



THE CITY OF WINNIPEG

BID OPPORTUNITY NO. 527-2006

**REQUEST FOR QUALIFICATIONS FOR THE PROVISION OF MINOR HEATING
AND AIR CONDITIONING MAINTENANCE AND MODIFICATIONS**

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PART B - BIDDING PROCEDURES

B1. PROJECT TITLE

B1.1 REQUEST FOR QUALIFICATIONS FOR THE PROVISION OF MINOR HEATING AND AIR CONDITIONING MAINTENANCE AND MODIFICATIONS

B2. INTENT OF QUALIFICATION

B2.1 The intent of this submission is to provide the City with sufficient information to qualify Bidders to perform Minor Heating and Air Conditioning Maintenance & Modifications from January 1, 2007 to December 31, 2008.

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

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

B2.3 All minor heating and air conditioning maintenance & modifications projects are estimated to be under \$50,000 and will be issued to pre-qualified Bidders only. Only Bidders qualified under this Request for Qualifications will be invited to bid on projects from the pre-qualified Bidders list on a rotating basis.

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

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

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

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

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

B3. SUBMISSION DEADLINE

B3.1 The Submission Deadline is 4:00 p.m. Winnipeg time, November 15, 2006.

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

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

B4. ENQUIRIES

B4.1 All enquiries shall be directed to the Contract Administrator identified in D5.1.

B4.2 If the Applicant finds errors, discrepancies or omissions in the Qualification Opportunity, or is unsure of the meaning or intent of any provision therein, the Applicant shall notify the Contract

Administrator of the error, discrepancy or omission, or request a clarification as to the meaning or intent of the provision at least five (5) Business Days prior to the Submission Deadline.

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

B5. ADDENDA

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

B6. QUALIFICATION SUBMISSION

- B6.1 The Qualification Submission consists of the following components:
- (a) Form A: Qualification Application;
 - (b) Form B: Qualification Questionnaire.
- B6.2 The Qualification Submission shall be submitted enclosed and sealed in an envelope clearly marked with the Qualification Opportunity number and the Applicant's name and address.
- B6.2.1 Samples or other components of the Qualification Submission which cannot reasonably be enclosed in the envelope may be packaged separately, but shall be clearly marked with the Qualification Opportunity number, the Applicant's name and address, and an indication that the contents are part of the Applicant's Qualification Submission.
- B6.3 Qualification Submissions submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.
- B6.4 Qualification Submissions shall be submitted to:
- The City of Winnipeg
Corporate Finance Department

Materials Management Division
185 King Street, Main Floor
Winnipeg, MB R3B 1J1

B7. QUALIFICATION APPLICATION

- B7.1 The Applicant shall complete Form A: Qualification Application, making all required entries.
- B7.2 In Paragraph 3 of Form A: Qualification Application, the Applicant shall identify a contact person who is authorized to represent the Applicant for purposes of the Qualification.
- B7.3 Paragraph 7 of Form A: Qualification Application shall be signed in accordance with the following requirements:
- (a) if the Applicant is a sole proprietor carrying on business in his own name, it shall be signed by the Applicant;
 - (b) if the Applicant is a partnership, it shall be signed by the partner or partners who have authority to sign for the partnership;
 - (c) if the Applicant is a corporation, it shall be signed by its duly authorized officer or officers;
 - (d) if the Applicant is carrying on business under a name other than his own, it shall be signed by the registered owner of the business name, or by the registered owner's authorized officials if the owner is a partnership or a corporation.
- B7.3.1 The name and official capacity of all individuals signing Form A: Qualification Application shall be printed below such signatures.
- B7.3.2 All signatures shall be original.
- B7.4 If a Qualification Submission is submitted jointly by two or more persons, the word "Applicant" shall mean each and all such persons, and the undertakings, covenants and obligations of such joint Applicants in the Qualification Submission and the Contract, when awarded, shall be both joint and several.

B8. QUALIFICATION

- B8.1 The Applicant shall:
- (a) undertake to be in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba;
 - (b) be responsible and not be suspended, debarred or in default of any obligation to the City;
 - (c) be financially capable of carrying out the terms of the Contract;
 - (d) have all the necessary experience, capital, organization, and equipment to perform the Work in strict accordance with the terms and provisions of the Contract;
 - (e) have successfully carried out work, similar in nature, scope and value to the Work;
 - (f) employ only Subcontractors who:
 - (i) are responsible and not suspended, debarred or in default of any obligation to the City (a list of suspended or debarred individuals and companies is available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>); and
 - (ii) have successfully carried out work similar in nature, scope and value to the portion of the Work proposed to be subcontracted to them, and are fully capable of performing the Work required to be done in accordance with the terms of the Contract;

- (g) have a written workplace safety and health program in accordance with The Workplace Safety and Health Act (Manitoba);
- (h) have a minimum of one (1) Licensed Journeyman Commercial Refrigeration & Air Conditioning Mechanic and one unskilled labourer on staff and available in accordance with D2.1 at all times during the period stated in D2.1.

