REQUEST FOR QUOTATION DOCUMENT
(For Planning/Engineering Assignments)

PART A - TERMS OF REFERENCE (Version 2.9, May 2016)

Assignment Number: ***Insert***

Insert a Description of the Project/Services

Insert the Location of Project/Services

Insert Region

Insert Date

Ministry of Transportation
Ontario

Version 2.9 Revisions May 2016

- *Removal of Tax Compliance Declaration*
- *Update to OHS requirements*
- *Removal of Acceptance/Approval Table Appendix B*
- *Update to Technical Standards & Specifications Reference Documents Appendix A*

Version 2.8 Revisions June 2011

- Terminology changes

Version 2.7 Revisions November 2009

The following sections have been updated.

- *Section 3.5 Project Terms of Reference - Requirement for Scope Cost reporting added*

Version 2.6 Revisions June 2009

The following sections have been updated.

- *Throughout – "Consultant" has been changed to "Service Provider"*
- *Throughout – "Sub-Consultant" has been changed to "Sub-Contractor*
- *Section 3.5 Project Terms of Reference*

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1.0 INSTRUCTIONS FOR COMPLETION OF QUOTATION

1.1 SERVICE PROVIDER'S UNDERSTANDING OF PROJECT

It is the Service Provider's responsibility to obtain all the necessary information concerning the intent and requirements of this Request for Quotation (RFQ) and Project.

1.2 COMPLETION OF THE QUOTATION AND GENERAL INFORMATION

(a) Only the Service Provider registered for the Specialty identified in the RFQ Notice will be considered. In addition, a Service Provider must have the prior registration of their Core Plan and the Generic Category Plan for the Category where the RFQ Specialty is located in.

(b) Fully complete the following forms (all the forms can be found in Part C of the RFQ posted on the RAQS website):

Form 1(a) Offer and Acceptance
Form 1(b) Budget Breakdown
Form 2 Additional Information
Form 3(a) Certification – Conflict of Interest
Form 3(b) Certification – Conflict of Interest
Form 3(c) List of People Who participated in Preparation of the Quotation
Form 4 RAQS Declaration
Form 5 Occupational Health & Safety Statutory Declaration
Form 6 Intention to Submit RFQ

(c) Make three (3) copies of Forms 1 to 6 that are applicable to the Category of the assignment and have each copy signed by an authorized official of the Service Provider, where required;

(d) The Quotation shall consist of two envelopes as follows:

Envelope #1 (Financial) – insert three (3) signed copies of the financial component containing Forms 1(a) and 1(b).

Envelope #2 (Technical / Management Information) – insert three (3) signed copies of the submission package containing Forms 2 to 6.

On each envelope clearly indicate the envelope number, Service Provider’s name and return address, and deliver to:

Insert Title of Project

Insert GWP, WO, Contract Number

Insert Ministry of Transportation or Ontario Shared Services based on the region
Insert Ministry Address
Attention: XXXXXX, Project Manager or **Purchasing Officer**
Agreement No.:
Project Description: XXXX
Include telephone and fax number, e-mail address

Each submission must include a Transmittal Letter. The Transmittal Letter shall include indication of the firm's intention to submit for RFQ Retainer for the project with the name, title, address and telephone number of the Principal who will serve as the contact for the project. The letter must be signed by an individual who is listed in RAQS as the firm's Key or Alternate Contact with the authority to sign a binding legal agreement on behalf of the Service Provider. At least one copy of the Transmittal Letter must be signed in original.

Each Quotation must be received at **specify location** no later than the **insert day** day of **insert month**, **insert year**, at **1:30:00 p.m.**

All submissions must be clearly identified as "confidential" on the envelopes. All submission envelopes must show the Assignment Number and Project Name and must be addressed to, as specified in Part A of the RFQ.

Late Quotations will not be considered and will be returned unopened.

Failure to submit by the time and date specified shall result in disqualification of the Quotation. The Service Provider alone bears the responsibility for the delivery of the Quotations to the above address by the stipulated closing date and time. The Ministry will not be responsible for Quotations which are delivered to the mailroom, security or to any other Ministry location but do not arrive at the specified address before the closing date and time.

Unsigned Quotations or amendments thereto will be rejected by the Ministry.

(e) All Quotations must be in hard copy form. No facsimile or e-mail transmissions will be accepted. However, minor amendments to the original hard copy Quotation will be accepted by facsimile and e-mail, at the number provided below, if received before the RFQ closing date and time. Originals must be forwarded to the Ministry so that they may be attached to the original hard copy for validity. The Ministry will **not** be responsible for non-receipt of amendments by facsimile or e-mail regardless of the cause thereof.
Facsimile #: insert fax number.

E-mail: insert email address .

The time of receipt of Quotations and amendments will be determined by the Ministry's/Ontario Shared Services date/time stamp.

Service Providers shall not submit more than one (1) Quotation. No alteration or modification to the Quotation will be accepted after the specified closing time for submitting Quotations.

A Service Provider may submit amendment(s) to a Quotation prior to the closing date/time. Should a Service Provider submit two (2) amendments for the same purpose prior to the closing date/time, only the one bearing the later date/time stamp will be considered.

A Service Provider may withdraw its Quotation upon written request at any time prior to the Quotation Submission Deadline. If withdrawn, the Service Provider may re-submit their Quotation prior to the Quotation Submission Deadline.

Each Service Provider shall review all RFQ documents, and shall promptly report and request clarification as may be required.

A Service Provider is requested NOT to make verbal enquiries of Ministry staff. No information given orally by Ministry staff will be binding to the Ministry.

