



REQUEST FOR PRE-QUALIFICATION No. PS20170553 (the “RFPQ”)

SOUTH FALSE CREEK SEAWALL UPGRADES CONTRACTOR PRE-QUALIFICATION

Request for Pre-Qualification submissions (hereto referred as “Responses”) are to be addressed to the Supply Chain Management Office, City of Vancouver, 4th Floor, 453 West 12th Avenue, Vancouver, British Columbia, Canada, V5Y 1V4, and should be received prior to 3:00 p.m., Vancouver Time (as defined in Note 3 below), on April 13, 2017 (the “Closing Time”).

PLEASE NOTE THAT RESPONSES WILL NOT BE PUBLICLY OPENED.

NOTES:

1. A Response may be sent to the address specified above by mail or delivered by courier or otherwise in person at the Main Floor Rotunda Information Desk at the address specified above, in each case prior to the Closing Time.
2. Each Response must be marked with the vendor’s name and the RFPQ title and number.
3. “Vancouver Time” will be conclusively deemed to be the time shown on the computer clock at the Main Floor Rotunda Information Desk at Vancouver City Hall.
4. The City of Vancouver is open on business days from 8:30 a.m. to 4:30 p.m., Vancouver Time, and is closed Saturdays, Sundays, and holidays.
5. DO NOT SUBMIT RESPONSES BY FAX OR EMAIL.
6. All queries related to this RFD-BQ should be submitted in writing to the attention of:

Donabella Bersabal

Contracting Specialist

Email: donabella.bersabal@vancouver.ca

(the “**Contact Person**”)

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SECTION 1 GENERAL INFORMATION

1.1 Introduction

The City of Vancouver (the “City”) is inviting interested groups or teams to submit responses to this Request for Pre-Qualifications (“RFPQ”) indicating their interest and presenting their qualifications to construct water, sewer, electrical and street infrastructure along 1.4km of the South False Creek Seawall.

Based on the outcome of this RFPQ, a number of teams will be shortlisted and invited to respond to an Invitation to Tender (“ITT”) for the construction of the seawall upgrades.

1.2 Background

This project involves infrastructure and landscaping upgrades to the South False Creek Seawall from Alder Bay Walk to Stamps Landing. Upgrades include: constructing new or wider pedestrian and cyclist paths and medians, replacing surface treatments and landscaping, installing new pathway lighting and underground infrastructure, and installing underground servicing for an automated public toilet (APT) and a water fountain. All construction is to take place between September 5, 2017 and December 15, 2017 and must be phased to minimize impacts on public use of the seawall.

The successful Respondent will report to the City’s Project Manager and will be responsible for site preparation, traffic management and communications, materials procurement, construction, and coordination of sub-contractors including those working on behalf of third party utilities.

1.3 Key Dates

Respondents should take note of the following dates:

Event	Time and Date
Deadline for Enquiries	April 6, 2017
Closing	April 13, 2017 3:00 p.m.

All references to time in the RFPQ are references to the time in the City of Vancouver, as shown on the clock used by the City for the purposes of this RFPQ.

1.4 Sustainability

1.4.1 The City’s Procurement Policy, Ethical Purchasing Policy and related Supplier Code of Conduct found at <http://vancouver.ca/doing-business/selling-to-and-buying-from-the-city.aspx> align the City’s approach to procurement with its corporate social, environmental and economic sustainability values and goals. They evidence the City’s commitment to maximize benefits to the environment through product and service selection, and to ensure safe and healthy workplaces, where human and civil rights are respected. Each City vendor is expected to adhere to the supplier performance standards set forth in the Supplier Code of Conduct. The Ethical Purchasing Policy shall be referred to in the evaluation of Responses, to the extent applicable.

1.4.2 Vendors are to provide environmentally sensitive products or services wherever possible. Where there is a requirement that a vendor supply materials, and where such materials may cause adverse environmental effects, the vendor should indicate the

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nature of the hazard(s) in its Response. Furthermore, each vendor is asked to advise the City of any known alternatives or substitutes for such materials that would mitigate such adverse effects.

1.5 RFPQ Process

- 1.5.1 Interested parties (“**Respondents**”) are required to respond to this RFPQ in accordance with the instructions set forth in this RFPQ.
- 1.5.2 Responses are being requested in order to afford the City of Vancouver the opportunity to gauge such responses and evaluate Respondents’ expertise, so that the City may then conduct a more formal procurement process, tailored (as determined in the City’s discretion) to the responses received and limited, should the City so determine, to all or some of the RFPQ Respondents. The City currently anticipates that it will carry out an invitation to tender and that the same will be released to multiple qualified Respondents during the period stated in Schedule 1 – Description of Requirements.
- 1.5.3 Notwithstanding the foregoing, the City may, as a result of the RFPQ, decide to proceed directly to negotiate a contract with an outstanding Respondent (or the sole qualified Respondent, if there is only one).
- 1.5.4 This RFPQ process is aimed at encouraging businesses with the required level of expertise to participate. Respondents should ensure that their Responses demonstrate expertise in construction of civil infrastructure of a similar scale and complexity, and in similar conditions (i.e. on parkland, wet conditions, on sites with limited construction access through high density residential). Respondents should also demonstrate familiarity with the City’s construction and quality standards, and site and public safety protocols.
- 1.5.5 Any potential Respondent is requested to refrain from submitting a Response if it is not willing to submit bona fide proposal or tender in relation to the subject matter of the RFPQ if the City invites the Respondent to participate in an Invitation To Tender.
- 1.5.6 If a potential Respondent believes that the City may be unable to select it due to a conflict of interest, but is uncertain about this, the potential Respondent is urged to contact the individual named on the cover page above as soon as possible with the relevant information so that the City may advise the Respondent regarding the matter.

