



REQUEST FOR EXPRESSION OF INTEREST

CONSTRUCTION MANAGER PRE-QUALIFICATION FOR MARPOLE COMMUNITY CENTRE RENEWAL AND OUTDOOR POOL PROJECT

RFEOI No. PS20211169

Issue Date: August 20, 2021

Issued by: City of Vancouver (the “City”)

IN RESPECT OF

Pre-qualifying construction managers for the Marpole Community Centre Renewal and Outdoor Pool Project

EXPRESSIONS OF INTEREST WILL NOT BE PUBLICLY OPENED.

NOTES:

1. An Expression of Interest should be submitted by email prior to 3:00pm on **September 21, 2021** (the “Closing Time”) in accordance with the following:
 - Subject of the file to be: PS20211169 - Construction Manager Pre-Qualification for Marpole Community Centre Renewal and Outdoor Pool - Vendor name.
 - Document format for submissions:
 - Schedule 1 to 6 in PDF format in 1 combined PDF file, and;
 - Any additional attachments if required.
 - Zip the files to reduce the size or email separately if needed.
 - Send your submissions to Bids@vancouver.ca; do not deliver a physical copy to the City of Vancouver.
 - Submitting the files via Drop box, FTP, or similar programs, is not acceptable.
 - Due to cybersecurity concerns, the City of Vancouver will quarantine any inbound email with attachments not in PDF or Microsoft Office formats which will result in non-delivery to Supply Chain Management and will be deemed not submitted. Non-compliant file formats will be detected and quarantined even if they are compressed, zipped, renamed, and include password protected zipped files.
 - The maximum number of attachments allowed in an email message is 250 attachments.
 - The maximum size limit for an email message, including all attachments, is 20MB per message
2. Each Expression of Interest must be marked with the Respondent’s name and the RFEOI title and number.
3. “Vancouver Time” will be conclusively deemed to be time in the City of Vancouver, as indicated in the electronic timestamp the Proposal receives upon delivery to the email address specified herein, which is in turn synchronized to Network Time Protocol (NTP) provided by the National Research Council of Canada adjusted to local Pacific Time Zone.
4. DO NOT SUBMIT EXPRESSIONS OF INTEREST BY FAX.
5. All queries related to this RFEOI should be submitted in writing to the attention of:

Donabella Bersabal

Contracting Specialist

Email: donabella.bersabal@vancouver.ca

(the “Contact Person”)

RFEOI PS20211169 - CONSTRUCTION MANAGER PRE-QUALIFICATION FOR MARPOLE COMMUNITY CENTRE
RENEWAL AND OUTDOOR POOL
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SECTION 1 GENERAL INFORMATION

1.1 Introduction

The City of Vancouver (the “City”) is seeking expressions of interest (“Expressions of Interest”) from vendor groups or teams indicating their interest in presenting their qualifications to perform the role of construction manager for the Marpole Community Centre Renewal and Outdoor Pool Project which includes a Community Centre, outdoor pool, park support spaces and a childcare with 74+ spaces.

1.2 Background

The Marpole-Oakridge Community Centre, built in 1949, is the Park Board’s oldest community centre. Due to its inability to meet current and future programming demands and aging building systems, the building is in need of renewal. The building is functionally outdated and undersized, given the population it currently serves, and the anticipated population growth which will add additional capacity pressure.

Both the Marpole Community Plan (2014) and the Park Board Facilities Renewal Plan (2009) identified the need for renewal of the Marpole-Oakridge Community Centre. The development of the renewed Marpole-Oakridge Community Centre, new outdoor pool, and Oak Park schematic master plan support principles outlined within the following Park Board policies: VanPlay, VanSplash, Resilient City Strategy, Healthy City Strategy, Greenest City Action Plan, Transportation 2040, Marpole Community Plan.

Oak Park is a permanent park, 5.25 hectares in size. It features two ball diamonds, two t-ball diamonds, two tennis courts, children’s play space and spray park, a lit gravel field, and two grass fields used for soccer. The park also features walking paths, mature shade trees, and a grove of Sequoia trees unique to Vancouver. Neighbourhood families are the most active users of the park, and children from the South Vancouver area are the most heavily represented within the sports groups using the fields and diamonds.

City of Vancouver retained a professional consulting team led by Diamond Schmitt Architects to design the new facility and administer a construction contract. Schematic design started on July 5, 2021.