(f) Where additional information / documentation is to be viewed by or distributed to the Service Providers, all Service Providers interested in submitting a Quotation must complete Form 6 (RFQ Part C) and return as indicated in bullet (g) below, by the date and time indicated in bullet (h) below. Distribution of additional information or a viewing session will only be arranged for those Service Providers submitting Form 6 (RFQ Part C) by the date and time specified. The form must be submitted in hard copy, facsimile or electronic (.pdf format) transmissions. The time of receipt of Form 6 will be determined by the Ministry date/time stamp. In the case the completed Form 6 is not received from a Service Provider as per the specified date and time, that Service Provider's Quotation will be disqualified.

The Service Provider alone bears the responsibility for the delivery of the Form 6 and the Quotation to the address indicated by the stipulated date and time. The Ministry will not be responsible for Quotations which are delivered to the mailroom, security or to any other Ministry location and which do not arrive at the specified address before the closing date and time.

(g) Any Service Provider who has questions as to the meaning of any part of this RFQ or the project should make a written enquiry to the Ministry / Ontario Shared Services prior to **insert time** on the **insert day** of **insert month**, **insert year**, requesting clarification, interpretation or explanation at the following address:

Title of Project

Insert GWP, WO, Contract Number
Insert Ministry Project Manager's Name, or Area Contracts Engineer or Ontario Shared Services Bureau Purchasing Officer
Insert Ministry Address
Include telephone and fax number, e-mail address

Or by facsimile to: (XXX) XXX-XXXX

Or by email to: xxxx.xxxx@ontario.ca

The Ministry reserves the right to distribute any or all questions and answers (clarifications) to all other Service Providers.

If necessary, the Ministry will post clarifications on the Project Notice by the Anticipated RFQ Clarification Posting Date indicated below. However, depending on the nature of the clarification required, the Clarification Date may be revised. It is the sole responsibility of each Service Provider to review the web posting up to the RFQ Submission Deadline for clarifications and/or revisions to the schedule.

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(h) The following dates are tentative and are subject to change without penalty to the Ministry provided that, with the exception of the Anticipated Award Date and the Anticipated Project Start Date, all Service Providers are given written notice (by Posting on the Project Notice) of the change. The Ministry is not required to give notice of a change to the anticipated Award Date or the Anticipated Project Start Date. However, delays in the Anticipated Project Start Date caused by the Ministry greater than two (2) weeks in length will result in an extension to the proposed Project Schedule or a change to the proposed Lump Sum Price (Maximum Ceiling Price) as agreed to by the Ministry and the successful Service Provider prior to the execution of the RFQ Agreement.

Activity	Date / Deadline
RFQ Posting Date	Insert Date
Deadline for Service Providers to notify Project	Insert Date/Time of Not

Manager of Intention to Submit a Quotation (Form 6 of Part C) - Only to arrange for a viewing session or the distribution of additional material	Applicable
Anticipated Viewing Session / Distribution of additional material	Insert Date or Not Applicable
Clarification Submission Deadline	Insert Date
Anticipated RFQ Clarification Posting Date (Posted on the Project Notice)	Insert Date
Quotation Submission Deadline	Insert Date
Anticipated Award Date	Insert Date
Anticipated Project Start Date	Insert Date

1.3 RFQ EVALUATION AND AWARD

The RFQ submission is to consist of two (2) envelopes as described in Section 1.2. Upon receipt of each Quotation submission, the Ministry will separate the two (2) envelopes. Each Quotation will first be examined to determine if it meets the mandatory requirements.

A non-compliant or incomplete submission shall result in disqualification of the Quotation. The Service Provider understands and agrees that the Ministry may, if deemed necessary, verify any information provided in any Quotation. It must be clearly understood that if there is any evidence of misleading or false information having been given, the Ministry may, in its sole discretion, reject the Quotation.

The Ministry assumes that there is a clear understanding by the Service Provider of the services to be provided as demonstrated through completion of Form 2 and a commitment to the terms and conditions of this RFQ.

The overall Quotation will be evaluated based on a weighting of 50% for the Service Provider's Corporate Performance Rating (CPR) and 50% for the Service Provider's Lump Sum Price (Maximum Ceiling Price). Each of the criteria indicated above (Corporate Performance Rating and Lump Sum Price) are rationalized out of 100 points, multiplied by the relative weights and summed to provide an overall scoring for each Service Provider.

The selection of the Service Provider will be based on the Ministry's Process (Consultant Performance and Selection System CPSS). Depending on the type of assignment, an appropriate CPR will be applied in the selection process. The Quotation with the highest overall score will be awarded. The submission will be assessed to determine that all ministry requirements have been met. Once an award is made, any clarifications required of the Quotation, will be resolved with the selected Service Provider prior to signing a legal agreement.

2.0 INTRODUCTION

HER MAJESTY THE QUEEN in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the "Ministry") is issuing this Request for Quotation ("RFQ"), which sets out the assignment and method for submitting a Quotation in respect of the assignment and the terms and conditions that will govern the performance of the assignment.

Note that the price stated in the Quotation is to be firm. The Quotation if accepted (signed) by the Ministry, the RFQ and Form 2 will form the legal contract.

3.0 THE ASSIGNMENT

3.1 TECHNICAL STANDARDS AND SPECIFICATIONS

This assignment shall be carried out and constructed in accordance with the Assignment Requirements outlined in this RFQ, the Ministry's current directives, accepted standards, codes, specifications, practices, policies and procedures (includes any Regional memoranda). The Technical Standards and Specifications define the standards to be used in the design.

In the event of any conflict or inconsistency between documents, documents with the most recent dates shall prevail.

For the Assignment:

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3.2 PROFESSIONAL ENGINEERING SERVICES

The Service Provider shall, pursuant to the provisions of the Professional Engineers Act, hold or otherwise retain the services of a licensed Professional Engineer holding a valid Certificate of Authorization from the Professional Engineers of Ontario, whose role will include, but not necessarily be limited to, the assumption of professional responsibility for the Services and Deliverables to be provided by the Service Provider.