1.6 RFPQ Documents

- 1.6.1 This RFPQ consists of:
 - (a) the cover page hereof and sections 1 through 6 hereof; and
 - (b) schedules as follows:
 - (i) Schedule 1 – Description of Requirements;
 - (ii) Schedule 2 – Letter of Response;
 - (iii) Schedule 3 - Format for Response;
 - (iv) Schedule 4 – Certificate of Existing Insurance;
 - (v) Schedule 5 – Declaration of Supplier Code of Conduct Compliance;

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(vi) Schedule 6 - Vendor Leadership Sustainability Questionnaire;

(vii) Schedule 7 - CCDC-11 Contractor's Qualification Statement;

(collectively, the "RFPQ Documents")

- 1.6.2 If the City of Vancouver issues any amendments or addenda to the RFPQ Documents, such amendments or addenda will form part of the RFPQ Documents. It is the sole responsibility of all Proponents to check the City's website at: <http://www.vancouver.ca/fs/bid/bidopp/openbid.htm> regularly for amendments or addenda to the RFPQ Documents, including questions and answers posted by the City in relation to this RFPQ.

SECTION 2 QUALIFICATION CRITERIA

2.1 General

The City currently expects to base its decision with respect to each Respondent's qualification (or not) to participate in an invitation to tender on (i) whether the statement of qualifications submitted by the Respondent as part of its Response (its "**Statement of Qualifications**") has met, and whether such Statement of Qualifications shows that the Respondent has met, the requirements set out in the RFPQ Documents and (ii) the evaluation criteria set out in Schedule 1 – Description of Requirements.

2.2 Key Personnel and Subcontractors

2.2.1 As part of its Statement of Qualifications, a Respondent should submit the names of proposed key personnel and subcontractors.

2.2.2 Qualification to participate in an invitation to tender may be conditioned on the use of the key personnel and subcontractors specified in a Statement of Qualifications, or other personnel or subcontractors approved in advance by the City.

2.2.3 A Respondent should therefore not change its key personnel or subcontractors without discussing the same with the City.

SECTION 3 COMMUNICATIONS

Respondents may not communicate with the City about the RFPQ except in writing by fax or email to the contact person listed on the cover page of this RFPQ.

SECTION 4 SUBMISSION OF RESPONSES

4.1 Delivery

Each Respondent should submit an original of its Response and the number of copies of its Response specified in Schedule 1 – Description of Requirements, in a sealed envelope, delivered physically as stated on the cover page of the RFPQ. It is each Respondent's sole responsibility to ensure delivery of its Response by the Closing Time. All submissions should be made at the Respondent's sole cost and expense.

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4.2 Late Responses

The City of Vancouver may, in its discretion, accept, or reject and return, any Response received after the Closing Time.

4.3 Form of Response

Each Response must consist of a letter in the form set forth in Schedule 2 together with a Statement of Qualifications in the format set forth in Schedule 3, an insurance certificate in the form set forth as Schedule 4, Declaration of Supplier Code of Conduct compliance in the form of Schedule 5, completed Vendor Leadership Sustainability Questionnaire in the form of Schedule 6 and Form CCDC-11 Contractor's Qualification Statement in Schedule 7.

4.4 Lack of Information

Following receipt of a Response, the City of Vancouver may, in its sole discretion and without having any duty or obligation to do so, request that the Respondent provide the City of Vancouver with additional information to clarify or substantiate the information provided by the Respondent. If a Respondent fails to provide information required for the City's evaluation of the Respondent's qualifications, or fails to provide timely clarification or substantiation of the information supplied, that failure may result in no further consideration being given to the Response.

4.5 Material Changes

Respondents should inform the City of Vancouver of any material change in information that might affect their qualification status at any time during the RFPQ process. Participants in an invitation to tender will be required to update key qualification information at the time of tender submission. Prior to the entry into any agreement, a successful Respondent will be required to confirm its continued status.

SECTION 5 REVIEW OF RESPONSES

5.1 Evaluation by the City of Vancouver

The City will review the Responses submitted to determine whether, in the City's opinion, each Respondent has demonstrated that it has the required experience and qualifications in order for it to advance in the City's procurement process. In doing so, the City currently expects to base its decision with respect to each Respondent on (i) whether the Statement of qualifications submitted by the Respondent has met, and whether such Statement of Qualifications shows that the Respondent has met, the requirements set out in the RFPQ Documents and (ii) the evaluation criteria set out in Schedule 1 – Description of Requirements. The City currently expects to select a number of Respondents ("Pre-Qualified Respondents"); provided that:

- 5.1.1 the determination of which Respondents are designated as Pre-Qualified Respondents will be at the sole discretion of the City; and
- 5.1.2 the City reserves the right to limit the number of Respondents designated as Pre-Qualified Respondents.

5.2 Inquiries

The City, in its sole discretion and without having any duty or obligation to do so, may conduct any inquiries or investigations, including but not limited to contacting references, to verify the

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statements, documents, and information submitted in connection with an Response and may seek clarification from a Respondent's bankers and clients regarding any financial and experience issues.