B8.2 The Applicant shall be prepared to submit, within three (3) Business Days of a request by the Contract Administrator, proof satisfactory to the Contract Administrator of the qualifications of the Applicant and of any proposed Subcontractor.

B8.3 The Applicant shall provide, on the request of the Contract Administrator, full access to any of the Applicant's equipment and facilities to confirm, to the Contract Administrator's satisfaction, that the Applicant's equipment and facilities are adequate to perform the Work.

B9. QUALIFICATION EVALUATION

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

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

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

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

B9.4 Further to B9.1(c) the Award Authority may reject the Qualification Submission as non-responsive if the key personnel identified in Clause 1 of the Qualification Questionnaire, do not possess a valid Commercial Refrigeration and Air-Conditioning Mechanics Certificate and do not have the minimum construction experience specified.

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

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

B10. OPENING OF BIDS AND RELEASE OF INFORMATION

B10.1 Qualification Submissions will not be opened publicly.

B11. NOTIFICATION OF STATUS

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

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

B11.3 The City reserves the right to re-issue this Request for Qualifications in the event that there is not enough pre-qualified bidders on the list. The pre-qualified Bidders already on the list will not have to re-submit.

PART C - GENERAL CONDITIONS

C1. GENERAL CONDITIONS

C1.1 Any work performed as a result of this Request for Qualifications will be subject to The *General Conditions for Construction Contracts* (Revision 2000 11 09).

C1.1.1 The *General Conditions for Construction Contracts* are available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt>.

PART D - SUPPLEMENTAL CONDITIONS

GENERAL

D1. GENERAL CONDITIONS

- D1.1 In addition to the *General Conditions for Construction Contracts*, these Supplemental Conditions are applicable to any Work that results from this Request for Qualifications Opportunity.
- D1.2 The General Conditions are amended by striking out "The City of Winnipeg Act" wherever it appears in the General Conditions and substituting "The City of Winnipeg Charter".
- D1.3 The General Conditions are amended by striking out "Tender Package" wherever it appears in the General Conditions and substituting "Bid Opportunity".
- D1.4 The General Conditions are amended by striking out "Tender Submission" wherever it appears in the General Conditions and substituting "Bid Submission".
- D1.5 The General Conditions are amended by deleting GC:6.16 and GC:6.17. The City of Winnipeg is now within the jurisdiction of the Manitoba Ombudsman pursuant to The Ombudsman Act.

D2. SCOPE OF WORK

- D2.1 The Work to be done under the Pre-qualified Bidders List shall consist of the provision of Minor Heating and Air Conditioning Maintenance & Modifications for the period January 1, 2007 to December 31, 2008.
- D2.2 The Work shall be done on an "as required" basis during the term of the Pre-qualified Bidders List in accordance with D2.1.
- D2.2.1 The type and quantity of Work to be performed under this Pre-qualified Bidders List shall be as authorized from time to time by the Contract Administrator and/or Users.
- D2.2.2 Subject to GC.4.07, the City shall have no obligation under the Pre-qualified Bidders List to purchase any quantity of any item in excess of its actual operational requirements.
- D2.3 A crew shall consist of a minimum of One (1) journeyman Commercial Refrigeration and Air-Conditioning Mechanic and as required one (1) unskilled labourer able to perform a variety of Work. On certain jobs, two (2) journeymen Commercial Refrigeration and Air-Conditioning Mechanics may be required at the option of the City. In this case, the City will issue Bids to Bidders who qualified for the pre-qualification Bidders list with a minimum of two (2) journeymen Commercial Refrigeration and Air-Conditioning Mechanics.
- D2.4 The Work may be repair, maintenance and installation of building heating and air conditioning systems or components, or any other related type of Work as specified by the Contract Administrator or designated representative.
- D2.5 Response for emergency repairs must be provided the same day on an as required basis, hours paid will be actual on the job time noted and approved by the Contract Administrator or designated representative.
- D2.6 All materials to be used and/or incorporated in the Work shall be new and of the best quality.
- D2.7 Material may, at the option of the Contract Administrator, be supplied by the Planning, Property & Development Department.