3.3 PROFESSIONAL GEOSCIENCES SERVICES

The Service Provider shall, pursuant to the provisions of the Professional Geoscientists Act, hold or otherwise retain the services of a licensed Professional Geoscientist holding a valid Certificate of Authorization from the Association of Professional Geoscientist of Ontario, whose role will include, but not necessarily be limited to, the assumption of professional responsibility for the Services and Deliverables to be provided by the Service Provider.

A Professional Engineer with the expertise in the geosciences and holding a valid Certificate of Authorization from the Professional Engineers of Ontario may perform professional geosciences services.

The Ministry retains the exclusive right to add “Extra Work” to this RFQ assignment. All provisions of this RFQ shall apply to the “Extra Work”.

3.4 BACKGROUND

For the Assignment:

3.5 PROJECT TERMS OF REFERENCE

3.5.1 MATERIALS FIELD TESTING STAFF AND EQUIPMENT ***NOT APPLICABLE***

Staff and Sub- Service Providers performing services under this agreement shall be independent firms which are not owned by, in whole or in part, or affiliated with, the Contractor, a sub-contractor or a supplier of construction material under the Construction Contract.

Required field testing shall be scheduled by the Service Provider so that it:

- Is carried out during Contractor-scheduled lane closures; and
- Coincides with the Contractor’s operations, permitting proper testing and continuation of the work to the next level of the Contractor’s operations without delay.

3.5.2 FIELD COMPACTION TESTING ***NOT APPLICABLE***

Where field compaction testing of earth and/or granular is to be carried out using a nuclear moisture-density gauge, the operator of the gauge shall have been trained in the safe operation, transportation, and handling of the gauge. The registered owner of the gauge shall hold and maintain a valid radioisotope license for the gauge. The gauge shall have been calibrated within the last twelve (12) months, either by the manufacturer or other qualified agent, against certified density and moisture reference blocks. The certificate of calibration for the gauge shall be available for inspection. Technicians carrying out the field compaction test shall demonstrate their ability to measure density and calculate Quality Index (QI) of compacted lots.

3.5.3 HOT MIX PAVEMENT SMOOTHNESS ***NOT APPLICABLE***

Testing is to be as per ASTM E 1274-88, Standard Test Method for Measuring Pavement Roughness Using a Profilograph.

Profilographs shall be from the list of Ministry approved California Profilographs for the current construction season. Profilograph equipment operators shall be from the list of Approved PMD Operators and Quality Control Technicians for the current construction season. The list of the Ministry-approved PMD Operators and Quality Control Technicians is attached.

3.5.4 CONCRETE PAVEMENT SMOOTHNESS TESTING ***NOT APPLICABLE***

Testing is to be as per ASTM E 1274-88, Standard Test Method for Measuring Pavement Roughness Using a Profilograph.

Successful correlation of profilograph equipment by the Ministry is required. Successful Service Providers receive a letter from the Concrete Section confirming their qualification to carry out the pavement roughness measurements. Profilograph equipment operators shall be from the list of Approved PMD Operators and Quality Control Technicians for the current construction season. The list of the Ministry-approved PMD Operators and Quality Control Technicians is attached.

3.6 SCHEDULE

3.7 QUALITY CONTROL OF SERVICES

Quality Control Plan Administration

A Quality Control Plan is submitted through Registry, Appraisal & Qualification System (RAQS) and has the following three components:

- Core Plan.
- Generic Category Plan.
- Supplementary Specialty Plan (project specific).

The Core Plan is to provide the Service Provider's corporate policy, best practices and procedures on Quality Control. Only one (1) Core Plan is required from a firm registered in RAQS.

The Generic Category Plan is to outline the process, which a Service Provider generally follows to provide for the quality of work for the Categories and Specialties; for which a Service Provider has been registered by the Ministry. One Generic Category Plan is required for each Category where a Service Provider is registered under one or more Specialties.

A Supplementary Specialty Plan is project specific and outlines how a Service Provider shall provide for the quality control for the individual Phases / Tasks for the Specialty identified for an assignment.

A Supplementary Specialty Plan, which is project specific, is required from the successful Service Provider upon being advised of an award.. Only upon the acceptance of the Supplementary Specialty Plan by the Ministry Project Manager by the date specified together and with the duly signed / executed Legal Agreement, the Service Provider shall proceed with the assignment.

During the assignment and at completion, the Service Provider's Auditor shall submit reports on quality control (Milestone Quality Report(s)) to the Ministry Project Manager. The Milestone Quality Control Reports are subject to acceptance by the Ministry Project Manager. The Ministry Project Manager may request clarification or additional information as deemed necessary.

The performance of the Service Provider shall be tracked on the adherence to the accepted Quality Control Plan, any corrective measures instituted, timely delivery of Milestone Reports and follow up on clarifications or additional information requested by the Ministry Project Manager. The areas of conformance / non-conformance will be documented.

It is the responsibility of the Service Provider to correct the areas of non-conformance within a specified date. The Ministry may inform the Service Provider in writing to correct major violations of the Quality Control Plans. If after a written notice, the major violations are not

corrected, the Ministry may at its own discretion issue Infraction Report / Penalties or stoppage of work, until conformance is demonstrated or appropriate revisions to the plans are approved such that any additional work to obtain conformance shall not constitute a Scope Change.

Upon request, the Ministry shall be given access at any time to all records produced in the performance of the Services including inspection records, test results and testing facilities, and to conduct sampling, direct observation of testing as necessary to enable the Ministry to monitor adherence to the Quality Control Plans for Services.