5.3 Non-Conforming Responses

Responses which fail to conform to the format requirements set forth in Schedule 3 hereto or which fail to conform to any other requirement of these RFPQ Documents may be rejected by the City of Vancouver, in its discretion. Notwithstanding the foregoing or any other provision of these RFPQ Documents, the City may at its sole discretion elect to retain for consideration Responses which deviate either materially or non-materially from the format requirements set out in Schedule 3 hereto or which otherwise fail to conform to any other requirement of these RFPQ Documents.

SECTION 6 NOTIFICATION AND ITT PROCESS

6.1 Notification of Prequalification

Following the Closing Time, the City of Vancouver will only notify those Respondents which are selected as Pre-Qualified Respondents (or with which the City proposes to proceed to negotiate an agreement). The City of Vancouver thanks all other Respondents for their interest.

6.2 Changes after Pre-Qualification

Any change in the structure or formation of a Pre-Qualified Respondent will be subject to prior written approval of the City prior to the deadline for submission of proposals or tenders. The City may deny that approval if the change in the structure or formation of the Pre-Qualified Respondent, from that presented in the Statement of Qualification, would have affected whether or not the Respondent would have been short-listed in the first instance.

6.3 The City of Vancouver Rights

6.3.1 The City may, without liability to any Respondent or Pre-Qualified Respondent:

- (a) amend the scope and description of the goods and services to be procured under the RFPQ or any subsequent invitation to tender process, varying them from those described herein, or amend the qualifications that may be required to meet those requirements;
- (b) reject or accept any or all Responses;
- (c) cancel the RFPQ process and reject all Responses;
- (d) cancel the RFPQ process and commence a new process in respect of the same invitation to tender with the same or an amended set of documents, information or requirements;
- (e) request that any Respondent provide additional information, clarifications or goods samples or demonstrations, without requesting the same from all Respondents; or
- (f) terminate the RFPQ process and enter into direct negotiations with any party whether or not a Respondent.

6.3.2 By submitting a Response, a Respondent acknowledges and agrees that these RFPQ Documents are, in no way whatsoever, an offer to enter into an agreement (except on

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the limited terms and conditions expressly stated in Schedule 3), and that submission of a Response by a Respondent does not in any way whatsoever create any obligation on the part of the City to treat the Respondent's or any other Respondent's Response in any particular manner or undertake the City's RFPQ process in any particular manner (except as expressly stated in Schedule 3 with respect to confidentiality).

- 6.3.3 The form of letter set forth in Schedule 3 also contains a release of the City's liability and other important terms and conditions that should be reviewed carefully by each Respondent, and each Respondent should obtain the advice of independent legal counsel in connection therewith.

6.4 Information Disclaimer

6.4.1 The City makes no representation, warranty or undertaking with respect to these RFPQ Documents and the City and its directors, officers, employees, agents, consultants and advisors will not be liable or responsible for the accuracy or completeness of the information in these RFPQ Documents or for any other written or oral information made available to any interested person or its advisors, and any similar such liability however arising, is expressly disclaimed by the City.

6.4.2 Each Respondent should conduct its own independent investigations of all relevant matters and must not rely on the City in such regard. The information contained in the RFPQ Documents is provisional and is expected to be superseded by information in an invitation to tender and other documents.

6.5 Security Requirements

The City reserves the right to require, as a condition of a contract entered into with any successful vendor, or as a condition to participation in an invitation to tender, that the Respondent or directors or officers of the Respondent consent to the City and its security partners conducting at the City's discretion, a security clearance investigation, including without limitation criminal records searches and such other security searches as the City may deem advisable, together with ongoing monitoring of the same.

SECTION 7 CONFLICTS/COLLUSION/LOBBYING

7.1 Conflicts of Interest Generally

Each Respondent must disclose whether any officer, director, shareholder, partner, employee or contractor of the Respondent or of any of its proposed subcontractors, or any other person related to the Respondent's or any proposed subcontractor's organization (a "person having an interest") or any spouse, business associate, friend or relative of a person having an interest is:

- (a) an elected official or employee of the City; or
- (b) related to or has any business or family relationship with an elected official or employee of the City,

in each case such that there could be any conflict of interest or an appearance of a conflict of interest in the evaluation or consideration of the Respondent's Response by the City. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFPQ in light of the particular matter.

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7.2 Former City Employees

Each Respondent must disclose whether any person having an interest (as defined above) is a former official, former employee or former contractor of the City who has non-public information relevant to the RFPQ obtained during his or her employment or engagement by the City. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFPQ in light of the particular matter.

7.3 Other Clients

Each Respondent must disclose whether the Respondent or any of its proposed subcontractors is currently engaged in supplying (or is proposing to supply) goods or services to a third party such that entering into an agreement with the City in relation to the subject matter of the RFPQ would create a conflict of interest or the appearance of a conflict of interest between the Respondent's duties to the City and the Respondent's or its subcontractors' duties to such third party. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFPQ in light of the particular matter.

7.4 Collusion

Each Respondent is required to disclose whether the Respondent is competing for purposes of the RFPQ with any entity with which it is legally or financially associated or affiliated. Each Respondent must also disclose whether it is cooperating in any manner in relation to the RFPQ with any other Respondent responding to the RFPQ. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFPQ in light of the particular matter.