1.3 Key Dates

Respondents should take note of the following dates:

Event	Time and Date
Deadline for Enquiries	September 14, 2021
Closing Time	3:00:00 pm on September 21, 2021

All references to time in the RFEOI are references to the Vancouver Time mentioned in Notes#3 above.

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 Expressions of Interest, 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 nature of the hazard(s) in its Expression of Interest. 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 RFEOI Process

- 1.5.1 Interested parties (“**Respondents**”) are required to respond to this RFEOI in accordance with the instructions set forth in this RFEOI.
- 1.5.2 Expressions of Interest 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 RFEOI Respondents. The City currently anticipates that it will carry out a request for proposals 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 RFEOI, 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 The RFEOI process is aimed at encouraging businesses with the required level of expertise to participate. Respondents should ensure that their Expressions of Interest demonstrate expertise in construction of civic/recreational buildings/pools of similar scale and complexity, construction management at risk delivery with pre-construction services, construction projects within the City of Vancouver, LEED Gold certified projects, and special/challenging construction projects.
- 1.5.5 Any potential Respondent is requested to refrain from submitting an Expressions of Interest if it is not willing to submit bona fide proposal or tender in relation to the subject matter of the RFEOI if the City invites the Respondent to participate in a request for proposals or 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 vendor regarding the matter.

1.6 RFEOI Documents

- 1.6.1 This RFEOI 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 Expression of Interest;
- (iii) Schedule 3 – Format for Expressions of Interest; and
- (iv) Schedule 4 – Certificate of Existing Insurance
- (v) Schedule 5 – Declaration of Supplier Code of Conduct Compliance

(collectively, the “RFEOI Documents”)

- 1.6.2 If the City of Vancouver issues any amendments or addenda to the RFEOI Documents, such amendments or addenda will form part of the RFEOI 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 RFEOI Documents, including questions and answers posted by the City in relation to this RFEOI.

SECTION 2 QUALIFICATION CRITERIA

2.1 General

The City currently expects to base its decision with respect to each Respondent’s qualification to participate in a request for proposals on (i) whether the statement of qualifications submitted by the Respondent as part of its Expression of Interest (its “**Statement of Qualifications**”) has met, and whether such Statement of Qualifications shows that the Respondent has met, the requirements set out in the RFEOI 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 a request for proposals 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 same with the City.

SECTION 3 COMMUNICATIONS

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

SECTION 4 SUBMISSION OF EXPRESSIONS OF INTEREST

4.1 Delivery

Each Respondent should submit a single electronic copy of its entire Expression of Interest by email to bids@vancouver.ca. It is each Respondent’s sole responsibility to ensure delivery of its

Expression of Interest by the Closing Time. All submissions should be made at the Respondent's sole cost and expense.

4.2 **Late Expressions of Interest**

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

4.3 **Form of Expression of Interest**

Each Expression of Interest 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 and declaration of Supplier Code of Conduct compliance in the form of Schedule 5.

4.4 **Lack of Information**

Following receipt of an Expression of Interest, 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 Expression of Interest.

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 RFEOI process. Participants in a request for proposals will be required to update key qualification information at the time of proposal submission. Prior to the entry into any agreement for goods or services, a successful vendor will be required to confirm its continued status.

SECTION 5 REVIEW OF EXPRESSIONS OF INTEREST

5.1 **Evaluation by the City of Vancouver**

The City will review the Expressions of Interest 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 RFEOI 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 statements, documents, and information submitted in connection with an Expression of Interest and may seek clarification from a Respondent's bankers and clients regarding any financial and experience issues.

5.3 Non-Conforming Expressions of Interest

Expressions of Interest 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 RFEOI Documents may be rejected by the City of Vancouver, in its discretion. Notwithstanding the foregoing or any other provision of these RFEOI Documents, the City may at its sole discretion elect to retain for consideration Expressions of Interest 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 RFEOI Documents.

SECTION 6 NOTIFICATION AND RFP 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 Expression of Interest, 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, may:

- (a) amend the scope and description of the goods and services to be procured under the RFEOI or any subsequent request for proposals 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 Expressions of Interest;
- (c) cancel the RFEOI process and reject all Expressions of Interest;
- (d) cancel the RFEOI process and commence a new process in respect of the same request for proposals 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 RFEOI process and enter into direct negotiations with any party whether or not a Respondent .