The Service Provider shall be solely and fully accountable for the quality of the Deliverables. The Ministry reserves the right to reasonably undertake actions to recover costs which result from errors, omissions or other actions or inactions of the Service Provider pursuant to the construction administration of the assignment.

Quality Control Plan Procedures

For all RFQ assignments, a Service Provider must have a prior registration of their Core Plan and the Generic Category Plan for the Category in which the RFQ Specialty identified in the Notice is located. The firms who do not meet the QC Plan requirement shall not be considered.

At Award

A Service Provider is to submit within ten (10) business days through RAQS, a completed Supplementary Specialty Plan together with the completed Template for the Specialty identified in the RFQ Notice. The Ministry Project Manager may accept the Service Provider's Supplementary Plan submitted or request clarification(s) or additional information, as warranted.

Failure to provide an acceptable Supplementary Specialty Plan in RAQS within twenty (20) business days may, at the discretion of the Ministry, result in the cancellation of an award and the ministry at its sole discretion may not proceed further with the legal agreement.

During Assignment

The Service Provider is responsible for the timely submission of a Supplementary Specialty Plan and Milestone Quality Report(s) and any clarifications or additional information requested by the Ministry Project Manager. The Service Provider shall submit through RAQS, the Milestone Quality Report(s) at the dates identified in the accepted Supplementary Plan. The Ministry Project Manager may accept the Milestone Quality Report(s) or may request clarification or additional information as appropriate.

The detailed requirements, templates and the submission procedures in RAQS for Core, Generic Category Plan(s), Supplementary Specialty Plan and Milestone Quality Report(s) are listed in the following Document:

Service Provider Quality Control (QC) Plan Process, Procedures Guide, Highway Design Office, MTO, latest revision and posted on the MTO Public Site **www.raqs.mto.gov.on.ca.**

Special Requirements for Engineering Work

All engineering products, including contract drawings and engineering reports, must be stamped by a Professional Engineer licensed in Ontario. In the case of foundations work, including the foundation drawing and foundation report, two (2) PEO stamps are required. One of the two (2) PEO stamps shall be the firm's Designated Principal Contact registered in the relevant RAQS design specialties.

3.8 DELIVERABLES

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All deliverables shall be provided in hard copy and electronic version, including one (1) Adobe PDF file format, to the Ministry upon completion of the study/design. All interim, draft and final products (text, graphics, mapping, reports, drawings, etc.) shall be produced in an electronic format that is compatible with the Ministry and suitable for future modification.

3.8.1 ENGINEERING MATERIALS FIELD TESTING ***NOT APPLICABLE***

The Service Provider is responsible for arranging and providing the field-testing services noted in the Engineering Materials Field Testing Reference Table of the Construction Administration and Inspection Task Manual.

Field tests are considered part of the duties of site staff. The Service Provider is to make an allowance and incorporate these costs in their price.

Included as a task under Engineering Materials Field Testing, is the requirement that all samples of materials which the Ministry will test as per the CAITM are delivered to the designated laboratory at a location as specified in the Construction Contract Documents in a timely fashion, in a suitable testing condition, with proper identification and WHIMIS labels and in accordance with applicable Dangerous Goods Legislation.

3.9 COPIES

The Service Provider shall provide the following number of copies of each item/deliverable indicated below:

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3.10 FEE SCHEDULE

The Service Provider shall provide a fee schedule identifying the name, function, and rate of pay of each individual participating in the assignment (Form 1(b)). This information will be used as the basis for negotiation for extra services.

3.11 BASIS OF PAYMENT

Canada and Ontario have entered into a Comprehensive Integrated Tax Coordination Agreement whereby Ontario has agreed to pay harmonized sales tax (HST) on its purchases. For Deliverables provided on or after July 1, 2010, the supplier shall invoice and collect HST from the Ministry for the Deliverables in accordance with the provisions of the Excise Tax Act, R.S.C. 1985, c.E-15, as amended or replaced from time to time.

The Totals should not include HST.

The lump sum or unit price quoted for each Deliverable and Service will form the basis of payment. The summation of prices quoted for all Deliverables and Services will constitute the "Maximum Ceiling Price". These shall be listed against each Deliverable and Service and totalled on Form 1(b).

3.12 MINISTRY WORK AND REIMBURSABLE SERVICES

The Service Provider may request; or if the Ministry perceives that a need is created due to the lack of action on the part of the Service Provider or for other reasons; Ministry Managerial and/or Technical Services may be performed in conformance with the RFQ based on the following rates:

Management and Professional Staff	per diem rate = $1,000
Technical Staff	per diem rate = $800

Should the Service Provider require, or create the need for, any other services of the Ministry, these will be negotiated as required.

4.0 GENERAL INFORMATION

4.1 SERVICE PROVIDER PERFORMANCE

The Ministry will monitor the timeliness and quality of the services/deliverables over the course of this assignment. The monitoring may involve items such as adherence to technical standards, value for money, adherence to the Quality Control of Services Plan and the Terms of References.

Pursuant to Article 3 of Part B Legal Terms of Reference (as available at the RAQS website), the Ministry, or its delegate, reserves the right to visit the office of the Service Provider or Sub-Contractor to conduct an independent audit of the work currently completed. The Service Provider shall maintain Assignment records and make these available for review at the time of such audits. Any audits performed will be used in the assessment of the Service Provider's Performance. Results of the audits may impact the service provider's eligibility to perform future work for the Ministry.

Effective January 1st, 2001 the Ministry has implemented a performance based model for the selection and award of Engineering and Construction Administration assignments. Past performance is now being used in the selection process. The Service Provider will receive Interim/Annual performance appraisal(s) during the assignment. The appraisal(s) are to provide timely feedback to the Service Provider during the assignment. Upon receipt of a performance appraisal from the Ministry, the Service Provider will be allowed twenty-one (21) calendar days to sign and concur with the performance appraisal or request a Formal Review. If the Service Provider does not respond within the twenty (21) calendar days, the appraisal will be considered final as issued will be considered *approved*. Only the *approved* Interim, Annual and Final Appraisals will apply in CPR..