7.5 Lobbying

Each Respondent is required to disclose whether it or any officer, director, shareholder, partner, employee or agent of the Respondent or any of its proposed subcontractors: (1) is registered as a lobbyist under any lobbyist legislation in any jurisdiction in Canada or in the United States of America; or (2) has engaged in any form of political or other lobbying whatsoever with respect to the RFPQ or sought, other than through the submission of its Response, to influence the outcome of the RFPQ process. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFPQ in light of the particular matter.

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SCHEDULE 1 – DESCRIPTION OF REQUIREMENTS

A. Description of Products and Services:

The City of Vancouver invites General Contractors to submit Requests for Pre-Qualifications to construct water, sewer, electrical and street infrastructure along 1.4km of the South False Creek Seawall between Alder Bay Walk and Stamps Landing. The infrastructure work is divided into three segments (see map) and the scope of each is described below.



In Segment 4: Alder Bay Walk to Ironwork Passage the work involves removing trees, benches, pathway lighting, unit pavers and flagstone; constructing new unit paver and asphalt paths with concrete bands; installing new pathway lights and underground electrical infrastructure; adjusting existing catch basins or install new ones; and, preparing the site for new furniture and landscaping.

In Segment 5: Charleson Park the work involves removing trees and unit pavers; constructing a new raised asphalt bike path and pouring concrete bands; installing pathway lighting and water, sewer, electrical and telecommunications services for an automated public toilet and a water fountain; and, adjusting existing catch basins or installing new ones.

In Segment 6: Greenchain to Stamps Landing the work involves replacing flagstone paving with unit pavers, asphalt and concrete bands; adjusting existing catch basins; constructing a new median and pathway lighting; and, removing existing benches.

B. Summary of Requirements

1. Pre-Construction Services

This phase will involve the following tasks:

- a) Review construction drawings and specifications.
- b) Obtain all required permits and complete necessary utility locates.

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- c) Submit traffic management plan, communications plan and detailed construction schedule to the satisfaction of the Project Manager.
- d) Mobilize to site and procure or obtain from City all necessary materials and equipment.

2. Construction Services

This phase will involve the following tasks:

- a) Removal and installation/construction of in scope infrastructure and landscaping.
- b) Disposal of removed materials.
- c) Traffic management and communications as per approved plans.
- d) Weekly construction reports that include at a minimum: planned vs. actual work completed, and expenditures, risks and proposed responses, health and safety incidents.
- e) Attendance at site inspections or meetings requested by the City or its representatives.

3. Post-Construction Services

This phase will involve the following tasks:

- a) Demobilize site.
- b) Preparation and submission of As Built drawings to the satisfaction of the Engineer of Record for each discipline.
- c) Participate in lessons learned workshop and submit project close out report.

C. Anticipated schedule of Invitation to Tender: end of April 2017

Pre-Construction will commence in August 2017 and Construction will commence September 5, 2017. Substantial completion must be achieved by December 22, 2017.

D. Evaluation Criteria

Statements of Qualifications will be evaluated on the qualifications, relevant experience and capability of the Respondent as outlined below. Respondents are requested to reference specific projects or sections of their CCDC-11 Contractor's Qualification Statement attached as Schedule 7 to demonstrate compliance with the requirements wherever possible, rather than submitting material that duplicates content.

1. Mandatory Qualifications

To be eligible to submit, Respondents must have recent experience (preferably within the last 5 years) in:

- a) Streets, electrical and sewer (catch basins) construction to City quality standards.
- b) Construction and landscaping of similar scale and complexity.
- c) Excavation and construction in sensitive ecological environments such as parks and in dense residential areas.

2. Preferred Qualifications

Preference will be given to Respondents with recent experience (preferably in the last 5 years) in:

- a) Construction of similar scale and complexity that does not require full closure of the construction area.

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- b) Creative means and methods to achieve cost and schedule savings.
 - c) Proven track record substantiated by recent (last 5 years) and relevant client references for the Respondent.
3. Key Personnel
- a) Respondent's listing of key personnel and sub-contractors to be included in the project team including qualifications and relevant experience.
 - b) Respondent's demonstration of sufficient qualified staff to act as back up in case of unexpected absence of key personnel.
4. A brief (maximum two pages) outline of the Respondent's approach to the project and to risk, schedule, cost, quality control and traffic management as applied to this project.
5. Financial capability.
6. History of any litigation or claims made against the Respondent, or made by the Respondent against the City during the 3 years previous to the Closing Time.
7. Ability to meet insurance and bonding requirements (requires a letter from a bonding company confirming the Respondent's bonding capability).

Note: The above evaluation criteria may not necessarily be listed in order of importance and will not necessarily be weighted equally.

E. Number of Copies of Each Response (in Addition to the Original) to be Submitted:

Three (3) hard copies and one (1) electronic copy in a CD or USB flash drive

F. ITT succeeding the RFPQ

Should the City proceed in issuing a tender, the ITT will serve as the second phase of the selection process and will focus on the construction proposal and its relative costs.

A number of respondents will be shortlisted as a result of the RFPQ process.

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SCHEDULE 2 – LETTER OF RESPONSE

[Letterhead paper of the Respondent or participant responsible for a joint venture, including full postal address, telephone and facsimile.]

