

APPENDIX A – RFT PARTICULARS

1.0 THE DELIVERABLES

The Corporation of the City of Mississauga is seeking Construction services for various mechanical and building lifecycle improvements at Tomken Twin Arena, including:

- Renewal of Domestic Hot Water System and system controls
- Replacement of Distribution Piping
- Replacement of Unit Heaters and Exhaust Fan
- Replacement of Overhead Door(s)
- Replacement of Floor Finishes
- Replacement of Kitchenette
- All other Work as described in Appendix C Scope of work, drawings and specifications documents

2.0 MATERIAL DISCLOSURES

2.1 Prequalification

Must a bidder be prequalified in order to submit a bid?

- Yes, under prequalification Procurement No. [Click or tap here to enter text.](#)
- No

2.2 Key Personnel

Are Key Personnel applicable to project pursuant to a City prequalification process?

- Yes
- No

If yes, applicable prequalification Procurement No. [Click or tap here to enter text.](#)

If any of the individuals proposed by the bidder for Key Personnel within its' response to the above-mentioned prequalification differ from the Key Personnel being proposed within this RFT, the City may, in its sole and absolute discretion:

- a) rescind the award to the bidder;
- b) proceed with the award to the bidder; or
- c) before taking either action above, request additional information from the bidder on any or all of the individuals who differ from those proposed in the

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bidder's response to the prequalification, or request that the bidder propose different individuals for any or all of the individuals who differ from those proposed in the bidder's response to the prequalification. The bidder shall provide any requested additional information or propose different individuals within five (5) business days of the City making a request.

2.3 City's RFT Consultant

If the City has appointed a third party architect, engineer, contract administrator or other third party to assist with this bid request and/or any resulting contract, details are as follows:

Company: Spectra Engineering Ltd.

Role: Prime Consultant

2.4 Contract Security

Is a Performance Bond required?

Yes, in amount of: 50% of the total bid price

No

Is a Labour & Material Payment Bond required?

Yes, in an amount of: 50% of the total bid price

No

2.5 Liquidated Damages

Are liquidated damages applicable to the contract?

Yes

No

2.6 Holdbacks

Is a Construction Holdback applicable to the contract?

Yes, in an amount of: 10%

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No

If applicable, is annual release of the Holdback applicable to the contract?

Yes

No

If applicable, and pursuant to subsection 2(4) of the Construction Act, the Deliverables and improvements applicable to each calendar year of the term shall be collectively treated as one contract. In other words, the Deliverables and improvements occurring between the commencement of the contract and the following December 31 shall be collectively treated as one separate contract. The Deliverables and improvements occurring between January 1 and the following December 31 shall be collectively treated as another separate contract.

Substantial performance shall be determined for each contract and shall be subject to the holdback release provisions set out herein.

Is a Warranty Reserve applicable to the contract?

Yes, in an amount of: 2.5%

No

If applicable, the City will keep the Warranty Reserve for the duration of the contract including the warranty period.

The contractor must request release of the Warranty Reserve at the end of the warranty period, subject to the City's contract manager confirming that the terms of the warranty have been satisfied and there are no outstanding deficiencies or defects.

2.7 Warranty Period

Is there a warranty period applicable to the contract?

Yes, for a duration of: 12 months

No

2.8 Health & Safety

Is an Occupational Health & Safety Management System ("OHSMS") requirement applicable to the contract?

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- Yes, Contractors must be **certified** with an approved OHSMS
- No

For more information on the City's OHSMS requirement, visit [Bids and Tenders - Mississauga](#)

Is the City standard Health and Safety Form applicable to the Contract?

- Yes
- No

For more information on the City's Standard Health & Safety and Safety Acknowledgement requirements, visit [Bids and Tenders - Mississauga](#)

2.9 Insurance Requirements

Insurance shall be in accordance with:

- Schedule A – Insurance Requirements
- Section 29 of Standard Terms and Conditions of Contract – Non Construction
- Agreement, with any applicable City Amendments or Supplemental Conditions

Additional insurance requirements:

NA

2.10 Workplace Safety and Insurance Board (“WSIB”) Requirements

WSIB shall be in accordance with:

- Section 27 of Standard Terms and Conditions of Contract - Construction
- Section 31 of Standard Terms and Conditions of Contract - Non Construction

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- Agreement, with any applicable City Amendments or Supplemental Conditions

2.11 Demonstrations

Is a demonstration required as part of the bidding process?