Effective March 1, 2004, a Service Provider's Corporate Performance Rating (CPR) is calculated for Planning, Engineering, Construction Administration, Area Materials Testing and Small Value Assignments. For additional information regarding CPR's, refer to the latest version of Ministry's document "Consultant Performance and Selection System, Consultant Reviews and Consultant Infraction Reports, Procedures Guide" and "Consultant Performance Appraisals Procedure Guide".

4.2 RIGHT TO ACCEPT OR REJECT

The Ministry reserves the right to reject any and all Quotations, whether or not completed properly and whether or not they contain all required information.

The Ministry may request clarification where any Service Provider 's intent is unclear and may waive or request amendment where, in the opinion of the Ministry, there is a MINOR irregularity or omission in the information that has been submitted in a required document.

The Service Provider understands and agrees that the Ministry may, if deemed necessary, verify any information provided in any Quotation. If there is any evidence of misleading or false information having been submitted, the Ministry may, in its sole discretion, reject the Quotation.

4.3 EXECUTION OF CONTRACT

The acceptance of a Quotation and the award of this assignment or any part thereof will be made in writing by the Ministry signing the acceptance portion of Form 1(a). The successful Service Provider will be required to comply with the fully executed RFQ including the Terms and Conditions, which shall form the legal agreement with the Ministry after acceptance by the Ministry. Any subsequent changes to the legal agreement will be made only in writing.

4.4 FAILURE TO EXECUTE CONTRACT

In the event that a successful Service Provider fails or refuses to commence the Assignment within the time prescribed by the Ministry, the Ministry reserves the right, in its sole discretion, to cancel the award and award the contract to another Service Provider, not to accept any Quotation, or to issue a new RFQ, and the defaulting Service Provider shall be liable for all losses, damage, costs and expenses (including consequential losses and damage, and legal fees) suffered or incurred by the Ministry as a direct or indirect result thereof, including but not limited to any increase in the price of performance over the price submitted by the defaulting Service Provider in its Quotation.

4.5 NO LIABILITY FOR EXPENSES OR DAMAGES

The Ministry will not be liable for any loss or damage suffered by any Service Provider including, without limitation, any expenses incurred in the preparation and submission of the Quotation.

4.6 IRREVOCABLE RESPONSE

The Quotation submitted is irrevocable by the Service Provider following the deadline for submission of Quotations and will remain in effect and open for acceptance by the Ministry for a period of ninety (90) calendar days only, unless all Service Providers explicitly agree to extend their quotation(s) for a longer period. Otherwise all Service Providers may be requested to resubmit Financial Proposal.

4.7 SERVICE PROVIDER CONTACT

Each Service Provider shall designate in its Quotation the name of the Contact to whom any additional information deemed relevant to the RFQ may be communicated. The Service Provider contact must be identified in RAQS under General Information.

4.8 CONFIDENTIAL RESPONSES

The Ministry will consider all Quotations as confidential, subject to the provisions and disclosure requirements of the Freedom of Information and Protection of Privacy Act R.S.O., 1990, c.F.31, as amended. The Ministry will, however, have the right to make copies of all proposals received for its internal review process.

4.9 CONFLICT OF INTEREST

Each Service Provider must include in its Quotation, confirmation of the following (Form 3(c) as provided in Part C of the RFQ document); that the Service Provider does not and will not have any conflict of interest (actual or potential) in submitting its Quotation or, if selected, with the contractual obligations of the Service Provider as Service Provider under the Agreement. Where applicable, a Service Provider must declare in its Quotation any situation that may be a conflict of interest in submitting its Quotation or, if selected, with the contractual obligations of the Service Provider as Service Provider under the Agreement (Form 3(a) or Form 3 (b)); and

That the Service Provider neither has nor has access to any Confidential Information as defined below;

"**Confidential Information"** refers to the confidential information of the Crown (other than confidential information which is disclosed to the Service Provider s in the normal course of the Request for Quotations); the Confidential Information is relevant to the Services required by the Request for Quotations, their pricing or the Request for Quotations evaluation process; and the disclosure of which could result in prejudice to the Crown or an unfair advantage to the Service Provider.

In addition, each Quotation shall include a list of the names, addresses and telephone number of the persons who participated in the development of the Quotation (Form 3(c)); and

The RFQ submission of any Service Provider may be disqualified where the Service Provider fails to provide confirmation of the foregoing or makes misrepresentations regarding any of the above. Further, the Ministry shall have the right to rescind any contract with the selected Service Provider in the event that the Ministry in its sole discretion determines that the

selected Service Provider has made a misrepresentation regarding any of the above, in addition to or in lieu of any other remedies that the Ministry has in law or in equity.

4.10 OCCUPATIONAL HEALTH AND SAFETY

The Service Provider will be responsible for meeting all of the obligations under the Occupational Health & Safety Act ("OHSA") and all applicable regulations. This includes, but is not limited to, the duties to: provide a safe workplace; provide information and educate the workers on workplace hazards; appoint a competent supervisor; prepare and provide a health and safety policy; implement a comprehensive health and safety program to support the policy; and take every reasonable precaution to protect the health and safety of workers.

The Ministry of Labour ("MOL") has indicated that in some cases, certain engineering work may constitute "construction" work for the purposes of the OHSA. The successful Service Provider is advised that it shall be required to review its work activities for compliance with the OHSA and applicable regulations. The Service Provider shall execute the terms of the Contract in strict compliance with the OHSA and the applicable regulations thereunder.