Date: *[Insert]*

TO: THE CITY OF VANCOUVER (the “City”)

RE: RESPONSE - REQUEST FOR PRE-QUALIFICATIONS NO. PS20170553 (the “RFPQ”) IN RESPECT OF SOUTH FALSE CREEK SEAWALL UPGRADES CONTRACTOR PRE-QUALIFICATION

1. Being duly authorized to represent and act on behalf of *[Insert full corporate name and if a joint venture, then state “on behalf of...” and list the full corporate names of the companies forming the joint venture]*, the undersigned hereby submits the attached Statement of Qualifications and supporting materials on behalf thereof.
2. Herein, the term “Respondent” refers to *[insert full corporate name and if a joint venture, then state “...refers to each of” and list the full corporate names of the companies forming the joint venture]*.
3. The City and its representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this Response, and to seek clarification from the Respondent’s bankers and clients regarding any financial and experience issues, and to do all other things stated in the RFPQ.
4. Capitalized terms used herein have the definitions ascribed thereto in the RFPQ.
5. The City its representatives may contact the following persons for further information:

[Respondent to insert information - minimum of 3 references]
6. This Response is made with the full understanding and agreement that:
 - (a) any information submitted during qualification may be subject to verification by the City of Vancouver, including during evaluation of any subsequent invitation to tender;
 - (b) the Respondent will (and does hereby undertake to) submit a bona fide proposal or tender in relation to the subject matter of the RFPQ (and consistent with this Response) if the City invites the Respondent to participate in an invitation to tender;
 - (c) the City of Vancouver may:
 - (i) amend the scope and description of the goods and services to be procured under the RFPQ or any subsequent invitation to tender process, varying them from those described in the RFPQ, or amend the qualifications that may be required to meet the City’s requirements;
 - (ii) reject or accept any or all Responses;
 - (iii) cancel the RFPQ process and reject all Responses;
 - (iv) cancel the RFPQ process and commence a new process in respect of the same invitation to tender with the same or an amended set of documents, information or requirements;

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- (v) request any respondent to provide additional information or clarification or goods samples or demonstrations without requesting such information from all respondents; or
 - (vi) terminate the RFPQ process and enter into direct negotiations with any party whether or not a respondent; and
 - (d) the City of Vancouver will not be liable in any way whatsoever for any actions described under 4(c) of this letter.
7. The Respondent acknowledges and agrees that the RFPQ Documents are, in no way whatsoever, an offer to enter into an agreement except on the limited terms and conditions expressly stated in this letter, and submission of this Response by the Respondent does not in any way whatsoever create any obligation on the part of the City to treat the Respondent's or any other respondent's Response in any particular manner or undertake the City's RFPQ process in any particular manner (except as expressly stated below in this letter with respect to confidentiality).
8. The Respondent acknowledges and agrees to the information disclaimers and other terms and conditions set forth in the RFPQ.
9. Except only and to the extent that the City is in breach of Section 10 of this letter, the Respondent now releases the City, its officials, its agents and its employees from all liability for any costs, damages or losses incurred in connection with the RFPQ, including any cost, damages or losses in connection with:
- (a) any alleged (or judicially determined) breach by the City or its officials, agents or employees any obligation or duty under the RFPQ;
 - (b) any unintentional tort of the City or its officials or employees occurring in the course of conducting the RFPQ; or
 - (c) the manner in which the City: reviews, considers, evaluates or negotiates any Response; addresses or fails to address any Response; or resolves to enter into any contract or not enter into any contract.
10. Subject to the applicable provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) and the City's right to publicly disclose information about or from any Response, including without limitation names and prices, in the course of publicly reporting to the Vancouver City Council about the RFPQ, the City will treat the Response (and the City's evaluation of it), in confidence in substantially the same manner as it treats its own confidential material and information.
11. The Respondent acknowledges receipt of the following amendments and addenda (if applicable);
- | | |
|-----------------------------------|------------------|
| Amendment/Addendum No. [Complete] | Date: [Complete] |
| Amendment/Addendum No. [Complete] | Date: [Complete] |
| Amendment/Addendum No. [Complete] | Date: [Complete] |
12. Any dispute relating to the RFPQ (except to the extent that the City breaches Section 10 above) will be resolved by arbitration in accordance with the *Commercial Arbitration Act* (British Columbia), amended as follows:

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- (a) The arbitrator will be selected by the City's Director of Legal Services;
- (b) Section 9 of this letter, and the other provisions hereof, will apply; and
- (c) The Respondent will bear all costs of the arbitration.

13. The Respondent (a) has read, understands and agrees to the terms and conditions in this letter, (b) has had an opportunity to seek legal counsel and (c) affirms that the statements made in its Response are true and correct in every detail.

Respondent Name(s): _____

Signature: _____ Date: _____

Name of Signatory: _____

Title of Signatory: _____

Mailing Address: _____

Cheque Payable/Remit to Address: _____

Telephone No.: _____ Fax No.: _____

Key Contact Person: _____ E-mail: _____

GST Registration No.: _____ Date and Jurisdiction of Incorporation: _____

City of Vancouver Business License No.
(or, if available, Metro West Inter-Municipal Business License No.): _____ WorkSafeBC Registration No.: _____

SCHEDULE 3 – FORMAT FOR RESPONSE

The Response submitted by Respondents should consist of:

1. a completed and duly executed Letter of Response (the foregoing Schedule 2);
2. a completed and duly executed insurance certificate (the following Schedule 4);
3. a completed and duly executed declaration of Supplier Code of Conduct Compliance and vendor leadership sustainability questionnaire (the following Schedule 5 and 6);
4. a completed and duly executed CCDC-11 Contractor's Qualification Statement (the following Schedule 7); and
5. a Statement of Qualifications, consisting of and arranged as follows:

(a) **Title Page (1 page)**

The title page should identify the RFPQ number identified on the cover page of this RFPQ, the Closing Time, and the Respondent's name, address, telephone number, fax number and contact person.