- Yes
 No

It is the responsibility of the bidder to arrange the demonstration at a location of the City's discretion within five (5) business days of the City's request. All equipment/vehicle demonstrated must be the same as the equipment/vehicle proposed in the bid.

2.12 Product Equivalent/Substitutions

Are product equivalent and/or substitutions permitted during the bidding process?

- Yes
 No
 Not applicable

Prior approval must be obtained by using the "Submit a Question" feature on the City's e-bidding system. All product equivalents and/or substitution decisions will be communicated by way of addenda. The City reserves the right to accept or reject substitutes at its sole discretion. The City's decision on whether a product is deemed equivalent or a substitute will be final.

Approved substitutes must be ready and available for staff to inspect and test, at the City's request.

3.0 MANDATORY SUBMISSION REQUIREMENTS

3.1 Submission Form

Each bid must include all completed schedules within the City's e-bidding system and digitally authorized by an authorized representative of the bidder.

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3.2 Pricing

Each bid must include pricing information that complies with the instructions contained in Part 4 Pricing.

3.3 Other Mandatory Submission Requirements

- a) Digital, verifiable Agreement to Bond, in an amount of 50% Performance Bond / 50% Labour and Material Payment Bond, from a surety company licensed to conduct business in the Province of Ontario and acceptable to the City.

4.0 MANDATORY TECHNICAL REQUIREMENTS

- a) The bidder must demonstrate it has a minimum average annual value of \$2,500,000 dollars in construction work, utilizing the last four (4) full calendar years and calculated as follows:

$$\text{average annual value of construction work} = \frac{(\text{Yr 1 AV} + \text{Yr 2 AV} + \text{Yr 3 AV} + \text{Yr 4 AV})}{4}$$

AV = annual construction value

The bidder is to include their annual value of construction work where indicated in the City's e-bidding system.

- b) The bidder must demonstrate it has undertaken, as a general contractor or as a sub-contractor, within the last five (5) calendar years and/or current year, similar projects of scope and size. Bidders are to complete the applicable Schedules in the City's e-bidding system accordingly.
- c) The bidder must acknowledge they have not been convicted with a violation of the Electrical Safety Authority (ESA) or Occupational Health & Safety Act (OHSA), have not been in default of contract requiring surety involvement, and are not in bankruptcy proceedings, by completing the table within the City's e-bidding system.

5.0 PRE-CONDITIONS OF AWARD

The award of the Contract is subject to the receipt of sufficient funding and appropriate staff and Council approvals.

The successful bidder shall, within seven (7) business days of receiving written notice of award from the City, submit to the City the following documentation, , identified by "☒":

- ☒ A completed, signed and otherwise valid City Standard Certificate of Insurance, evidencing the insurance identified in Section 2.0 Material Disclosure; the City Standard Certificate of Insurance can be found on the City's website

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- A valid Workplace Safety and Insurance Certificate of Clearance
- A list of the individuals the bidder proposes for the Key Personnel positions identified in its response to a prequalification process. If any of the proposed Key Personnel are different from those proposed in the bidder's response to the prequalification process, the bidder shall identify the reason for the change
- A preliminary construction schedule
- Contract Security, as identified in Section 2.0 Material Disclosure
- A list of personnel assigned to the project, together with proof of applicable certification and licenses
- Appropriate contract seal issued from the Canadian Construction Document Committee website: www.ccdc.org
- Health & Safety Policy and Procedures
- A completed, signed Health and Safety Acknowledgement Form
- Trillium Award Certificate – current Trillium Award certificate as awarded by the Ontario Association of Asphalt Pavement Council, refer to Supplemental Specifications SS 310, if applicable
- Proof of certification with COR™; ISO 45001:2018; CSA Z45001:19; or OHSAS 1800:2007

For new suppliers: If your company is not yet set up with the City for payment by Electronic Fund Transfer (EFT), the following documentation will be required:

- a) Vendor Registration (Articles of Incorporation, Sole Proprietorship Registration, Partnership Agreements, etc.);
- b) Canada Revenue Agency Registration (Business Number);
- c) Signed EFT Form, voided cheque or official bank letter for payments (Electronic Funds Transfer set-up); and
- d) Sample Invoice.