The Service Provider is advised that it shall be required to review its work activities to achieve compliance with the OHSA and applicable regulations with respect to traffic hazards and to reference The Ontario Traffic Manual Book 7 - Temporary Conditions, Office edition for further direction on traffic control.

The Service Provider shall:

(i) Provide advance notice of the proposed starting date and time, estimated duration, and location of the work to:

(a) Area Contracts Engineer, Contracts Office;
(b) The Manager of Operational Services Office; and
(c) The Ministry Project Manager;

(ii) Obtain Ministry approval to carry out any work near or within the confines of a construction project. Working without Ministry approval or direction could implicate the Ministry as a constructor for the purposes of the OHSA; and

(iii) Do not start any work if another Service Provider is working in the area. An alternate schedule is to be worked out with the Ministry such that their work does not create hazards that impact on another service provider.

In accordance with Section 30 of the OHSA, the Ministry has provided, appended hereto, a list of designated substances present in Ministry workplaces.

List of Designated Substances in Ministry Workplaces

In accordance with the OHSA, a list of Designated Substances present in Ministry workplaces is provided in this section.

Ontario Regulation 490/09 lists the following eleven Designated Substances: Acrylonitrile, Arsenic, Asbestos, Benzene, Coke Oven emissions, Ethylene Oxide, Isocyanates, Lead, Mercury, Silica, Vinyl Chloride.

Of the above, MTO is aware that **Silica, Lead, Asbestos and Arsenic** were widely used in highway and bridge construction in the past and may be present within the project limits. In addition, there is a possibility that **Benzene** may be present in certain coating materials (such as coal tar epoxy) or as a result from a spill or from contamination from an adjacent property.

The remaining Designated Substances are not likely to be encountered in typical construction or maintenance activities of MTO infrastructure. Acrylonitrile and Vinyl Chloride are in Acrylonitrile Butadiene Styrene (ABS) and Polyvinyl Chloride (PVC) materials but are not considered Designated Substances once they have been polymerized and therefore do not need to be identified.

In accordance to the Occupational Health and Safety Act, R.S.O. 1990, c. 0.1, Proponents are advised of the presence of the Designated Substances presented in Table 2-1 to which the Service Provider may be exposed when working at the specified locations or while the specified work activities are being undertaken.

Table 2-1 Designated Substances In Ministry Workplaces

Designated Substance	Location or Work Activity
Silica	*Handling sand or gravel. Handling road sweeping materials.* *Silica will be present on all projects. Present throughout the working area including, but not limited to, asphalt, concrete, and granular materials.*
Lead	*Lead is assumed to be present in the epoxy coating on the reinforcing steel within the concrete deck and the work shall be performed as though lead is present.*

Designated Substance	**Location or Work Activity**
Asbestos on Construction Projects and in Buildings and Repair Operations (O. Reg. 278/05)	*Patrol yard building materials (i.e., pipe insulation, ceiling/beam insulation, ceiling tiles, acoustic wallboards, floor tiles, ducts in bridges, etc.).* *Located on the X Bridge in the Bearings identified as Transite Board. Material is non-friable. Reference report "Asbestos Analysis for the X Bridge" dated May 2013 and included elsewhere in the Contract Documents.* *The conduit in the sidewalk of the bridge is assumed to contain asbestos and is assumed to be non-friable; however it shall be re-assessed when the material is exposed.* *Asbestos may be found in some pavements, bridges, culverts, buildings, and electrical works:* *- Asbestos may be found in conduits/ducts, bearings as well as in coatings found on structures and culverts.* *- Asphalt Coated Asbestos Protected Corrugated Steel Culverts have been used in some projects.* *- Asbestos may also be present as insulation and in numerous other building materials in existing buildings. Examples include: caulking, drywall joint compound, tiles, etc.* *- Asbestos was used as a hot mix additive in some trials.* *- Asbestos cement pipes may also have been used.*
Mercury	*Manometers, thermometers or other pressure or temperature sensing devices may contain mercury.* *Steel Structure coatings may contain small concentrations of mercury.* *Mercury is not likely to be encountered as mercury vapour lamps have been replaced with high pressure sodium and LED for illumination.* *However mercury may be present in some electrical equipment and mercury vapour is present in fluorescent light tubes and other types of light fixtures in buildings.*
Arsenic	*Steel Structure coatings may contain small concentrations of arsenic.* *May be found in pressure treated lumber (e.g. sign supports and some guiderail posts) and some steel structure coatings.*

Designated Substance	**Location or Work Activity**
Benzene	*Benzene may be present in certain coating materials such as coal tar epoxy.* *Benzene may also be encountered in or adjacent to abandoned fuel storage facilities.*
Vinyl Chloride, Coke Oven Emissions, Ethylene Oxide, Acrylonitrile and Isocyanates	*Vinyl Chloride, Coke Oven Emissions, Ethylene Oxide, Acrylonitrile and Isocyanates are not normally present on MTO construction projects.*

The Service Provider shall include as part of the RFQ submission:

a) Signed Occupational Health and Safety Statutory Declaration Form (Form 5 Part C of the RFQ) certifying that the signatory fully understands and intends to fulfill its obligations as “Employer” as prescribed in the Occupational Health and Safety Act (“OHSA”) and its regulations. Form 5 must be signed by an authorized person with name identified in RAQS;