(b) **Table of Contents/Index**

(c) **Corporate Capability and History**

- Describe the Respondent's capability (financial, experience and workload capacity) to undertake the role of contractor.
- Provide a letter from a bonding company confirming the Respondent's bonding capability per Schedule 1 Section E.9.
- Provide a history of litigation or claims made against the Respondent during the three (3) years immediately prior to the Closing Time.

(d) **Qualifications, relevant corporate experience and capability of the Respondent:**

Please provide content and organize according to the headings listed in Schedule 1 Section E of this RFPQ.

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SCHEDULE 4 - CERTIFICATE OF EXISTING INSURANCE

Please use attached Certificate of Existing Insurance.



CERTIFICATE OF EXISTING INSURANCE
TO BE COMPLETED AND APPENDED TO THE PROPOSAL/TENDER

Section 2 through 8 – to be completed and executed by the Insurer or its Authorized Representative

1. THIS CERTIFICATE IS ISSUED TO: City of Vancouver, 453 W 12th Avenue, Vancouver, BC, V5Y 1V4
and certifies that the insurance policy (policies) as listed herein has/have been issued to the Named Insured and is/are in full force and effect.

2. NAMED INSURED (must be the same name as the proponent/bidder and is either an individual or a legally incorporated company)

BUSINESS TRADE NAME or DOING BUSINESS AS

BUSINESS ADDRESS

DESCRIPTION OF OPERATION

3. PROPERTY INSURANCE (All Risks Coverage including Earthquake and Flood)

INSURER Insured Values (Replacement Cost) -
TYPE OF COVERAGE Building and Tenants' Improvements \$
POLICY NUMBER Contents and Equipment \$
POLICY PERIOD From to Deductible Per Loss \$

4. COMMERCIAL GENERAL LIABILITY INSURANCE (Occurrence Form)

Including the following extensions: INSURER
Personal Injury POLICY NUMBER
Property Damage including Loss of Use POLICY PERIOD From to
Products and Completed Operations Limits of Liability (Bodily Injury and Property Damage Inclusive) -
Cross Liability or Severability of Interest Per Occurrence \$
Employees as Additional Insureds Aggregate \$
Blanket Contractual Liability All Risk Tenants' Legal Liability \$
Non-Owned Auto Liability Deductible Per Occurrence \$

5. AUTOMOBILE LIABILITY INSURANCE for operation of owned and/or leased vehicles

INSURER Limits of Liability -
POLICY NUMBER Combined Single Limit \$
POLICY PERIOD From to If vehicles are insured by ICBC, complete and provide Form APV-47.

6. UMBRELLA OR EXCESS LIABILITY INSURANCE Limits of Liability (Bodily Injury and Property Damage Inclusive) -

INSURER Per Occurrence \$
POLICY NUMBER Aggregate \$
POLICY PERIOD From to Self-Insured Retention \$

7. PROFESSIONAL LIABILITY INSURANCE

INSURER Limits of Liability
POLICY NUMBER Per Occurrence/Claim \$
POLICY PERIOD From to Aggregate \$
Deductible Per Occurrence/Claim \$

If the policy is in a "CLAIMS MADE" form, please specify the applicable Retroactive Date:

8. OTHER INSURANCE

TYPE OF INSURANCE Limits of Liability
INSURER Per Occurrence \$
POLICY NUMBER Aggregate \$
POLICY PERIOD From to Deductible Per Loss \$
TYPE OF INSURANCE Limits of Liability
INSURER Per Occurrence \$
POLICY NUMBER Aggregate \$
POLICY PERIOD From to Deductible Per Loss \$

SIGNED BY THE INSURER OR ITS AUTHORIZED REPRESENTATIVE

PRINT NAME OF INSURER OR ITS AUTHORIZED REPRESENTATIVE, ADDRESS AND PHONE NUMBER Dated

SCHEDULE 5 - DECLARATION OF SUPPLIER CODE OF CONDUCT COMPLIANCE

DECLARATION OF SUPPLIER CODE OF CONDUCT COMPLIANCE

Purpose: All proposed suppliers are to complete and submit this form to certify compliance with the supplier performance standards set out in the Supplier Code of Conduct.

The City of Vancouver expects each supplier of goods and services to the City to comply with the supplier performance standards set out in the City’s Supplier Code of Conduct (SCC) <http://vancouver.ca/policy_pdf/AF01401P1.pdf>. The SCC defines minimum labour and environmental standards for City suppliers and their subcontractors.

Suppliers are expected to comply with the aforementioned standards upon submitting a tender, proposal, application, Response or quotation to the City, or have a plan in place to comply within a specific period of time. The City reserves the right to determine an appropriate timeframe in which suppliers must come into compliance with these standards. To give effect to these requirements, an authorized signatory of each proposed vendor must complete the following declaration and include this declaration with its submission:

As an authorized signatory of _____ (*vendor name*), I declare that I have reviewed the SCC and to the best of my knowledge, _____ (*vendor name*) and its proposed subcontractors have not been and are not currently in violation of the SCC or convicted of an offence under national and other applicable laws referred to in the SCC, other than as noted in the table below (*include all violations/convictions that have occurred in the past three years as well as plans for corrective action*).