- D2.8 Travel time to and from the Work Site shall be at the Contractor's own time and expense (except after normal business hours call out). Hours paid will be for actual on the job time with allowance for picking up materials, noted and approved by the Contract Administrator or designated representative.
- D2.9 If asbestos or other hazardous materials are encountered during the Work of the Contract, the pre-qualified Bidder/Contractor shall stop all Work and notify the Contract Administrator immediately. Removal of hazardous materials shall be dealt with by the City and the Contractor shall await further instructions by the Contract Administrator or designated representative.

D3. DEFINITIONS

- D3.1 When used in this Bid Opportunity:
- (a) "**Applicant**" means any person submitting this Qualification package for the purposes of Qualifying as a Supplier/Contractor of Minor Heating and Air Conditioning Maintenance & Modifications;
 - (b) "**Bidder**" means a Bidder who is pre-qualified to bid on the Work (part of the pre-qualified Bidders list).

D4. DURATION OF CONTRACT

- D4.1 Notwithstanding GC.8.01, the Pre-qualified Bidder shall perform the Work during the period of January 1, 2007 to December 31, 2008.

D5. CONTRACT ADMINISTRATOR

- D5.1 The Contract Administrator is:
- Carmen Sorby
Contracts Officer
Corporate Finance Department
Materials Management Branch
Main Floor, 185 King Street
- Telephone No. (204) 986-3855
Facsimile No. (204) 949-1178

D6. SUSPENSION AND REMOVAL FROM THE PRE-QUALIFIED BIDDERS LIST

- D6.1 Suspension from the Pre-qualified Bidders List may be made by the Contract Administrator, at his/her sole discretion, for any failure on the part of the Contractor to meet any of the obligations in the work resulting from this Request for Qualification.

SUBMISSIONS

D7. WORKERS COMPENSATION

- D7.1 The Contractor shall be registered with the Workers Compensation Board of Manitoba, shall provide and maintain Workers Compensation coverage throughout the term of the Pre-qualified Bidders List as specified in D2.1, and shall provide the Contract Administrator with evidence thereof upon request.

D8. INSURANCE

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

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

D8.2 Deductibles shall be borne by the Contractor.

D8.3 Pre-qualified Bidders shall provide the Contract Administrator with a certificate of insurance of each policy, in a form satisfactory to the City Solicitor, no later than seven (7) Calendar Days from notification by the Contract Administrator. The said insurance shall be in place with the City during the period stated in D2.1.

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

D9. SECURITY CLEARANCE

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

D9.1.1 The Criminal Record Search shall include a Vulnerable Sector Search.

- (a) Form P-612 Check the boxes for Employment – Sensitive Position of Trust and Other inputting the Bid Opportunity Number in the space provided. This form can be found on the website at:

www.winnipeg.ca/police/PDFs/BPR/Criminal_Record_Check_P-612.doc

- (b) Form P-249 (Form 1 – Consent) can be found on the website at:

www.winnipeg.ca/police/PDFs/BPR/consent_form1.pdf:

- (c) Two (2) pieces of identification as stated in Bureau of Police Records on the website at: www.winnipeg.ca/police/BPR/id.stm

- (d) Fee for each individual applying for a Criminal Record Search. Fee schedule can be found on the website at:

http://www.winnipeg.ca/police/BPR/info_request.stm#crim_record_search

D9.1.2 The original Criminal Record Search Certificate (Form – 253) will be provided by the Winnipeg Police Service to the individual applicant. The original has a validation sticker from the Winnipeg Police Service in the top right hand corner. The applicant shall:

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

D9.2 Prior to the commencement of any Work, and during the term specified in D2.1, if additional or replacement individuals are proposed to perform Work, the Contractor shall supply the Contract Administrator with a Criminal Record Search Certificate obtained not earlier than one (1) year prior to the Submission Deadline, or a certified true copy thereof, for each individual proposed to perform Work within City facilities or on private property.

D9.3 Any individual for whom a Criminal Record Search Certificate is not provided, or for whom a Criminal Record Search Certificate indicates any convictions or pending charges related to

property offences or crimes against another person will not be permitted to perform any Work within City facilities or on private property.