The Successful Service Provider shall provide the following upon award:

a) Valid corporate Health and Safety Policy as prescribed in the OHSA. (Please note: The OHSA requirement to have an OHS Policy does not apply to employers with five (5) or less employees.);

b) Description of the hazards inherent to the work of this Agreement and a description of how these hazards will be managed in compliance with the OHSA and all applicable Regulations;

c) Description of what provisions it has put (or will put) in place for providing an adequate number of supervisors and that they all satisfy the definition of "competent" as prescribed in the OHSA;

d) Indication of whether a Preventative Maintenance Program for equipment is available (if required);

e) Description of traffic control provisions, specific to the agreement, which demonstrate that the Service Provider is aware of relevant traffic standards and their obligations and responsibilities under the OHSA for public and employee safety for this assignment;

f) Description of what information and instructions shall be provided to employees such that all employees are informed of the hazards inherent in the Work and understand the procedures for minimizing the risk of injury or illness;

g) Procedures for (i) responding to OHS issues identified by the Ministry; (ii) managing orders from Ministry of Labour ("MOL"); (iii) fulfilling MOL notification for critical injuries and fatalities; and (iv) notifying the Ministry of critical injuries/fatalities and MOL orders;

h) List of MOL orders that have been issued to the Service Provider within the past five (5) years and any conviction for OHSA violations if applicable.

Items a) through h) together shall constitute the Successful Service Providers OHS Plan.

APPENDICES

APPENDIX A: TECHNICAL STANDARDS AND SPECIFICATIONS

This Project shall be carried out, designed and constructed in accordance with the Part B Terms of Reference – Project Specific requirements outlined in this RFP, the Ministry's current directives, accepted standards, specifications, practices, policies and procedures, and Regional Memoranda. The Technical Standards and Specifications define the standards to be used in the design and contract administration, and the minimum quality for materials that shall be specified.

In the event of any conflict or inconsistency between documents, documents with the most recent date shall prevail.

The applicable standards and specifications include but are not limited to the following documents:

Table 5-1 Current Standards and Specifications: Planning/Engineering

Document	Distributor
Abbreviation and Symbols Manual	Publications Ontario Order By Phone: 1-800-668-9938 or (416) 326-5300 or online at: http://pubont.stores.gov.on.ca/pool
AutoCAD Drawings Structural Library	Publications Ontario
AutoCAD Standards Guide (Link)	Publications Ontario
AutoCAD / Civil 3D Template and Guide for Engineering Surveys	http://www.xfer.mto.gov.on.ca/PTASapps/index.htm and MTO on-line Library
Bailey Bridge Manual	Publications Ontario
Bridge Clearance and Load Restriction Manual	Publications Ontario
Canadian Bridge Analysis System (CANBAS) Input Instruction Manual, latest version	Publications Ontario
Canadian Highway Bridge Design Code, CAN/CSA-S6-14 and Provincial Engineering Memorandum Bridge Office #2015-07.	CSA International
Canadian Portland Cement Association "Thickness Design for Concrete Highways and Street Pavements"	Canadian Portland Cement Association
Cathodic Protection Manual for Concrete Bridges	Publications Ontario
Class Environmental Assessment for Provincial Transportation Facilities	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Commercial Site Access Policy and Standards Manual	Publications Ontario
Commercial Vehicle Survey Customized Report	Publications Ontario
Concrete Culvert Design and Detailing Manual	Publications Ontario
Constructability Review Process Guide	MTO Contract Management Office
Construction Administration and Inspection Task Manual	Publications Ontario
Construction Contract Administration Regional memoranda	MTO Regional Construction Office
Service Provider Performance and Selection System, Service Provider Reviews and Service Provider Infraction Reports – Process Guide (Revised), latest revision	MTO – Website www.raqs.mto.gov.on.ca/
Service Provider Quality Control (QC) Plan - Process Procedures Guide, latest revision	MTO – Website www.raqs.mto.gov.on.ca/

Document	Distributor
Contractor Performance Rating Guideline	https://www.raqs.merx.com
Contract Design Estimating and Documentation Manual	Publications Ontario
Corridor Control and Permit Procedures Manual	Publications Ontario
Design Manual For Highway Illumination	MTO – Traffic Office
Designated Sources for Materials	Publications Ontario
DGS Design Graphic System User Manual	Publications Ontario
Drainage Management Manual – Volumes 1, 2, 3 and 4	Publications Ontario
Electrical Engineering Manual Volume 1 - Electrical Design	Publications Ontario
Electrical Engineering Manual Volume 2 - Electrical Maintenance	Publications Ontario
Electrical Engineering Manual Volume 3 - C.D.E.D.	Publications Ontario
Electrical Engineering Manual Volume 4 - FTMS C.D.E.D.	Publications Ontario
Engineering Survey Manual (Link)	MTO on-line Library and Publications Ontario
Environmental Glossary	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Assessing and Mitigating the Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects	MTO Website (Publications > Environmental Standards and Practices)
Environmental Guide for Built Heritage and Cultural Heritage Landscapes	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Contaminated Property Identification and Management	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Erosion and Sediment Control during Construction of Highway Projects	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Fish and Fish Habitat	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Noise	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Patrol Yard Design	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guide for Wildlife Mitigation	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Guidelines for Structural Steel Coating	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Protection Requirements for Transportation Planning and Highway Design, Construction, Operation and Maintenance	MTO Website (Publications > Environmental Standards and