The contractor's name on all submittals must match the bidder's account information on the e-bidding system and bid submission.

6.0 SPECIAL TERMS AND CONDITIONS

6.1 The Contractor is responsible for obtaining all permits and approvals from all applicable authorities as specified in the bid request. Inspections and associated fees for the purposes of

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ensuring constructed works meet all necessary requirements of the permit and approval processes are solely the responsibility of the Contractor.

6.2 The value of the warranty reserve may be adjusted and will be based on the value of the Contract Price as set out in the definition of “Warranty Reserve” in the CCDC 2 – 2008 Stipulated Price Contract as amended by the City Amendments. Warranty reserve will be maintained and paid to the Contractor in accordance with GC 5.7 FINAL PAYMENT.

6.3 City Requirements for Electronic Invoicing

All invoices submitted must be accompanied by an Invoice/Progress Cover Sheet. The form and instructions to complete it can be found at:

<http://www.mississauga.ca/portal/cityhall/accountspayable>

**click on Construction Contractor Invoice Requirements

In addition to the Cover Sheet, the following information is required when invoicing for construction services:

- Bill to section must use the City’s full legal name as follows: The Corporation of the City of Mississauga
- The correct and current City-issued purchase order number or Contract number, if available;
- Clear description, including location, of the services provided;
- Contractor’s name must match the name on City contract/purchase order (if not, notify the Contract Manager) and Contractor’s GST/HST Registration number;
- GST/HST registration number (if applicable);
- Currency of amount owed, if other than Canadian dollars; and
- Specific information should be set out in accordance with the line item details shown in the Price Schedule (as applicable).

Invoices will only be accepted electronically. The Contractor must submit invoices to:

cityofmississauga_invoicecapture@conkursolutions.com.

- The subject line must include the company’s name and the invoice number;
- Submit only one invoice per email. Additional information must be scanned in one attachment with invoice and Cover Sheet. Only one attachment is permitted per invoice and it shall not exceed 10 MB;
- Invoices submitted without the required information may be rejected. The payment term will be calculated from the date a valid invoice is received;
- For more information on how to submit an invoice, please refer to our Accounts Payable webpage at:

<http://www.mississauga.ca/portal/cityhall/accountspayable>

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- Most file formats are accepted by Concur:
tif/.tiff; .jpeg/.jpg; .png; .pdf (with XFA; with embedded fonts); .doc/.docx; .xls/.xlsx;
.eml (file saved using MS Outlook); winmail.dat; .csv

6.4 Warranty Closeout

The Contractor must submit a complete list of all capital assets supplied and installed, as required in the contract documents, using the Schedule B – Project Summary and Warranty Contact Information Report (“Warranty Sheet”). The Contractor is responsible for maintaining and updating the Warranty Sheet throughout the construction phase.

The Contractor shall submit a draft Warranty Sheet, in Excel format, to the Owner, no later than four (4) weeks after the construction kick-off meeting. The draft Warranty Sheet must include the following information, if applicable: equipment affected, type of equipment, equipment location, new or repaired status, warranty period, tag #, manufacturer and model number.

The Contractor shall submit a completed Warranty Sheet to the Owner, in Excel format, at substantial performance of the contract, with the other required close-out documents outlined in the contract documents.

6.5 REQUEST FOR APPROVED EQUIVALENT

To request approval of an equivalent product to those specified in the bid request document, a bidder must submit brochures and/or specifications/technical data sheets and a description of how the product is equal to or better in terms of application and performance to the originally specified product in the bid request documents, using the “Submit a Question” feature in the City’s e-bidding system. Requests for approval of an equivalent product will only be accepted during the question period. Requests submitted after the question deadline will not be considered or addressed.

All requests for approval of equivalent products will be responded to through an addendum. Once the City has reviewed the request for an approved equivalent and a decision has been made, the decision will be final. Bidders are to submit their pricing based solely on the approved products identified by the City. The City will not entertain any additional costs during contract administration should a bidder have carried a cost for a product not approved by the City.