Section of SCC / title of law	Date of violation /conviction	Description of violation / conviction	Regulatory / adjudication body and document file number	Corrective action plan

I understand that a false declaration and/or lack of a corrective action plan may result in no further consideration being given to the submission of _____ (*vendor name*).

Signature: _____

Name and Title: _____

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SCHEDULE 6 - VENDOR LEADERSHIP SUSTAINABILITY QUESTIONNAIRE

As part of the City’s Corporate Procurement Policy and related Supplier Code of Conduct, all City vendors must meet minimum requirements related to ethical, social and environmental standards.

Beyond these basic requirements, the City would like to recognize vendors that are demonstrating leadership and innovation in sustainability. In order to be able to do so, the City requires that Proponents answer the following questions. The answers provided will be evaluated as part of the Proposal evaluation described in Section 8.0 of Part A.

Please keep in mind that these questions relate to your company’s internal operations and overall sustainability leadership.

The City may request that the Proponent provide additional information to support any of the responses provided.

If additional space is required, the Proponent may attach its response(s) to this Annex and reference the relevant question and section number.

For all questions where the answer is ‘Yes’ and additional information is requested, if this information is not included in the proposal, the answer may not be evaluated.

For all questions where there is a word limit, responses are to be kept within this word limit. Information in excess of the word limit may not be evaluated.

Questionnaire Structure

Section 1: Environmental Impact	Environmental or Sustainability Policy Reducing greenhouse gas (GHG) emissions Reducing waste Sustainable purchasing
Section 2: Social Impact	Living wage employer Workplace development programs Supporting social enterprises Sustainable business
Section 3: Definitions	Definitions for key terms used in this Annex.

SECTION 1: ENVIRONMENTAL IMPACT

This section of the leadership questionnaire addresses the following:

- *Environmental or Sustainability Policy or Statement*
- *reducing greenhouse gas (GHG) emissions*
- *reducing waste*
- *sustainable purchasing*

1. Do you have a documented Environmental or Sustainability Policy or Statement?

- Yes No

If no, go to question 2.

If yes, please address the following:

- a. Attach a copy of the policy or statement to your Proposal.
- b. If the policy is publicly available, please provide a link to the document:

2. Does your company measure its greenhouse gas (GHG) emissions?

- Yes No

If yes, state total annual GHG emissions (tCO₂e): _____

3. Has your company adopted GHG reduction targets or goals?

- Yes No

If yes, state target(s) and year by which they will be achieved (e.g., 33% reduction by 2020):

4. Do you report your GHG emissions to a third party? (e.g., Carbon Disclosure Project, Global Reporting Initiative, Climate Registry, Climate Smart, Ecobase, Offsetters, etc.)

- Yes No

If yes, state the name of the 3rd party: _____

5. Does your company own buildings in Metro Vancouver?

- Yes No

If no, skip to question 7.

If yes, describe efforts in the past three (3) years to improve the energy efficiency of owned buildings in Metro Vancouver with respect to each of the elements listed below. **Please limit answer to 400 words or less.**

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- a. equipment and lighting upgrades (e.g., HVAC, water heaters, LED lighting)
- b. building envelope improvements (e.g., insulation, windows)
- c. staff conservation and engagement programs (e.g., turning off lights and computers, etc.)

6. Has your company (or has any of your buildings) been recognized for building energy management excellence by a recognized third party such as BC Hydro Power Smart, BOMA BEST, LEED, Portfolio Manager Energy Star, etc.)?

Yes No

If yes, state the name(s) of the 3rd party(ies) and type of recognition:

7. Does your company own or lease fleet vehicles and/or heavy off-road equipment to be operated in Metro Vancouver?

Yes No

In no, skip to question 9.

If yes, please address the following questions:

- a) what size is your fleet (including heavy off-road equipment)?

- b) Describe actions in the past three (3) years to reduce the GHG emissions of vehicles and heavy equipment operated in Metro Vancouver. (Actions could include: purchase of low emissions vehicles, use of alternative fuels, deployment of telematics software; driver training programs, etc.). **Please limit answer to 250 words or less.**

8. Does your company encourage employees to take more environmentally friendly transportation to get to work?

Yes No

If yes, describe incentives in place to encourage employees to take more environmentally friendly transportation to get to work (e.g., car sharing, secure bike parking and on-site change facilities, public transit incentives). **Please limit answer to 250 words or less.**

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9. Describe any other initiatives undertaken in past three (3) years that have significantly reduced the GHG emissions of your operations. **Please limit answer to 250 words or less.**

10. Does your company measure the total amount of solid waste generated by your operations annually?

- Yes No

If yes, state annual solid waste figures (kg or tonnes): _____

11. Does your company have waste reduction and/or diversion targets or goals?

If yes, state targets and by what year they are to be achieved?

12. Does your company have an office or operations recycling program in place?

- Yes No

If yes, which materials does your company recycle - **check only those that apply:**

- office paper
- plastic and glass containers
- soft plastic
- food waste/compostables
- batteries
- printer or toner cartridges
- Styrofoam
- IT equipment / electronics / mobile devices
- clean wood (e.g., pallets)
- metals

13. Describe any other initiatives undertaken in past three (3) years that have significantly reduced waste from your operations. **Please limit answer to 250 words or less.**

14. Does your company have a Sustainable or Ethical Purchasing Policy or a Code of Conduct for Suppliers that outlines minimum ethical labour standards that must be followed by suppliers?