Document	Distributor
	Practices) and Publications Ontario
Environmental Reference for Contract Preparation	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Reference for Highway Design	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Environmental Standards and Practices User Guide	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Exceptions to the Canadian Highway Bridge Design Code CAN/CSA-S6-00-Sign Support Inspection Guidelines	MTO – Bridge Office
Field Guide for the Acceptance of Hot Mix and Bridge Deck Waterproofing	Publications Ontario
Flexible Link Slab for Steel Girder Bridges	MTO – Bridge Office
Formwork and Falsework Manual	Publications Ontario
Geometric Design Standards for Ontario Highways	Publications Ontario
Guideline for the Design of Snowmobile Bridges	MTO – Bridge Office
Guidelines for Drinking Well Water Sampling and Testing in Ministry of Transportation Activities	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
Highway Design Office Bulletins/Memos	MTO – Design and Contract Standards Office
Guidelines for Operational Performance Reviews - Version 2.0	MTO – Traffic Office (Head Office)
Highway Equipment Standards Manual	Publications Ontario
Integral Abutment Bridges	Publications Ontario
Laboratory Testing Manual	Publications Ontario
Maintenance Manual	Publications Ontario
Manual for Condition Rating of Flexible Pavements (SP-024)	MTO – MERO
Manual for Condition Rating of Rigid Pavements (SP-005)	MTO – MERO
Manual of Standard Short Span Steel Bridges	Publications Ontario
Mix Design Method for Recycled Hot Mix	MTO – MERO
MTO/DFO/OMNR Protocol for Protecting Fish and Fish Habitat on Provincial Transportation Undertakings	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
MTO/DFO/OMNR Protocol for Protecting Fish and Fish Habitat on Provincial Transportation Undertakings, User Field Guide	MTO Website (Publications > Environmental Standards & Practices) and Publications Ontario
MTO Gravity Pipe Design Guidelines: Circular Culverts and Storm Sewers	MTO on-line Library
MTO/MOECC Memorandum of Understanding on Permits-To-Take-Wate	MTO Website (Publications > Environmental Standards and Practices) and Publications Ontario
MTO/MOECC Protocol for the Management of Excess Materials in Road	MTO Website (Publications >

Document	Distributor
Construction and Maintenance	Environmental Standards and Practices)
MTO Soil Classification Manual	MTO on-line Library
Ontario Bikeways: Planning/Design Guidelines	MTO on-line Library
Ontario Highway Bridge Design Code	MTO on-line Library
Ontario Modular Bridge Analysis System (OMBAS)	MTO on-line Library
Ontario Modular Bridge Analysis System: Input Instruction Manual	MTO on-line Library
Ontario Modular Bridge Analysis System: User's Guide	MTO on-line Library
OPS Specifications for Roads and Municipal Services, Volume 1, Genera Conditions of Contract and Specifications for Construction (Div 1 to 9)	Publications Ontario
OPS Specifications for Roads and Municipal Services, Volume 2, Specifications for Material	Publications Ontario
OPS Specifications for Roads and Municipal Services, Volume 3, Drawing for roads, barriers, drainage, sanitary sewers, watermains and structures	Publications Ontario
OPS Specifications for Roads and Municipal Services, Volume 4, Drawing for Electrical Work	Publications Ontario
Ontario Structure Inspection Management Systems (OSIMS) User's Guid	MTO on-line Library
Ontario Structure Inspection Manual	MTO on-line Library
Ontario Traffic Manual (OTM) Series	MTO on-line Library
Ontario Traffic Signal Control Equipment Specifications	Publications Ontario
OSIM Ontario Structure Inspection Manual	Publications Ontario
Overcoating – Technical Assessment of Existing Coatings of Steel Bridge for Overcoating	MTO Bridge Office
Parametric Estimating Guide	MTO Contract Management Office
Pavement Design and Rehabilitation Manual	Publications Ontario
Pesticides Spray Manual	Publications Ontario
Performance of Integral Abutment Bridges Report	Publications Ontario
Pile Load and Extraction Tests	Publications Ontario
Guide to the Design of Post-Tensioned Decks	Publications Ontario
Prestressed Concrete Manual for Quality Assurance of Bridges During Construction	Publications Ontario
Procedures for the Design of High Mast Pole Foundations	MTO – Bridge Office
Progress and Final Payment Guidelines	MTO Regional Operations Offices
Property Request Manual	MTO – Property Office
Provincial Highways Distance Table	Publications Ontario
Remote Airport Lighting Manual	Publications Ontario
Roadside Safety Manual	Publications Ontario
Retained Soil System (RSS) Guidelines	MTO – Materials Engineering and Research Office
Safety Practices for Structure Inspections	MTO – Bridge Office
Seeding and Cover Quality Assurance Visual Inspection Field Guide	Publications Ontario
Semi-Integral Abutment Bridges Manual	Publications Ontario
Short Span Steel Bridges	Publications Ontario
Sign Support Manual	Publications Ontario
Standard Ministry forms related to Construction Contract Administration Services	MTO – Regional Operations Offices
SFAM Structural Financial Analysis Manual	Publications Ontario
Structural Manual	Publications Ontario

Document	Distributor
Structural Steel Coating Manual	Publications Ontario
Structure Rehabilitation Manual	Publications Ontario
Transportation of Dangerous Goods	AASHTO
AASHTO Guide for the Design of Pavement Structures for Rigid and Flexible Pavements	AASHTO
Applicable Ministry Directives and Regional Memoranda	MTO Regional Operations Offices
Regional Specific Documents	MTO
Operation Constraints and Non-standard Special Provisions	MTO
Northwestern Region [V:\~Service Provider Repository] Files	MTO NWR Planning & Design
OHSAGuide for Preparing Hydrology Reports for Water Crossings	MTO Design & Contract Standards
Storm water Management Requirement for Land Development Proposals	MTO Design & Contract Standards
Evaluation of Drainage Management Software	MTO Design & Contract Standards

APPENDIX B: MINISTRY ACCEPTANCE/APPROVALS

Ministry Acceptance/Approvals for Detail Design Assignments

In addition to requirements outlined elsewhere in this assignment, the Service Provider must secure specific approvals and acceptance of the Ministry. The anticipated turnaround time, upon submission of all required documentation, is of 20 Calendar Days for Detail Design assignments.

Draft documents for design work shall be submitted and shall have the same turnaround time as stated above for final documents.