

Each successful contractor will be notified by a letter advising the category and cost range(s) they have prequalified for. To finalize placement on the VOR list, the successful contractors will be required to submit the following to finalize their prequalification:

2. A certificate of insurance naming the University of Guelph as additional insured.
3. A signed copy of the University’s Standard Terms and Conditions document.
4. Any other documentation requested.

5.2.1. REGRETS

Regret letters will be sent to all unsuccessful contractors.

5.3. DISPUTES

In the event of a dispute arising in connection with this process including, without limitation, a dispute concerning the existence of the "bid contract" or a breach of the "bid contract", or a dispute as to whether the bid of any proponent was submitted on time or whether a submission is compliant, the University may refer the dispute to a confidential binding arbitration pursuant to the Arbitration Act, 1991, as amended, before a single arbitrator with knowledge of procurement/bidding law. In the event that the University refers the dispute to arbitration, the Proponent agrees that it is bound to arbitrate such dispute with the University. Unless the University shall refer such dispute to binding arbitration, there shall be no arbitration of such dispute.

In the event the University refers a dispute to binding arbitration, the University may give notice of the dispute to one or more of the other proponents who submitted bids, whether or not they may be compliant, each of whom shall be a party to and shall be entitled to participate in the binding arbitration, and each of whom shall be bound by the arbitrator's award, whether or not they participated in the binding arbitration.

In the event the University refers a dispute to binding arbitration, the parties to the arbitration shall exchange brief statements of their respective positions on the dispute, together with the relevant documents, and submit to a binding arbitration hearing which shall last no longer than two days, subject to the discretion of the arbitrator to increase such time. The parties further agree that there shall be no appeal from the arbitrator's award.
5.4. **DEBRIEFING**

Each Proponent who submits a response to this Request for Supplier Qualification is entitled to a debriefing process.

In the event a Proponent wishes to obtain information on their submission relative to this call for bids, the Proponent must make such a request, in writing, to the *University* within sixty (60) days after award is made.

The debriefing process will occur only after the award of a contract for the work.

The debriefing process will cover the only information relative to the Proponents submission.

The debriefing process will not address any issues, questions or concerns regarding the submission of any other Proponents.
APPENDICES
Appendix A  CONTACT INFORMATION AND CHECKLIST

Company Name: ________________________________

Contact Name: ________________________________

Address: ________________________________

________________________________________

________________________________________

Telephone: ____________  Extension: ____________

Fax: ____________

Email: ________________________________

Website: ________________________________
Select **ONE (1) of the categories on the following table that you wish to apply for. A separate package is required for each category applying for.** Where applicable, multiple sub-categories and cost ranges can be included in the same package.

<table>
<thead>
<tr>
<th>Category (Check Only One Per Submission Package)</th>
<th>Sub-Category</th>
<th>Cost Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Civil Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Building Restoration Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Roofing Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Mechanical Contractor</td>
<td>HVAC</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td></td>
<td>Plumbing</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Fire Suppression Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Electrical Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>High Voltage Equipment Maintenance Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Fire Alarm System Contractor</td>
<td>Installation</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td></td>
<td>Testing &amp; Inspection</td>
<td>$0 - $500,000</td>
</tr>
<tr>
<td>Data / Communications Contractor</td>
<td></td>
<td>$0 - $500,000</td>
</tr>
</tbody>
</table>
Appendix B  DECLARATION OF CONFLICT OF INTEREST

REQUEST FOR SUPPLIER QUALIFICATION
Project Number: [Contractor Prequalification for Various Projects Under $2 Million]

Conflict of Interest - means a potential, apparent or actual conflict where Proponents’ financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the Proponents’ responsibilities to the University, or with the Proponents’ participation in any recommendation or decision within the University or may influence the objective exercise of her/her official duties as a professional or an employee.

☐ NO CONFLICT OF INTEREST as defined and as per Section 4.7 of RFSQ

☐ CONFLICT OF INTEREST (Explain Below)

............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................
............................................................................................................................................................................

(attach additional pages as required to fully explain)

I declare that the information given above is true to the best of my knowledge and belief.

Company Name: ..............................................................................................................................................................

Date: ................................................................................................................................................................................

Authorized Signature .......................................................................................................................................................

Name: ..............................................................................................................................................................................

Title: ..............................................................................................................................................................................

SUBMIT WITH SUBMISSION
Appendix C CONFIRMATION OF TERMS AND CONDITIONS

REQUEST FOR SUPPLIER QUALIFICATION
Project Number: [Contractor Prequalification for Various Projects Under $2 Million]

I/we have carefully examined the documents and have a clear and comprehensive knowledge of the requirements and have submitted all relevant data. I hereby acknowledge that I have read, understand and agree to the terms and conditions as listed in the RFSQ.

Unless expressly indicated otherwise in the submission, or unless otherwise agreed to by the University, all the terms and conditions of this Request for Supplier Qualification are accepted by the Proponent and incorporated in its fee proposal that may later form part of the Agreement between the University and the Proponent.

I/we herein expressly waive any right of action against the University, its employees, agents, or assigns, arising out of or in connection with its participation in this RFSQ process.

I/we agree that any additional terms and conditions noted or attached which are considered as extraneous by the University may render the entire submission as non-compliant and not considered further.

I/we herein acknowledge receipt of Addenda #______ to #______ inclusive.

Firm Name: ____________________________________________________
(Proponent’s full legal name)

Signature of Signing Officer: ____________________________________________
(I have the authority to bind the Corporation)

Print Name: _______________________________________________________
Title: _____________________________________________________________
E-Mail Address: _____________________________________________________
Address: __________________________________________________________
Postal Code: _________________________________________________________
Date: _______________________________________________________________
Phone # (_____) _________________________________________________
Fax # (_____) _____________________________________________________
Witness Signature: ________________________________________________
Witness Printed Name: _____________________________________________
REQUEST FOR SUPPLIER QUALIFICATION
Contractor Prequalification for Various Projects Under $2 Million

Appendix D TEMPLATE OF STANDARD TERMS & CONDITIONS