- Yes No

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In no, skip to question 16.

If yes, please address the following:

- a. Attach a copy of the policy and/or code to the Proposal
- b. If the policy or code of conduct is publicly available, please provide a link to document:

15. Indicate which environmentally preferable and/or sustainable goods or services your company currently purchases - **check only those that apply**:

- Sustainable food items (e.g., Fairtrade coffee; organic produce; OceanWise seafood)
- Copy paper (e.g., 100 per cent post-consumer waste; Forest Stewardship Council certified; tree free)
- Janitorial supplies (e.g., ECOLOGO or Green Seal certified)
- IT equipment (e.g., EPEAT Gold, EnergyStar qualified)
- Office products (e.g., ECOLOGO; recycled; non-toxic)
- Printing services (e.g., Forest Stewardship Council certified paper and printer)
- Promotional / marketing items (e.g., fair labour practices; reusable; recyclable)
- Courier services (e.g., use energy efficient, low carbon or alternative fuel vehicles)
- Catering services (e.g., serve sustainable food; employ social enterprises; use reusable serving ware)
- Landscaping services (e.g., use energy efficient equipment; employ social enterprises)
- Other: (list)

SECTION 2: SOCIAL IMPACT

This section of the leadership questionnaire addresses the following elements:

- *living wage employer*
- *workplace development programs*
- *supporting social enterprises*
- *sustainable business*

1. Is your company already a certified Living Wage employer, or working towards becoming one? See definition of *Living wage employer* in Section 3 below.

- Yes No

If yes, please state either:

- a) date of certification; OR
- b) date by which you expect to become certified

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2. Does your company provide employment and/or training opportunities for *person(s) with barriers to employment* (e.g., people with addictions, disabilities, mental health issues; people who are newcomers or refugees, etc.) that go beyond the hiring practices required by law? See definition of *person with barriers to employment* in Section 3 below.

Yes No

If yes, describe the program including the name of the non-profit organization or educational institution or government agency that you work with to identify potential trainees and employees; and the number of employees/trainees that work in your company.

3. Does your company conduct business with, or support in other ways, one or more *social enterprises* (as defined in Section 3 below).

Yes No

If yes, name the social enterprise(s) and describe the nature of the business conducted and/or support provided.

4. Is your company structure either of the following:

- a. Social enterprise (as defined in Section 3 below)

Yes No

If yes, state the name of the registered non-profit or co-operative (including society and/or charitable number):

- b. Community Contribution Company (C3) (as defined in Section 3 below)

Yes No

5. Has your company's sustainability performance been reviewed or certified by a third party? (e.g., B Lab, ISO14001, SA8000, Social Fingerprint, etc.)

Yes No

If yes, state the name of the third party and date of certification or date of last review:

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6. Describe any additional social sustainability initiatives that demonstrate your company's commitment to the health and well-being of local communities. **Please limit answers to 250 words or less.**

SECTION 3: DEFINITIONS

Living Wage Employer:

Living wage employers adhere to the following criteria:

- All employees - full-time, part-time and casual - are paid the current living wage rate for their region. See www.livingwageforfamilies.ca for current Metro Vancouver and Fraser Valley living wage rates.
- The living wage rate calculation for an employer takes into account its employees' *total* compensation package (wage + benefits). If employees receive non-mandatory benefits, the living wage rate is reduced to take this into account. External contract staff (not direct employees) who provide services to their employer on a regular and ongoing basis must also be paid a living wage.
- Employees who receive incentive-based pay (tips) or commissions can be paid less than a living wage, provided their total earnings - including incentive-based pay and/or commissions - equal or exceed the living wage.

Social Enterprise:

“Social enterprises are businesses owned by non-profit organizations, that are directly involved in the production and/or selling of goods and services for the [combined] purpose of generating income and achieving social, cultural, and/or environmental aims (Social Enterprise Council of Canada).” See www.socialenterpriseinbc.ca.

In addition to having the aforesaid combined purpose, to qualify as a “Social Enterprise” for purposes hereof, an entity must:

- be a business operated by a registered non-profit or community services co-operative;
- have a product or service that it sells to customers;
- have a defined social and/or environmental mandate.

Person with Barriers to Employment:

A “person with barriers to employment” is someone who faces one or more circumstances that can lead to underemployment or unemployment. There are a wide range of circumstances that can create barriers to employment including but not limited to: addictions, disabilities, mental health issues, and being a newcomer or refugee. For purposes hereof, to qualify as a “person with barriers to employment”, the employee or trainee must be participating in a recognized, pre-approved employment program for person(s) with barriers to employment run by a non-profit organization or educational institution or government agency.

Community Contribution Company (C3):

“Community Contribution Company” means a corporation formed under the laws of British Columbia that includes in its articles the following statement:

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This company is a community contribution company, and, as such, has purposes beneficial to society. This company is restricted, in accordance with Part 2.2 of the *Business Corporations Act*, in its ability to pay dividends and to distribute its assets on dissolution or otherwise.

Or, a company incorporated under another jurisdiction that includes in its articles substantively similar restrictions related to dividends and distribution of assets.

Refer to www.fin.gov.bc.ca/prs/ccc for more information.

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SCHEDULE 7 - CCDC-11 CONTRACTOR'S QUALIFICATION STATEMENT

Please use the standard CCDC-11 form.