6.3.2 By submitting an Expression of Interest, a Respondent acknowledges and agrees that these RFEOI Documents are, in no way whatsoever, an offer to enter into an agreement (except on the limited terms and conditions expressly stated in Schedule 2), and that submission of an Expression of Interest 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 Expression of Interest in any particular manner or undertake the City's RFEOI process in any particular manner (except as expressly stated in Schedule 2 with respect to confidentiality).

6.3.3 The form of letter set forth in Schedule 2 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 RFEOI 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 RFEOI 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 RFEOI Documents is provisional and is expected to be superseded by information in a request for proposals and other documents.

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 Expression of Interest 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 RFEOI in light of the particular matter.

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 RFEOI 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 RFEOI 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 RFEOI 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 RFEOI in light of the particular matter.

7.4 Collusion

Each Respondent is required to disclose whether the Respondent is competing for purposes of the RFEOI 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 RFEOI with any other Respondent responding to the RFEOI. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFEOI 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 RFEOI or sought, other than through the submission of its Expression of Interest, to influence the outcome of the RFEOI process. The City will evaluate each matter disclosed to determine whether and to what extent the Respondent can be given consideration in the RFEOI in light of the particular matter.

SCHEDULE 1 – DESCRIPTION OF REQUIREMENTS

A. Description of Project

The City of Vancouver invites Construction Managers to submit Expressions of Interest for the Marpole Community Centre Renewal and Outdoor Pool Project to be constructed in the Oak Park at Oak Street and Park Drive in Vancouver.

For working purposes, project size and program is described as follows:

Building Program

Element	Area	Description
Community Centre	3,800 m2 (41,000 SF)	Multipurpose rooms, Gymnasium, Fitness, Kitchen, Admin and Support Areas
Child Care	765 m2 net area, lobby, circulation and service space are additional	74 spaces
Field Washrooms and Support Areas	160 m2 (1,700 SF)	Washrooms and Storage areas
Outdoor pool support areas		Change rooms, service rooms, storage rooms etc. Attached to the main building or separate.

Other project program components

Element	Area	Description
Outdoor Pool	2,323 m2 (25,000 SF)	
Parking and drop off	As required	150 stalls 2 levels, underground
Demolition		Existing community centre during final phase of the project
Park Improvements	As required	Only areas adjacent to the building. Park planning not in scope

The estimated hard construction budget for the facility is \$59M to \$70M in 2021 dollars.

The building will achieve Passive House certification, LEED™ Gold certification, and Zero Carbon Building Standard certification. The building and site will target “capture and clean” of the first 48mm of rainfall during a 24-hour period.

The Community Centre component of the building will comprise a gymnasium and a number of multi purpose and activity rooms for sports, arts, and social events, including lounges for seniors and teens as well a commercial kitchen.

The childcare will be located at the upper level and will not have any land at grade and therefore will require developed roofscapes for outdoor play areas. The main access to the outdoor pool will be thru the Community Centre lobby.

At grade there will be also a need to integrate the building with the park and future splash park. Park support spaces such as public washrooms and team rooms will be located in the building, but will have direct access to exterior.

Parking will be located underground to preserve the open space in the park. One or two levels of parking with drop off areas for the Community Centre and for the Childcare are anticipated.

B. Summary of Requirement

The project will be “Construction Management at Risk” with Pre-Construction Services commencing in late 2021 and may subsequently evolve into a fixed price (CCDC-2 based) construction contract based on pre-established General Contractor rates.

1. Pre-Construction Services

This phase will involve the following tasks:

- a. Work with the Design Team to provide researched input regarding construction systems and methods starting as early as Schematic Design phase.
- b. Review Schematic Design options (up to three) and provide comments from the constructability perspective.
- c. Continue the collaboration thru the Design Development phase providing further constructability input. Variables to consider will be the costs of the materials, availability, installation constraints and time etc.
- d. Provide order of magnitude costs and schedule impacts for different design approaches and construction systems.
- e. Work with the Design Team to:
 - Suggest and review options for the achievement of LEED Gold and Passive House Standard certifications, from the Contractor’s perspective
 - Suggest and review building systems and assemblies and offer comments on availability, costs and constructability.
 - Highlight construction challenges and limitations for the Design Team and work collaboratively to seek solutions to reduce both the costs and the period of construction.
 - Suggest and review options for degrees of prefabrication
- f. Prepare periodic cost estimates (ascending from Class C to Class A) Design Development, and Pre-Tender (Class B, and A cost estimates), in parallel with the City’s Quantity Surveyor and analyse and reconcile any substantial differences between your estimates and those of the Quantity Surveyor.
- g. Participate in meetings and review construction drawings and specifications as they relate to constructability and the construction budget