- D9.4 Any Criminal Record Search Certificate obtained thereby will be deemed valid for the duration of the term specified in D2.1, subject to a repeated records search as hereinafter specified.
- D9.5 Pre-qualified Bidders shall provide the Contract Administrator with a completed Criminal Record Search Certificate for each individual proposed to perform Work no later than twenty-four (24) Calendar Days from notification by the Contract Administrator. Applicants shall not be placed on the pre-qualified Bidders list until the security clearances are complete.
- D9.6 Notwithstanding the foregoing, at any time during the time period specified in D2.1, the City may, at its sole discretion and acting reasonably, require an updated criminal records search. Any individual who fails to provide a satisfactory Criminal Record Search Certificate as a result of a repeated criminal records search will not be permitted to continue to perform Work, under the term specified in D2.1, within City facilities or on private property.

D10. SECURITY CLEARANCE FOR WORK IN WINNIPEG POLICE SERVICE (WPS) FACILITIES

- D10.1 The City will conduct a Security Clearance Check, including but not limited to, banking and medical information, for any individual proposed to perform Work under the time period specified in D2.1 at Winnipeg Police Service facilities.
- D10.2 The Pre-qualified Bidder shall provide the Contract Administrator with a list of individuals proposed to perform Work under the time period specified in D2.1 at Winnipeg Police Service facilities:
- (a) within five (5) Business Days of the request from the Contract Administrator; or
 - (b) in the case of additional or replacement individuals during the time period specified in D2.1, at least thirty (30) Calendar Days before each individual is proposed to commence Work at Winnipeg Police Service facilities.
- D10.3 Each individual proposed to perform Work under the time period specified in D2.1 at Winnipeg Police Service facilities shall provide the following to Materials Management Branch, Main Floor, 185 King Street:
- (a) A list of names (including maiden names), addresses, dates of birth, telephone numbers and occupations of all immediate family members including stepbrothers, stepsisters, half-brothers and half-sisters, and their spouses, common-law spouses, boyfriends, girlfriends and their family members. The list should be typed in the following format:

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

Joseph James SMITH	Dob: 45 Aug 4 (best friend)
789 Anywhere Street	555-5555
Winnipeg, Manitoba	
Welder – ABC Industries	
When they met	
Where they met	
How they met	
 - (c) The name, title or position, and telephone number of the immediate supervisor.

- (d) A list of every past address, including the dates of residence, the names of any persons with whom the residence was shared and the reason for moving.
- (e) Identification – driver's license (with photo) and birth certificate or Manitoba medical card or social insurance card;
 - (i) Photocopies of the identification must be legible, signed as true copies and witnessed by contact person stated on Form A: Bid, Paragraph 3;
- (f) A completed Form P-608: Security Clearance Check authorization form, witnessed by contact person stated on Form A: Bid, Paragraph 3;
- (g) A cheque made payable to the City of Winnipeg in the amount of One hundred and eighty dollars (\$180.00).

D10.4 The lists and information required in D10.3 should be placed in an individual sealed envelope.

D10.5 Each individual shall submit the required information, forms and payment in person or by courier to:

Carmen Sorby
Materials Management
185 King Street, Main Floor
Winnipeg, MB. R3B 1J1

- (a) within five (5) Business Days of the request from the Contract Administrator; or
- (b) in the case of an additional or replacement individual during the time period specified in D2.1, at least thirty (30) Calendar Days before the individual is proposed to commence Work at Winnipeg Police Service facilities.

D10.6 Any individual for whom a satisfactory Security Clearance is not obtained will not be permitted to perform any Work within Winnipeg Police Service facilities.

D10.7 Any Security Clearance obtained thereby will be deemed valid for two (2) years from date of clearance subject to a repeated Security Clearance Check as hereinafter specified.

D10.8 Notwithstanding the foregoing, at any time during the time period specified in D2.1, the City may, at its sole discretion and acting reasonably, require a further Security Clearance Check. Any individual who fails to obtain a satisfactory Security Clearance Check as a result of a repeated Security Clearance Check will not be permitted to continue to perform Work under the time period specified in D2.1 at Winnipeg Police Facilities.

PART E - SPECIFICATIONS

GENERAL

E1. APPLICABLE SPECIFICATIONS AND STANDARD DETAILS

E1.1 *The City of Winnipeg Standard Construction Specifications* in its entirety shall apply to the Work being done as a result of this Request for Qualifications.

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

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

E1.1.3 Further to GC:2.4(d), Specifications prepared by the City for Work resulting from this Request for Qualifications, shall govern over *The City of Winnipeg Standard Construction Specifications*.