2. Tender and Construction

The successful Respondent will be required to procure bids from trade contractors and, if a stipulated sum contract is agreed to by the City and the successful respondent as a Construction Manager, to act as the General Contractor under such fixed price (CCDC-2 based) construction contract.

C. Evaluation Criteria (use headings below to structure your Response to Schedule 3, item 5(d) in the submitted Statement of Qualifications)

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 attached as Schedule 6 to demonstrate compliance with the requirements wherever possible, rather than submitting material which duplicates the content.

1. Mandatory Qualifications

Respondents must have recent experience (preferably within the last 5 years) in:

- a. Recreational or swimming pools or social/civic buildings of similar scale and complexity as the project
- b. Mixed use developments of similar scale and complexity
- c. Construction Management at Risk delivery with pre-construction services
- d. Construction projects within the City of Vancouver
- e. LEED Gold certified projects
- f. Special/challenging construction projects

All Respondents must state fulfillment of these qualifications, including examples, in their proposals.

2. Preferred Qualifications

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

- a. Innovative solutions to challenging problems
- b. Passive House Standard certified projects
- c. Creative means and methods to achieve cost and schedule savings
- d. Prefabrication of components or construction elements
- e. Child care facilities, swimming pools, recreational buildings, community centres
- f. Fast tracked construction

3. Proven track record substantiated by recent (last 5 years) and relevant client references for the Respondent;

4. Current workload capacity of the Respondent;

5. Key Personnel:

- a. Respondent's listing of key personnel to be included in the project team including qualifications and relevant experience; and
- b. Respondent's demonstration of sufficient qualified staff to act as back-up in case of unexpected absence of key personnel.

6. Approach and Methodology

Based on a brief (maximum one page) outline of the Respondent's approach to the project and to risk, schedule, cost and quality control as applied to the project

- 7. Financial capability to undertake the role of Prime Contractor;**
- 8. History of any litigation or claims made against the Respondent, or made by the Respondent against the City, during the three (3) year previous to the Closing Time;**
- 9. Ability to meet insurance and bonding requirements (requires a letter from a bonding company confirming the Respondent's bonding capability);**
- 10. Innovative ideas relating to execution and deliverables.**

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

D. RFP succeeding the RFEOI

Should the City proceed in issuing a Request for Proposals, the RFP will serve as the second phase of the selection process and will focus on the construction management proposal and its relative costs.

A number of Respondents will be shortlisted as a result of the RFEOI process.

E. Project Timeline

Schematic Design of the project started in July 2021. It is anticipated that the project follows the following timeline, which may require staging of the Building Permit and some fast tracking of construction to accommodate the length and complexity of the permitting process.

Schematic Design, starting	July 2021
Building Permit Application submitted	September 2022
Construction Tender (start)	December 2022
Construction Start	March 2023
Occupancy	late 2025
Deconstruction of existing building	early 2026

F. City-Provided Documents and Drawings

Interested Proponents will need to sign a Non-Disclosure Agreement and send it to the Contact Person prior to receiving a copy of the following documents:

- Oak Park - Schematic Master Plan
- Marpole Community Centre Functional Program, July 20, 2021
- Marpole Community Centre Space Table, July 20, 2021
- Survey - Oak Park

SCHEDULE 2 – LETTER OF EXPRESSION OF INTEREST

[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: EXPRESSION OF INTEREST -- REQUEST FOR EXPRESSIONS OF INTEREST NO. PS20211169 (the “RFEOI”) IN RESPECT OF CONSTRUCTION MANAGER PRE-QUALIFICATION FOR MARPOLE COMMUNITY CENTRE RENEWAL AND OUTDOOR POOL

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 Expression of Interest, 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 RFEOI.
4. Capitalized terms used herein have the definitions ascribed thereto in the RFEOI.
5. The City its representatives may contact the following persons for further information:

[Respondent to insert information - minimum of 3 references]

6. This Expression of Interest 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 proposal or 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 RFEOI (and consistent with this Expression of Interest) if the City invites the Respondent to participate in a request for proposals or 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 RFEOI or any subsequent request for proposals process, varying them

- from those described in the RFEOI, or amend the qualifications that may be required to meet the City's requirements;
- (ii) reject or accept any or all Expressions of Interest;
 - (iii) cancel the RFEOI process and reject all Expressions of Interest;
 - (iv) cancel the RFEOI process and commence a new process in respect of the same request for proposals with the same or an amended set of documents, information or requirements;
 - (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 RFEOI 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 RFEOI 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 Expression of Interest 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 Expression of Interest in any particular manner or undertake the City's RFEOI 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 RFEOI.
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 RFEOI, 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 RFEOI;
 - (b) any unintentional tort of the City or its officials or employees occurring in the course of conducting the RFEOI; or
 - (c) the manner in which the City: reviews, considers, evaluates or negotiates any Expression of Interest; addresses or fails to address any Expression of Interest; 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 Expression of Interest, including without limitation names and prices, in the course of publicly reporting to the Vancouver City Council about the RFEOI, the City will treat the Expression of Interest (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 RFEOI (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:

- (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 Expression of Interest 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 EXPRESSIONS OF INTEREST

Expressions of Interest submitted by Respondents should consist of:

1. a completed and duly executed Letter of Expression of Interest (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 (the following schedule 5);
4. a completed and duly executed Contractor's CCDC-11 (the following Schedule 6); and
5. a Statement of Qualifications, consisting of and arranged as follows:

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

The title page should identify the RFEOI number identified on the cover page of this RFEOI, the Closing Time, and the Respondent's legal name, legal address, company URL, telephone number, key contact person and email address.

- b. **Table of Contents / Index**

- c. **Corporate Background:**

- i. Describe the type of entity (for example, individual, corporation, partnership, sole proprietorship) and if a joint venture, clearly state this and state who the joint venture parties are and identify who is acting as lead and entity size.

- d. **Qualifications, relevant corporate experience and capability of the Respondent:**

- i. Provide content and organize according to the headings listed in Schedule 1 Section C - Evaluation Criteria of this RFEOI.
- ii. For the Mandatory and Preferred qualifications, provide a summary of your qualifications in a tabular layout.

SCHEDULE 4 - CERTIFICATE OF EXISTING INSURANCE

Please complete the attached certificate.



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)

Table with 2 columns: Field (INSURER, TYPE OF COVERAGE, POLICY NUMBER, POLICY PERIOD) and Value/Amount (Insured Values (Replacement Cost) - Building and Tenants' Improvements, Contents and Equipment, Deductible Per Loss)

4. COMMERCIAL GENERAL LIABILITY INSURANCE (Occurrence Form)

Table with 2 columns: Field (Including the following extensions, INSURER, POLICY NUMBER, POLICY PERIOD, Limits of Liability) and Value/Amount (Personal Injury, Property Damage, Products, Cross Liability, Employees, Blanket Contractual, Non-Owned Auto, Aggregate, All Risk Tenants' Legal Liability, Deductible Per Occurrence)

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

Table with 2 columns: Field (INSURER, POLICY NUMBER, POLICY PERIOD) and Value/Amount (Limits of Liability - Combined Single Limit, 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) -

Table with 2 columns: Field (INSURER, POLICY NUMBER, POLICY PERIOD) and Value/Amount (Per Occurrence, Aggregate, Self-Insured Retention)

7. PROFESSIONAL LIABILITY INSURANCE Limits of Liability

Table with 2 columns: Field (INSURER, POLICY NUMBER, POLICY PERIOD) and Value/Amount (Per Occurrence/Claim, Aggregate, Deductible Per Occurrence/Claim)

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

8. OTHER INSURANCE

Table with 2 columns: Field (TYPE OF INSURANCE, INSURER, POLICY NUMBER, POLICY PERIOD) and Value/Amount (Limits of Liability - Per Occurrence, Aggregate, 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) <<https://policy.vancouver.ca/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, expression of interest 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: _____

SCHEDULE 6 - CONTRACTOR'S CCDC-11 FORM

Please use the standard CCDC-11 form and submit with your Response.